

**WINNEBAGO COUNTY BOARD MEETING  
TUESDAY, JANUARY 18, 2011**

Chairman David Albrecht called the meeting to order at 6:00 p.m. in the County Board Room, Fourth Floor, Courthouse, 415 Jackson Street, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an invocation by Supervisor Lennon.

The following Supervisors were present: Konetzke, Barker, Englebert, Eisen, Ramos, Miller, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Thompson, Lennon, Reynolds, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Eichman, Kline, Locke, Hegg, Finch, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis and Rengstorf. Excused: Swanson and Neubauer.

Motion by Supervisor Robl and seconded to adopt the amended agenda with the change of order of the Resolutions so that Resolution No. 159-12011 will be acted on prior to Resolution No. 150-12011. CARRIED BY VOICE VOTE.

**PUBLIC HEARING**

Thomas R. Pech, Jr., 1275 West Smith Avenue, Oshkosh urged the Board to table Resolution No. 159-12011, "Reduce Size of Winnebago County Board of Supervisors to 35 Members".

Judy Goldsmith, 173 First Street, Fond du Lac, Wisconsin. Ms. Goldsmith is a member of the Fond du Lac County Board, who related her experiences with the downsizing of the Fond du Lac County Board.

Jeremy Monnett, 2347 Ashland Street, Oshkosh, urged the Board to table Resolution No. 159-12011.

Kathleen Propp, 1936 Hazel Street, Oshkosh, urged the Board to table Resolution No. 159-12011 until February 22, 2011.

Ann Marshall, 1120 Olson Avenue, Oshkosh, asked that the Board follow the Judiciary & Public Safety Committee's timetable for redistricting. She encouraged everyone to become more informed about county board size and redistricting.

Donna Lohry, 511 West Bent Avenue, Oshkosh, urged the Board to pass Resolution No. 159-12011.

**COMMUNICATIONS, PETITIONS, ETC.**

Notice of Claim from Secura Insurance Co. on behalf of Thomas Varde for damage to his vehicle caused by an accident with a Sheriff's Department vehicle was referred to the Personnel & Finance Committee.

Notice of Claim from Pit Stop Event Services for damage to their portable toilets located at a county boat launch site was referred to the Personnel & Finance Committee.

Notice of Claim from Paul Greeninger of the City of Oshkosh for damages to a municipal vehicle caused by an incident on Burr Oak Road was referred to the Personnel & Finance Committee.

Ozaukee County, Resolution No. 10-56, "The Orville Lemke Bill – Fast Track Process for Purple Heart and Other Military Related Honors" was referred to the Legislative Committee.

Resolutions were received from the Towns of Neenah, Vinland and Winneconne regarding the size of the Winnebago County Board of Supervisors. The Town of Neenah's resolution recommends reducing the Board by no more than one supervisor. The Town of Vinland's resolution suggests only a "slight reduction" in the size of the Board. The Town of Winneconne's resolution recommends that the Board remain at 36 members. Copies of these municipalities' resolutions are attached to the Board's Resolution No. 159.12011, "Reduce Size of Winnebago County Board of Supervisors to 35 Members."

Petition for Zoning Amendment from Nicholas C. Potratz; NC Potratz, LLC; and Tina Schettle, Town of Omro, for a zoning change for tax parcel nos. 016-0375-05, 016-0375-02, 016-0377(p) from A-2 to R-1 for single family residential was referred to the Planning & Zoning Committee

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Rengstorf reported that the Judiciary & Public Safety Committee's February 14 meeting will be held in Room 60 at the courthouse.

Supervisor Widener reported that application forms for the county's scholarship program have been placed on the Supervisors' desks. Additional copies are available from the County Clerk's Office and the UW-Extension Office. The applications are also available on the county's website.

Supervisor Kline reported that the Legislative Committee will be meeting on Monday, January 24 at 8:30 a.m. at the James P. Coughlin Center. Meeting packets have been placed on the committee members' desks.

