

**WINNEBAGO COUNTY BOARD MEETING  
TUESDAY, NOVEMBER 13, 2012**

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, Albrecht, Tews, Thompson, Lennon, Reynolds, Hardy, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Neubauer, Kline, Locke, Hegg, Finch, Farrey, Rasmussen, Brennand, Egan, Ellis, Snider and Kriescher. Excused: Hamblin, Gabert and Sievert.

Motion by Supervisor Robl and seconded to adopt the agenda. CARRIED BY VOICE VOTE.

**PUBLIC HEARING**

No one addressed the Board.

**COMMUNICATIONS, PETITIONS, ETC.**

Notice of Claim from Charter Communications for damage to their fiber cable caused by a county lawn mower was referred to the Personnel & Finance Committee.

Notice of Claim from Farmer's Insurance Group for Amy Hix for damage done to her vehicle when she hit a construction barrel that was pushed into her lane of traffic by a county Highway Department truck was referred to the Personnel & Finance Committee.

Notice of Claim from Eric Chosa for damage to his vehicle when it was hit by a county van at the intersection of Garfield and Washington Streets in Menasha was referred to the Personnel & Finance Committee.

Resolutions from other counties:

- Langlade County – Resolution #76-2012, "To Seek State Support of Frac Sand Mining Via Policy Development" was referred to the Legislative Committee
- Outagamie County – No. 39—2012-2013, "...request elected state officials and the Governor to re-examine the policies which have led to historically high incarceration rates in Wisconsin and to make changes that will result in a substantial reduction in the number of mentally ill, chemically dependent and low-risk people in our jails and prisons,..." was referred to the Legislative Committee
- Brown County – "Resolution Supporting Request for Stay of Proceedings in MTI v. Walker" was referred to the Legislative Committee
- Sheboygan County – Resolution No. 14-2012/13, "Supporting Position Papers on Legislative Issues" was referred to the Legislative Committee

Petition for Zoning Amendment from Mark E. Luebke, Town of Clayton, for a zoning change for tax parcel nos. 006-0561 and 006-0566 from A-2 to R-1 for residential purposes was referred to the Planning & Zoning Committee

Petition for Zoning Amendment from LuVern Kienast, Town of Oshkosh, for a zoning change for tax parcel no. 018-0067 from M-1 to M-2 for a pole building for a business office and equipment repair for the screening and stock piling of black dirt was referred to the Planning & Zoning Committee

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Finch reported on his attendance at the state's Parks Convention. He stated that it was one of the best conventions he has attended because of the broad scope of the convention. They presented information on Human Resources; marketing parks and their facilities; park consolidations, etc.

Supervisor Norton stated that he also attended the Parks Convention and agreed that there was a wide range of topics at the convention. He attended a presentation on how the booming aging population is affecting counties' costs for the care and housing.

Supervisor Norton stated that Mark Weisensel of the Human Services Department is looking for opportunities to present information about the county's Aging and Disability Resource Center (ADRC) to various groups or organizations. If anyone has any suggestions or contacts, they should contact Supervisor Norton.

Supervisor Kline stated that the Legislative Committee will be meeting on Monday, November 26.

Motion by Supervisor Robl and seconded to approve the proceedings from the October 16 and October 29 & 30, 2012 meetings. Supervisor Singstock asked that the final approved budget amount be added to the October 29 & 30 proceedings after the passage of Resolution No. 104-102012, "Adopt 2013 Annual Budget." CARRIED BY VOICE VOTE to approve as corrected.

## **COUNTY EXECUTIVE'S REPORT**

Executive Harris distributed information on the county's options in regards to the Tri-County Ice Arena. He will be making an official report on this at a future meeting.

Executive Harris stated that the county has received the deed for Outagamie County's portion of the ice arena. We will be sending them their \$1.00 check for the property and recording the deed in the near future.

Executive Harris wanted the Board to know that an article in the Oshkosh Northwestern about the county's 2013 Budget erroneously noted that the county's tax levy is going up, when it is actually going down. He explained that the error occurred because they were using the wrong figures when they made their calculations.

Executive Harris then explained that on Page 42 of the 2013 Budget book there is apportionment information that shows how much of the levy is apportioned to each municipality in the county. However, he explained that the information on Page 42 doesn't necessarily translate into the percentage change for individual residents' tax rates. There are other factors that will affect those tax rates.

Executive Harris recommended that the Board approve the following Resolutions that appear on tonight's agenda:

- Resolution No. 111-112012: Authorize Health Department to Accept a \$57,735 State Department of Children and Families Grant and Apply to Program Expenses for Assisting Refugees Who Have Resettled in Winnebago County
- Resolution No. 112-112012: Authorize the Transfer of \$40,000 from the Highway Department's Fund Balance to the Capital Outlay Account of the Highway Satellite Shop Capital Project Fund to Cover Additional Project Costs
- Resolution No. 114-112012: Amend the Table of Organization for Winnebago County Public Health Department

## **COUNTY EXECUTIVE'S APPOINTMENTS**

### **Fox Valley Workforce Development Board, Inc.**

Executive Harris asked for approval of his appointments of Robert Hernke, WPS; and Mark Westphal, Fox Valley Area labor Council AFL-CIO; to the Fox Valley Workforce Development Board, Inc. Their terms of office are for three years and will expire on June 30, 2015. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

### **Aging and Disability Resource Center Committee**

Executive Harris asked for approval of his appointment of Harold Singstock, 229 North Meadow Street, Oshkosh to the Aging and Disability Resource Center Committee. Mr. Singstock will complete the unexpired term of Jef Hall. The term will expire on August 31, 2012. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

## **COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Albrecht reported that Supervisors Hamblin and Gabert are excused from tonight's meeting.

