

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, AUGUST 20, 2013**

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 Locke.

The following Supervisors were present: Konetzke, Barker, Englebert, Eisen, Ramos, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Tews, Thompson, Olson, Reynolds, Hardy, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Neubauer, Turner, Locke, Hegg, Finch, Youngquist, Farrey, Rasmussen, Brennand, Egan, Ellis, Snider and Kriescher. (There is one vacancy on the Board at this time.)

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

PUBLIC HEARING

No one from the public addressed the Board.

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Peter J. Long for alleged negligence on the part of a county employee was referred to the Personnel & Finance Committee.

Notice of Claim from Kreilkamp Trucking, Inc., claim no. 130539, for damage to a trailer tarp was referred to the Personnel & Finance Committee.

Notice of Claim from Kreilkamp Trucking, Inc., claim no. 130502, for damage to a trailer was referred to the Personnel & Finance Committee.

Petition for Zoning Amendment from Jerome Braasch, Town of Nekimi, for tax parcel no. 012-0628(p) for zoning change from A-2 to R-1 was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Tammy Prather, Town of Nekimi, for tax parcel no. 012-0151-13 for zoning change from R-1 to R-2 was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Cary A. Rowe, Winnebago County Zoning Administrator, for various amendments and corrections to Chapter 26 of the Winnebago County General Code was referred to the Planning & Zoning Committee. (A copy of the amendments and corrections is available from the Zoning Department at the Administration Building, 112 Otter Avenue, Oshkosh.)

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Widener addressed the Board about the various sessions he attended at the NACo Conference in Fort Worth, Texas. Human trafficking and Congress's review of the country's immigration policy were the topics in numerous sessions. Supervisor Widener also discussed the vote on Resolution 223-52013, "Urge the State of Wisconsin to Use Federal Medicaid Funding to Improve Badger Care" and the Board's decision to correct the vote on that resolution at the June meeting.

Supervisor Hegg questioned why Resolution No. 193-42013, "Authorize Execution of Five-Year Rental Agreement Between Winnebago County and Tri-County Recreation Association, Inc" was not on tonight's agenda. At the Board's April meeting it was voted to postpone action on this resolution until tonight's meeting. Supervisor Hegg asked for the Corporation Counsel's opinion on how this oversight should be resolved based on Robert's Rules of Order. John Bodnar, Corporation Counsel, explained that it's omission on tonight's agenda must have been an oversight. Mr. Bodnar further stated that this is the first he heard about the problem and that if it had been brought to his attention prior to tonight's meeting, an amended agenda could have possibly been sent out or at least he would have had time to determine the proper way to address the situation. Mr. Bodnar said that he will have a legal opinion before the Board's next meeting.

Supervisor Egan reported on the 2013 Winnebago County Fair. He thanked the Board for their financial support of and participation in the fair. He stated that because of the nice weather they had, it was one of their more successful fairs. Supervisor Egan extended a special thank you to the Parks Department and the Property & Facilities Department for all their assistance. He also recognized the children involved in 4-H and explained how important they are to the county's fair.

Supervisor Barker commented on how friendly the children were at the fair this year as she participated in judging their animals and projects. Supervisor Barker also thanked the members of the Fair Association for their efforts in putting on the fair.

Supervisor Brennand reported that there will not be a Legislative Committee meeting in August.

Supervisor Roh ask that, if Resolution No.193-42013, "Authorize Execution of Five-Year Rental Agreement Between Winnebago County and Tri-County Recreation Association, Inc." is brought back to the Board, that they be provided with a copy of the agreement prior to the meeting.

Motion by Supervisor Robl and seconded to approve the proceedings from the July 16, 2013 meeting.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris reported that the net new construction rate that will be used to construct the county's budget is 1.02%. This will allow the county to increase the operational levy by 1%. He further explained that the county's outstanding debt is declining and because there is still money in that account from closed road projects that has to be applied towards debt service, the county's total levy will probably decline in the 2014 budget.

Executive Harris encouraged the Board to approve Resolution No. 250-82013, "Approve Applying Fund Balance to Capital Projects Previously Approved this Year to be Funded with Bond Proceeds." If approved, the county wouldn't do a bond issue in 2014, but would fund projects with money from the county's reserves.

COUNTY EXECUTIVE'S APPOINTMENTS

Aging & Disability Resource Center Committee

Executive Harris asked for the Board's approval of his re-appointment of Supervisor Harold Singstock to the Aging & Disability Resource Center Committee. This is a three-year term that will expire on August 31, 2016.

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

Board of Health

Executive Harris asked for the Board's approval of his re-appointments of Supervisor Michael Norton, Sue Panek, Debra Allison-Aasby and Jill Collier to the Board of Health. These are one-year terms that will expire on July 1, 2014.

Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE. (Supervisor Hegg voted nay.)

Grievance Board of Review

Executive Harris asked for the Board's approval of his re-appointment of LeRoy Dahms to the Grievance Board of Review. This is a five-year term that will expire on December 31, 2017.

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

Lakeland Long Term Care District

Executive Harris asked for the Board's approval of his appointment of Tom Otto to the Lakeland Long Term Care District. Mr. Otto will fill the unexpired term of Ken Stoffel. The term will expire on April 30, 2014.

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

Traffic Safety Commission

Executive Harris asked for the Board's approval of his appointment of Steve Krantz to the Traffic Safety Commission.

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

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht thanked Supervisor Marissa Reynold's for her service on the Board. He explained that tonight is her last Board meeting and that she is moving to Madison to attend law school at UW-Madison. The Board recognized Supervisor Reynolds with a round of applause.

COUNTY BOARD CHAIRMAN'S APPOINTMENTS

Information Systems Committee

Chairman Albrecht asked for the Board's approval of his appointment of Supervisor Andy Turner to the Information Systems Committee. Supervisor Turner will replace Supervisor Melissa Reynolds who is resigning from the Board effective August 23, 2013.

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

Parks & Recreation Committee

Chairman Albrecht asked for the Board's approval of his appointment of Supervisor Chuck Tews to the Parks & Recreation Committee. Supervisor Tews will replace Supervisor Donald Miller who has resigned from the Board.

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

TERRELL'S ISLAND RECREATION TRAIL PRESENTATION

Joe Yana, a member of the Butte des Morts Conservation Club, began the presentation by explaining that the Terrell's Island Recreation Trail project began in 1998 as a joint project between their club and the DNR. Terrell Island is an 1,200 acre parcel that is part land and part in Lake Butte des Morts. Mr. Yana explained that the DNR has been assisting with the habitat restoration portion of the project. The Butte des Morts Conservation Club, which was formed in 1994, acquired title to the Terrell's Island property in 1998 and they manage the recreational trail portion of the project.

Peter Ehlert, President of the Butte des Morts Conservation Club, presented a PowerPoint presentation on the Terrell's Island Recreation Trail. He explained that the trail is 3.8 miles long and that it takes you through marsh land and on to a break wall that extends into Lake Butte des Morts. Mr. Ehlert's presentation included information on and photos of the trail, bridges, and Lake Butte des Morts.

Mr. Ehlert stated that the Butte des Morts Conservation Club's goals now are:

- Raise public awareness about the Terrell's Island Recreation Trail
- Work with UW-Oshkosh and area school districts to get students involved in conservation
- Construct an education resource center on the property

Following his presentation, Mr. Ehlert invited the Board to attend the Terrell's Island Recreation Trail dedication at 2:00 p.m. on Saturday, September 7.

Mr. Ehlert and Mr. Yana then took questions from the Board.

COMMUNITY PARK ROAD REDESIGN, LIGHTING REPLACEMENT AND ADA ACCESSIBLE PATH CONSTRUCTION PROJECT

Rob Way, Winnebago County Parks Director, presented information on the road redesign, lighting replacement and construction of an ADA accessible path project that will take place at the county's Community Park.

Mr. Way explained that one part of this project is to change the traffic flow on the north end of the park from one-way to two-way. Approximately 300,000 people visit the park each year and the current one-way traffic pattern is not efficient. In addition, many people don't follow the signs and travel the wrong direction on these one-way roads causing a significant safety problem. Mr. Way stated that this will require adding an additional five feet of width to the existing road.

Mr. Way then addressed the lighting replacement portion of the project. He explained that the current lighting system was installed approximately 45 years ago. Because the Parks Department no longer has or can obtain any more replacement fixtures, poles, etc., the park's entire lighting system needs to be replaced. Mr. Way said it could be done in phases, but he recommends doing it all at one time as part of this roadway project.

Vicky Redlin, Assistant Expo Manager, explained the county's responsibility to comply with the Americans with Disabilities Act's (ADA) new regulations regarding an accessible path at Community Park. Ms. Redlin stated that Winnebago County comes under the provisions of Title II of the ADA's requirements which states that all sites must be, "accessible to and usable by people with disabilities." The county must comply with these new requirements by 2015. Some of these updates will be expensive, while others will be relatively easy to complete.

Ms. Redlin used the shared use path along County Road Y as an example of what must be done in the Community Park. She also explained that a shared use path is more than a recreational trail and must be designed to be part of a transportation system. A shared use path must have, "a firm, stable and slip resistant surface necessary for persons with disabilities using wheeled mobility devices."

Ms. Redlin said that the shared use path must connect all the park's program areas. She further explained that this project has a very basic design that will meet all the necessary requirements of Title II.