Supervisor Barker presented information on the "Urban Chicken Workshop" that will be held on Saturday, March 26 at the Winnebago County Expo Building. She explained that there is a growing interest in keeping and raising chickens in urban settings and this workshop will address this issue.

Motion by Supervisor Robl and seconded to approve the proceedings from the December 21, 2011 Winnebago County Board meeting. Supervisor Eisen asked that Page 118 be corrected by changing "Second Change" to "Second Chance" in the heading of the presentation on the Second Chance Program. Proceedings were approved as corrected by VOICE VOTE.

### **COUNTY EXECUTIVE'S REPORT**

Executive Mark Harris discussed three of the Resolution's on the Board's agenda. He asked that the Board either layover or withdraw Resolution No. 159-12011, "Reduce Size of Winnebago County Board of Supervisors to 35 Members". He feels there is a misunderstanding of the affect this Resolution and that it doesn't accomplish what the sponsoring Supervisors are intending. Executive Harris also feels it aggravates the public because they perceive this as the county attempting an "end run" around their right to discuss this issue. He does not take a position on what size the Board should be, but he would like to see a compromise between those who want to see a large reduction and those who want a minimal reduction. Executive Harris feels that acting on a resolution of this type should be done after the official mapping process is done.

Executive Harris explained the importance of and then urged the Board to approve:

- Resolution No. 161-12011, "Appropriate \$712,550 to the CAD System Upgrade Project and Transfer \$525,000 from the Technology Replacement Fund and Bond for the Balance of \$187,550 to a Capital Project Fund Set Up for the Project."
- Executive Harris urged the Board to approve Resolution No. 162-12011, "Appropriate \$2,996,000 to a Capital Project to Remodel the UW-Fox Valley Property at 1655 University Avenue to be Used as an Engineering Building with 50% Reimbursed by Outagamie County and Winnebago County's 50% to be Funded with General Obligation Note Proceeds."

### **COUNTY EXECUTIVE APPOINTMENTS**

#### **Human Services Board**

Executive Harris asked for approval of his appointments of the Donna Lohry, Ronald Kuehl, and Robert Paterson to the Human Services Board. These are two-year terms that will expire on December 31, 2012.

Motion by Supervisor Farrey and seconded to approve. CARRIED BY VOICE VOTE.

#### **Grievance Review Board**

Executive Harris asked for approval of his re-appointment of Tom Shandonay to the Grievance Review Board. This is a five-year term that will expire on December 31, 2015. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

#### **Winnefox Library System Board of Trustees**

Executive Harris asked for approval of his appointment of Sue Werley and his re-appointment of Judy Malueg to the Winnefox Library System Board of Trustees. Ms. Werley replaces Joyce Schoepel, whose term had expired. These are three-year terms that will expire on December 31, 2013. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

### **COUNTY BOARD CHAIRMAN'S APPOINTMENT**

#### **Lawrence Kriescher - Supervisor District 36**

Motion by Chairman Albrecht to approve the appointment of Lawrence Kriescher, 5251 Grandview Road, Larsen, to Supervisor District 36. Mr. Kriescher will complete the term of John Reinert, who passed away in November. CARRIED BY VOICE VOTE.

Chairman Albrecht administered the Oath of Office to Mr. Kirescher.

### **ZONING REPORTS & ORDINANCES**

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner, Michael Schuster, Town of Omro, for a zoning change to R-5 for tax parcel no. 016-0057-01. Motion by Supervisor Thompson and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 1-01-11. A requested zoning change from A-2/B-2 (General Farming/Community Business) to R-5 (Planned Residential). Motion by Supervisor Thompson and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – January 20, 2011)

**RESOLUTIONS AND ORDINANCES**

**RESOLUTION NO. 159-12011: Reduce Size of Winnebago County Board of Supervisors to 35 Members**

WHEREAS, Section 59.10 Wisconsin Statutes, as amended, provides county boards throughout the State of Wisconsin with the authority to reduce the size of the county board on a one-time basis subsequent to re-appointment after a decennial census; and