## **ZONING REPORTS & ORDINANCES**

AMENDATORY ORDINANCE NO. 1. A requested zoning change from the Town of Rushford on behalf of Eldon Pomplun for a change from A-2 to A-3 for tax parcel no. 022-0516. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Kriescher abstained. (Effective date – December 3, 2012)

## **RESOLUTIONS AND ORDINANCES**

### **RESOLUTION NO. 105-112012: Commendation for John Peterson**

WHEREAS, John Peterson has been employed with Wittman Regional Airport for the past twenty-four (24) years, and during that time has been a most conscientious and devoted County employee; and

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

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

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to John Peterson.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 106-112012: Commendation for Kathryn Rubin**

WHEREAS, Kathryn Rubin has been employed with the Park View Health Center for the past twenty-one (21) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Kathryn Rubin 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 is hereby extended to Kathryn Rubin for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Kathryn Rubin.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 107-112012: Disallow Claim of Thomas Insurance Group on Behalf of Randy Boyce for Ready Builders**

WHEREAS, your Personnel and Finance Committee has had the claim of Thomas Insurance Group on Behalf of Randy Boyce for Ready Builders 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 Thomas Insurance Group on Behalf of Randy Boyce for Ready Builders, filed with the County Clerk on September 20, 2012, 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. 108-112012: Disallow Claim of AT&T (Date of Incident: 8/10/2012)**

WHEREAS, your Personnel and Finance Committee has had the claim of AT&T (Date of Incident: 8/10/2012) 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 (Date of Incident: 8/10/2012), filed with the County Clerk on October 15, 2012, 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. 109-112012: Disallow Claim of Diane Field**

WHEREAS, your Personnel and Finance Committee has had the claim of Diane Field 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 Diane Field, filed with the County Clerk on October 15, 2012, 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. 110-112012: Disallow Claim of Virgil Gipson**

WHEREAS, your Personnel and Finance Committee has had the claim of Virgil Gipson 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 Virgil Gipson, filed with the County Clerk on October 11, 2012, 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. 111-112012: Authorize Health Department to Accept a \$57,735 State Department of Children and Families Grant and Apply to Program Expenses for Assisting Refugees Who Have Resettled in Winnebago County.**

WHEREAS, the Oshkosh World Relief Organization is resettling about 100 refugees to the Oshkosh area; and  
WHEREAS, the State of Wisconsin, Department of Children and Families, is making funds in the amount of \$57,735 available to the Winnebago County Health Department for the purpose of providing services to newly-arriving refugees in the Oshkosh area; and

WHEREAS, these refugees need assistance in obtaining health screening and with being linked with necessary medical providers; and

WHEREAS, the grant funding will allow public health representatives to meet with refugees and conduct screenings for various communicable diseases, and provide interpreters when necessary; and

WHEREAS, it would be in the best interests of Winnebago County to accept this grant and utilize the funds to provide services identified as part of the program.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Public Health Department to accept grant funding in the amount of \$57,735 for the purpose of providing services as described above.

Submitted by:  
BOARD OF HEALTH

Motion by Supervisor Ramos and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Hegg abstained.)

**RESOLUTION NO. 112-112012: Authorize the Transfer of \$40,000 from the Highway Department's Fund Balance to the Capital Outlay Account of the Highway Satellite Shop Capital Project Fund to Cover Additional Project Costs**

WHEREAS, the Highway Department Satellite Shop Capital Project has exceeded its budgeted limit by roughly \$40,000; and

WHEREAS, due to poor soil conditions, the project incurred additional costs; and

WHEREAS, as the project progressed, it was believed that savings in other areas would cover the additional costs; and

WHEREAS, as the project neared completion, it was determined that there would not be sufficient savings from other areas; and

WHEREAS, the project could not be halted or additional costs would have been incurred; and

WHEREAS, the project has gone over budget by roughly \$40,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$40,000 from the Highway Department's Undesignated Fund Balance to be transferred to the Satellite Shop Capital Project Fund to cover the additional incurred costs.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 32. Nays: 1 – Hegg. Excused: 3 - Hamblin, Gabert and Sievert. CARRIED.

**RESOLUTION NO. 113-112012: Authorize Payment of Excess Committee Days (May 1, 2011, through April 30, 2012)**

WHEREAS, § 59.13(2)(b), Wis Stats, allows that in counties with a population of 25,000 persons or more, the Board of Supervisors may, by a two-thirds vote of the members present, increase the number of days for compensation and mileage that may be paid in any year and fix the compensation for each additional day; and

WHEREAS, your undersigned Committee recommends that a per diem payment be made for those committee members who have committee days in excess of 30 days for the period between May 1, 2011, and April 30, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a per diem compensation for persons serving on committees for more than 30 days as is shown in the attached report, which is hereby made a part of this Resolution, for the period of May 1, 2011, through April 30, 2012.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Wingren voted nay.)

**RESOLUTION NO. 114-112012: Amend the Table of Organization for Winnebago County Public Health Department**

WHEREAS, the current Table of Organization for the Winnebago County Public Health Department identifies one (1) part-time (.80 FTE) Account Clerk position, and the needs of the Department require a full-time Account Clerk effective December 1, 2012; and

WHEREAS, the Director of Public Health desires to increase this position to be one (1) full-time Account Clerk position in order to serve the needs of the Public Health Department in Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends the Table of Organization for the Winnebago County Public Health Department to change one (1) part-time (.80 FTE) Account Clerk position to one (1) full-time Account Clerk position. The position description is attached hereto and is made a part of this Resolution herein by reference.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Ramos and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Hamblin, Gabert and Sievert. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, December 18, 2012. CARRIED BY VOICE VOTE. The meeting was adjourned at 6:30 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 November 13, 2012.

Susan T. Ertmer  
Winnebago County Clerk