Jeff Bahling, a representative from Rettler Corporation, provided an overview and analysis of the project's design and costs. The total cost of the project is \$1,856,593 and would include:

- New roads
- 44 new parking spaces in Lot D
- LED Roadway lighting
- 10' wide shared use paths
- Utilities

Following their presentation, they took questions from the Board.

COUNTY TRUNK N CULVERT/BRIDGE REPLACEMENT PROJECT

Ernie Winters, Winnebago County Highway Commissioner, presented information on this project that will replace a multi-culvert water crossing (bridge) on CTH N approximately one mile from Clairville Road in the Town of Nekimi. It will be replaced with either a standard structural bridge, a pre-fabricated bridge structure or a box culvert. It will take between two and four months to complete and will require that the road be closed during construction.

Mr. Winter stated that the cost of the project is approximately \$350,000. If it becomes eligible for federal/state funding, the cost would be 80%/20%. Mr. Winter will be coming back to the Board in September to request \$70,000 for the design of this project.

Following his presentation, Mr. Winter took questions from the Board.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner, Andy Brown; Town of Winneconne, for a zoning change to R-1 for tax parcel nos. 030-0600 & 030-0626. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-01-13. A requested zoning change from B-2 (Community Business District) to R-1 (Rural Residential District). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: September 3, 2013)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested text amendment to Chapter 23 of the Winnebago County General Code from the Winnebago County Planning & Zoning Committee. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-02-13. A requested text amendment to Chapter 23 of the Winnebago County General Code. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: September 3, 2013)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 237-82013: Commendation for Paulette Stoltzmann

WHEREAS, Paulette Stoltzmann has been employed with the Winnebago County Public Health Department for the past twenty (20) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Paulette Stoltzmann 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 Paulette Stoltzmann 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 Paulette Stoltzmann.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 238-82013: Commendation for Linda Baeten

WHEREAS, Linda Baeten has been employed with the Winnebago County Public Health Department for the past twenty (20) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Linda Baeten 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 Linda Baeten 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 Linda Baeten.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 239-82013: Commendation for Sandra L Savka

WHEREAS, Sandra L Savka has been employed with Park View Health Center for the past twenty-five (25) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Sandra L Savka 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 Sandra L Savka 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 Sandra L Savka.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 240-82013: Commendation for Cherilyn Eischen

WHEREAS, Cherilyn Eischen has been employed with the Winnebago County Sheriff's Department for the past thirty-two (32) years, and during that time has been a most conscientious and devoted County employee; and
WHEREAS, Cherilyn Eischen 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 Cherilyn Eischen 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 Cherilyn Eischen.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 241-82013: Disallow Claim of Desmond Hicks

WHEREAS, your Personnel and Finance Committee has had the claim of Desmond Hicks 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 Desmond Hicks, filed with the County Clerk on July 1, 2013, 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 Roh and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 242-82013: Disallow Claim of Dean Mason

WHEREAS, your Personnel and Finance Committee has had the claim of Dean Mason 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 Dean Mason, filed with the County Clerk on June 28, 2013, 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 Roh and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 243-82013: Disallow Claim of West Bend on Behalf Wisconsin Compensation Rating Bureau for Susan Moderson

WHEREAS, your Personnel and Finance Committee has had the claim of West Bend on behalf of Wisconsin Compensation Rating Bureau for Susan Moderson 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 West Bend on behalf of Wisconsin Compensation Rating Bureau for Susan Moderson, filed with the County Clerk on June 20, 2013, 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 Roh and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 244-82013: Disallow Claim of Ronald J Naparalla

WHEREAS, your Personnel and Finance Committee has had the claim of Ronald J Naparalla 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 Ronald J Naparalla, filed with the County Clerk on June 20, 2013, 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 Roh and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 245-82013: Authorize an Automated Teller Machine (ATM) Licensing Agreement Between Winnebago County and Cornerstone Processing Solutions Inc

WHEREAS, Cornerstone Processing Solutions Inc desires to enter into an ATM licensing agreement with Winnebago County whereby Cornerstone Processing Solutions Inc would become the official ATM service provider of the Winnebago County Parks Department and would thereby be provided with exclusive rights to own, operate, and maintain ATM units on predetermined Parks Department property; and

WHEREAS, pursuant to this agreement, Cornerstone Processing Solutions Inc would be granted rights allowing it to utilize the Parks Department's electrical services for its ATM units at predetermined Parks locations where electrical outlets currently exist; and

WHEREAS, in exchange for both its financial and material support, Winnebago County would extend to Cornerstone Processing Solutions Inc certain promotional privileges including the right to post specified advertising-related material on predetermined Parks properties; and