WHEREAS, your undersigned supervisors believe that any sizeable reduction in the size of the Winnebago County Board of Supervisors would limit the contact that persons in rural towns have with their elected supervisor; and

WHEREAS, county government is important to persons in rural areas in that many direct services are provided to persons in unincorporated areas by county government, whereas, such services are provided in incorporated areas by city or village governments; and

WHEREAS, your undersigned County Board Supervisors believe that it is in the best interest of Winnebago County and the electors within their districts to implement a slight reduction in size of the Winnebago County Board of Supervisors so as to preserve meaningful representation to all persons with Winnebago County in relationship to county government and particularly those in rural areas; and

WHEREAS, Winnebago County has zoning approval authority in all 16 towns in Winnebago County under Chapter 59 Wisconsin Statutes, but does not have zoning approval authority in city or villages in Winnebago County. This exemplifies that supervisor districts in the rural town areas is critical and should not be diminished anymore than required by law.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to Section 59.10, Wisconsin Statutes, the size of the Winnebago County Board of Supervisors is hereby reduced from 36 supervisors to 35 supervisors.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Planning Department of Winnebago County is hereby directed to prepare a map with the proposed redistricting plan pursuant to this Resolution and submit such map to the Judiciary and Public Safety Committee of the County Board of Supervisors within ninety (90) days of the date of this Resolution.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said redistricting map shall be subject to the final approval of the full Winnebago County Board of Supervisors.

Submitted by:

CHUCK FARREY, DISTRICT #30  
JEROLD FINCH, DISTRICT #28  
HARVEY RENGSTORF, DISTRICT #35  
THOMAS KONETZKE, DISTRICT #1  
NANCY BARKER, DISTRICT #2  
JIM ENGLEBERT, DISTRICT #3  
DONALD MILLER, DISTRICT #6  
LAWRENCE SMITH, DISTRICT #8  
TIM HAMBLIN, DISTRICT #10  
MARIBETH GABERT, DISTRICT #12  
TRAVIS SWANSON, DISTRICT #13  
MARISSA REYNOLDS, DISTRICT #16  
SUSAN LOCKE, DISTRICT #26  
GUY HEGG, DISTRICT #27  
JOANNE SIEVERT, DISTRICT #29  
TOM ELLIS, DISTRICT #34  
TOM EGAN, DISTRICT #33  
COUNTY BOARD SUPERVISORS

Motion by Supervisor Farrey and seconded to postpone this Resolution until February 22, 2011. Ayes: 32. Nays: 2 – Widener and Hall. Excused: 2 – Swanson and Neubauer. CARRIED.

**RESOLUTION NO. 150-12011: Establish Policy With Regard to Application For Town Bridge/Culvert Aid Pursuant to Section 82.08, Wisconsin Statutes**

WHEREAS, Section 82.08, Wisconsin Statutes provides for a procedure whereby Winnebago County and towns therein may share the cost of construction and repair for town bridges or culverts; and

WHEREAS, the Winnebago County Highway Commissioner has recommended to the Winnebago County Highway Committee that the County Board adopt a policy setting forth a procedure by which towns may apply for such aid so as to allow more efficient budgetary planning by Winnebago County; and

WHEREAS, the Winnebago County Highway Committee has reviewed the attached policy and recommends its adoption by the Winnebago County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby adopts the attached policy regarding town bridge/culvert aid pursuant to Section 82.08, Wisconsin Statutes.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said policy shall be effective as of February 1, 2011.

Submitted by:  
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Motion by Supervisor Farrey and seconded to amend the Resolution by making the following additions to the "Winnebago County Policy Regarding Town Bridge/Culvert Aid by Winnebago County Highway Commission", which is attached to the Resolution:

3. Winnebago County Highway Commission shall review and shall either approve or deny the petition for bridge/culvert replacement aid. **Reasons for denial will be in writing to the town requesting aid.**

6. Towns who are requesting funding pursuant to Section 82.08, Wisconsin Statutes shall provide evidence to the Highway Commission that the town has inspected all of the culverts and bridges under the jurisdiction of the town at least once in the past twenty-four (24) months. **The annual town road inspection shall satisfy this requirement.**

Vote on amendments – Ayes: 34. Nays: 0. Excused: 2 – Swanson and Neubauer. CARRIED.

Vote on Resolution as amended – Ayes: 34. Nays: 0. Excused: 2 – Swanson and Neubauer. CARRIED.

**RESOLUTION NO. 151-12011: Authorize Termination of Airport Ground Lease Agreement From Lloyd J. Zellmer/ Joan G. Zellmer to Mark A. Lloyd/Judy M. Lloyd**

WHEREAS, Winnebago County entered into a Ground Lease Agreement related to land located at Wittman Regional Airport with David A. Gustafson in 1991; and,

WHEREAS, David Gustafson assigned the ground lease to Lloyd J. Zellmer and Joan G. Zellmer in August, 1993; and,

WHEREAS, Lloyd J. Zellmer passed away in July 2010, and his estate desires to assign the lease to Mark A. Lloyd and Judy M. Lloyd, who have offered to purchase the home located at 2215 Red Oak Court, Oshkosh; and,

WHEREAS, the land upon which the ground lease is located is on Winnebago County/Wittman Regional Airport property adjacent to Mr. Zellmer's former residence; and

WHEREAS, the Aviation Committee recommends that Winnebago County enter into a 20 year ground lease with Mark A. and Judy M. Lloyd with changes from the standard lease subject to approval of Winnebago County Corporation Counsel.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby approves termination of the Airport Ground Lease with Lloyd J. Zellmer and Joan G. Zellmer and enter into a new ground lease with Mark A. Lloyd and Judy M. Lloyd.

Submitted by:  
AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 33. Nays: 1 – Hall. Excused: 2 – Swanson and Neubauer. CARRIED.

**RESOLUTION NO. 152-12011: Disallow Claim of AT & T**

WHEREAS, your Personnel and Finance Committee has had the claim of AT & T referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of AT & T dated December 13, 2010, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 153-12011: Disallow Claim of AT & T**

WHEREAS, your Personnel and Finance Committee has had the claim of AT & T referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of AT & T dated December 9, 2010, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 154-12011: Disallow Claim of Amy Leksander**

WHEREAS, your Personnel and Finance Committee has had the claim of Amy Leksander referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Amy Leksander dated November 18, 2010, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 155-12011: Commendation to Michael E. Brooks**

WHEREAS, Michael Brooks has served the citizens of Winnebago County for the past sixteen years as Sheriff of Winnebago County; and

WHEREAS, prior to his election to the position of Sheriff, Mr. Brooks served the citizens of Winnebago County for twenty-two years in various positions within the Sheriff's Office; and

WHEREAS, throughout his term of office, Mr. Brooks has distinguished himself as a most conscientious and dedicated public servant; and

WHEREAS, Mr. Brooks has recently completed his services to Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Michael Brooks for the fine services that he has rendered to the citizens of Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Michael Brooks.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 156-12011: Commendation for Laura Lindstrom**

WHEREAS, Laura Lindstrom has been employed with the Winnebago County Department of Human Services, for the past thirty-five years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Laura Lindstrom has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Laura Lindstrom for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Laura Lindstrom.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 157-12011: Commendation for Kathryn M. Larson**

WHEREAS, Kathy Larson has been employed with the Winnebago County Zoning Department, for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Kathy Larson has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Kathy Larson for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Kathy Larson.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 158-12011: Commendation for Lynn M. Reichenberger**

WHEREAS, Lynn Reichenberger has been employed with the Winnebago County Child Support Agency, for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Lynn Reichenberger has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Lynn Reichenberger for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Lynn Reichenberger.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 160-12011: Appropriate \$25,000 from the Airport Fund Balance for the Purchase of an Articulating Plow Blade for a Loader Which is Used to Clear Airport Ramps and Hangars**

WHEREAS, an articulating plow blade that is used for clearing airport ramps, hangar areas, and parking lots has deteriorated to the point that it is nearly impossible to keep in a good working order; and

WHEREAS, because of its condition, snow removal from paved surfaces to maintain proper aircraft directional control and braking may not be adequately achieved in one pass, necessitating repetitive passes over the same areas to fully clear snow, thereby creating inefficient snow removal operations; and

WHEREAS, it would be prudent to replace this plow blade at this time; and

WHEREAS, there are sufficient funds in the Airports undesignated fund balance to pay for the replacement.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$25,000 from the airport undesignated fund balance to the purchase of a replacement articulating plow blade.

Submitted by:  
AVIATION COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 34. Nays: 0. Excused: 2 – Swanson and Neubauer. CARRIED.

**RESOLUTION NO. 161-12011: Appropriate \$712,550 to the CAD System Upgrade Project and Transfer \$525,000 from the Technology Replacement Fund and Bond for the Balance of \$187,550 to a Capital Project Funds Set Up for the Project**

WHEREAS, the current CAD (Computer Aided Dispatch) system has reached the end of its life cycle and will soon not have replacement parts available, and

WHEREAS, the CAD system is a critical component of the emergency response system, and

WHEREAS, the cost to upgrade the system is \$712,550, and

WHEREAS, the County has accumulated \$525,000 in the Technology Replacement Fund to be used towards the project, and

WHEREAS, the \$187,550 balance of the funds needed would come from a general obligation bond issue.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$712,550 to a capital project fund to pay for the cost to upgrade the CAD System, and transfers \$525,000 from the Technology Replacement Fund to this capital project fund to pay part of the project cost.

BE IT FURTHER RESOLVED that the remainder of funds needed of \$187,550 to pay for the remainder of said project be transferred from the General Fund of Winnebago County to the CAD System Upgrade Capital Project fund with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE  
INFORMATION SYSTEMS COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 34. Nays: 0. Excused: 2 – Swanson and Neubauer. CARRIED.

**RESOLUTION NO. 162-12011: Appropriate \$2,996,000 to a Capital Project to Remodel the UW-Fox Valley Property at 1655 University Avenue to be Used as an Engineering Building with 50% Reimbursed by Outagamie County and Winnebago County's 50% to be Funded with General Obligation Note Proceeds**

WHEREAS, Winnebago and Outagamie Counties jointly purchased the building at 1655 University Ave, adjacent to the UW-Fox Valley in 2008 with the intention of remodeling it for use by the UW-Fox Valley at some future date, primarily for use as classrooms and laboratories for the bachelor's degrees in engineering programs; and

WHEREAS, the engineering program scope and enrollment has grown from its 2002 inception to a level that now exceeds the capacity of the existing community-provided facility; and

WHEREAS, the engineering program has been an enormous success providing highly educated accredited engineers for mostly local businesses, and all graduates have remained in the State of Wisconsin; and

WHEREAS, the engineering programs at UW-Fox Valley are considered a model of collaboration and efficient use of resources by the University of Wisconsin System and the State of Wisconsin; and

WHEREAS, UW-Platteville will continue to fund the cost of faculty and equipment for the junior-senior level coursework leading to the bachelor's degree; and

WHEREAS, the vacated community-provided facility will be used to house a much-needed tutoring/writing/and testing center for UW-Fox Valley academic programs; and

WHEREAS, the cost to remodel the facility and the space vacated currently used by the engineering program for other campus academic needs is estimated to be \$2,996,000 to be shared equally by Winnebago and Outagamie Counties; and

WHEREAS, Outagamie County has included its share of the funds in their 2011 budget; and

WHEREAS, the campus's programs and services to the community have been growing resulting in the need for additional classroom space; and

WHEREAS, with the growing need for classroom space at the campus, it would now be prudent to remodel the facility.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$2,996,000 to a capital project fund to remodel the 1655 University Avenue property.

BE IT FURTHER RESOLVED that 50% of the funds needed to pay for said improvements be transferred to the capital project fund from the General Fund of Winnebago County with the General Fund being reimbursed from a subsequent bond issue.

BE IT FURTHER RESOLVED that the other 50% of the project costs will be reimbursed by Outagamie County.

BE IT FURTHER RESOLVED that Winnebago County's participation in this project is contingent on Outagamie County approving the funding for its share of the project.

Submitted by:  
UW FOX VALLEY BOARD OF TRUSTEES  
FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Supervisor Farrey stated that the Facilities and Property Management Committee's vote was 5-0.

Ayes: 33. Nays: 1 – Hegg. Excused: 2 – Swanson and Neubauer. CARRIED.

**RESOLUTION NO. 163-12011: Support Action to be Taken by the Governor and State Legislature During 2011-2013 State Biennial Budget Deliberations**

WHEREAS, county homes play a unique role in Wisconsin's continuum of care for citizens in need of long-term services; and

WHEREAS, the majority of county homes care for residents with high acuity levels and intense behavioral needs; and

WHEREAS, Wisconsin county homes have a long history of partnering with the state to maximize federal resources available to the state; and

WHEREAS, under the Supplemental Payment Program, formerly known as the intergovernmental transfer program, federal matching funds are generated based on actual operating losses incurred by governmental nursing homes; and

WHEREAS, all revenue generated from county nursing home losses is deposited in the state of Wisconsin's Medical Assistance Trust Fund; and

WHEREAS, through the combined efforts of the state and counties, billions of dollars have been brought in over the past decade, most of which was utilized to offset deficits in the Medical Assistance Trust Fund; and

WHEREAS, under current state law, the state may not distribute to counties more than \$39,100,000 in each fiscal year; and

WHEREAS, all revenue received under the supplemental payment program is derived from certified county nursing home losses; and

WHEREAS, counties depend on revenue received from the supplemental payment program to maintain high-quality services to vulnerable residents; and

WHEREAS, counties utilize revenue from the Supplemental Payment and Certified Public Expenditure Programs to offset property tax dollars utilized to fund the operation of county homes; and

WHEREAS, the 2009-2011 state biennial budget allocates only \$38.1 million annually in payments to counties, although the Department of Health Services estimates receiving \$96.2 million in federal matching funds based on county nursing home losses; and

WHEREAS, the nursing home bed assessment (tax) was created as part of 1991 Wisconsin Act 269 as a methodology to fund the Medical Assistance nursing home rate increases that took effect in FY 92; and

WHEREAS, since that time the bed tax has increased from \$32 per month per bed to \$170 per licensed bed; and

WHEREAS, in the 2009-2011 state biennial budget, a majority of the funds raised through the increased bed tax was utilized to offset the state's Medicaid deficit, in addition to funding the two percent rate increase in each year of the biennium; and

WHEREAS, in FY 10, 68% of the federal revenue derived from the bed tax was utilized to offset general fund expenditures; 51% of the federal revenue will be utilized for non-nursing home expenditures in FY 11; and

WHEREAS, a bed tax increase of \$14 in FY 10 and an additional increase of \$33 in FY 11 is all that was needed to fund the two percent rate increase; instead, over \$66 million of revenue derived from the bed tax was utilized over the biennium to replace GPR base funding for MA benefits; and

WHEREAS, there is no public policy argument to justify increasing taxes paid by nursing homes and their residents to benefit the general fund; and

WHEREAS, returning the revenue generated from the bed tax will fund a rate increase of approximately 3.25 percent in FY 12 without the need for additional GPR or bed tax dollars; and

WHEREAS, Institutes for Mental Disease (IMDs) with state-only licenses are required to pay the bed tax, even though they do not qualify for Medicaid payments.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors requests that the following action be taken by the Governor and State Legislature during 2011-2013 state biennial budget deliberations:

1. Support a statutory change to Sec. 49.45(6u)(am) Wis. Stats. such that it reads...the department shall distribute to these facilities and to care management organizations at least \$39,000,000 in each fiscal year...
2. Support a statutory change requiring the state to share equally the federal match dollars received as a result of county nursing home losses.



3. Nursing home bed assessment funds and the federal matching funds generated should be used for nursing home rate increases, not as supplementation to the MA Trust Fund.
4. County government-owned IMDs and state-only licensed facilities should be exempt from the provider bed assessment (bed tax).

BE IT FURTHER RESOLVED that copies of this resolution be sent to Department of Health Services Secretary Dennis Smith, Department of Administration Secretary Mike Huebsch, all area legislators and the Wisconsin Counties Association.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Supervisor Eisen asked that the last paragraph be corrected by changing the Department of Health Services Secretary's name to Dennis Smith and the Department of Administration Secretary to Mike Huebsch. Supervisor Roh corrected Line 11 by changing "i" to "in".

Vote on Resolution as corrected: CARRIED BY VOICE VOTE. (Supervisor Jacobson voted nay.)

**RESOLUTION NO. 164-12011: Authorize the Hiring of Engberg Anderson to Perform the Architectural Engineering Work For a Park View Health Center Physical Therapy and Storage Addition**

WHEREAS, the physical therapy space needs has exceeded the space in the current Park View facilities, and WHEREAS, the current facilities were built with limited storage space, and WHEREAS, the County Board of Supervisors supports construction of a new addition for improved physical therapy spaces and storage, and

WHEREAS, several architectural firms have been interviewed through the Request for Proposal process, and WHEREAS, it is the recommendation of the Facilities and Property Management Committee and County Executive Mark Harris that Engberg-Anderson be hired to perform the architectural engineering work on the new Park View Health Center addition, and

WHEREAS, Engberg-Anderson shall be paid a fee not to exceed \$99,950, and

WHEREAS, funding for the project has been approved previously,

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby accepts the recommendation of hiring Engberg-Anderson.

Submitted by:  
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Wingren and seconded to adopt. Ayes: 30. Nays: 3 – Eisen, Roh and Farrey. Abstain: 1 – Hegg. Excused: 2 – Swanson and Neubauer. CARRIED.

**RESOLUTION NO. 165-12011: Amend the Table of Organization for Winnebago County Human Services Department**

WHEREAS, the current Table of Organization for the Winnebago County Human Services Department identifies seven (7) full-time Social Worker positions on the Juvenile Justice Team in Neenah and six (6) full-time Social Worker positions on the Child Protective Services Team in Oshkosh, and one (1) full-time Social Worker position on the Juvenile Justice Team in Neenah is vacant due to a retirement; and

WHEREAS, the Director of Human Services desires to eliminate the position of one (1) full-time Social Worker position on the Juvenile Justice Team in Neenah and replace it with one (1) full-time Social Worker position on the Child Protective Services Team in Oshkosh based on client and agency needs; and

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago Human Services Department is amended to eliminate one (1) full-time Social Worker position on the Juvenile Justice Team in Neenah; and add one (1) full-time Social Worker position on the Child Protective Services Team in Oshkosh.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 166-12011: Adopt 2011 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING APPOINTED NON-REPRESENTED EMPLOYEES**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING APPOINTED NON-REPRESENTED EMPLOYEES be revised for the year 2011, as set forth and described in the document attached hereto.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of the 2011 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING APPOINTED NON-REPRESENTED EMPLOYEES will be made available from funds budgeted for this purpose.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 167-12011: Adopt 2011 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES be revised for the year 2011, as set forth and described in the document attached hereto.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of the 2011 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES will be made available from funds budgeted for this purpose.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, February 22, 2011. CARRIED BY VOICE VOTE.

The meeting was adjourned at 7:23 p.m.

Submitted by,  
Susan T. Ertmer  
Winnebago County Clerk

State of Wisconsin)  
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held January 18, 2011.

Susan T. Ertmer  
Winnebago County Clerk