WHEREAS, in conjunction with this agreement, on a monthly basis, Cornerstone Processing Solutions Inc would pay Winnebago County a compensatory sum equal to the total amount of customer transactions on Parks properties multiplied by a commission rate of fifty cents (50¢) per transaction; and

WHEREAS, said agreement shall run through December 31, 2015, with Cornerstone Processing Solutions Inc being provided the first right to renegotiate said agreement for an additional term. A copy of said agreement may be obtained from the Winnebago County Parks Director or the Winnebago County Corporation Counsel and is incorporated herein by reference as part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to enter into an agreement with Cornerstone Processing Solutions Inc for the exclusive right to own, operate, and maintain ATM units on predetermined Parks Department properties, which shall run through December 31, 2015, and shall contain those major terms described above.

Submitted by:
PARKS & RECREATION COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Finch and seconded to adopt. Ayes: 33. Nays: 2 – Albrecht and Snider. (1 vacancy) CARRIED.

RESOLUTION NO. 246-82013: Authorize a Media Sponsor Licensing Agreement Between Winnebago County and Woodward Radio Group, 92.9 Country

WHEREAS, Woodward Radio Group, 92.9 Country, is a corporate provider of radio broadcasting services, which transmit throughout Oshkosh, the Fox Cities areas, and Fond du Lac; and

WHEREAS, Woodward Radio Group, 92.9 County, desires to enter into a media licensing agreement with Winnebago County whereby Woodward Radio Group, 92.9 Country, would become the radio broadcasting media provider of the Winnebago County Parks Department and would, thereby, be provided with exclusive rights to maintain a mutually favorable relationship with the Parks Department that would serve the marketing interests and efforts of both parties; and

WHEREAS, pursuant to this agreement, Woodward Radio Group, 92.9 Country, would be granted rights allowing it to install up to two (2) advertising signs at specified locations included on a list of predetermined Parks Department properties; and

WHEREAS, pursuant to this agreement, Woodward Radio Group, 92.9 Country, would be granted rights allowing on site presence during events at a predetermined location regardless of event sponsor, the ability to set up a portable broadcasting station, and transmit from predetermined sites five (5) banners to be located at predetermined sites and flyers in kiosks at boat landings and trail heads along with their logo on the Parks Department website with a link to its webpage; and

WHEREAS, in exchange for both its financial and material support, Winnebago County will receive a minimum of four (4) prerecorded radio spots of 60 seconds duration and be provided with a service which includes the broadcast of a minimum of fifty-two (52) of the spots throughout the calendar year; and

WHEREAS, said agreement shall run through December 31, 2015, with Woodward Radio Group, 92.9 Country, being provided the first right to renegotiate said agreement for an additional term. A copy of said agreement may be obtained from the Winnebago County Parks Director or the Winnebago County Corporation Counsel and is incorporated herein by reference as a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to enter into an agreement with Woodward Radio Group, 92.9 Country, for the exclusive right to maintain two (2) advertising signs on predetermined Parks Department properties, which shall run through December 31, 2015, and shall contain those major terms described above.

Submitted by:
PARKS & RECREATION COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Finch and seconded to adopt. Ayes: 35. Nays: 0. (1 vacancy) CARRIED.

RESOLUTION NO. 247-82013: Authorize Execution of Facility Inmates Telephone Services Agreement Between Winnebago County, Wisconsin, and Inmate Calling Solutions LLC

WHEREAS, the Winnebago County Sheriff desires to enter into a five (5) year agreement, with mutual extension options of three (3) years and one (1) year, with Inmate Calling Solutions LLC, for the purpose of providing telephone services to inmates at the Winnebago County Jail; and

WHEREAS, said proposed agreement is attached and made a part of this resolution by reference; and

WHEREAS, Inmate Calling Solutions LLC shall pay to Winnebago County a commission of 83.1% of the gross revenue for all call types generated from Winnebago County's service locations plus the remaining 16.9% on the first \$50,000 of Debit usage each term year of the agreement. In addition, commissions shall be based on a minimum annual guaranteed ("MAG") for gross call revenue of \$300,000 for each agreement term year. The MAG shall be reconciled annually against actual gross call revenue and, if applicable, any commission shortfall paid within 30 days following each such term year; and

WHEREAS, your undersigned Committee recommends the approval of said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive, the Winnebago County Sheriff, and the Winnebago County Clerk, to execute the attached Facility Inmate Services Agreement between Winnebago County and Inmate Calling Solutions LLC for the provision of telephone services to inmates at the Winnebago County Jail, pursuant to those terms contained within the agreement. Said agreement shall run from the date when the agreement executed.

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Wingren and seconded to adopt. Ayes: 33. Nays: 2 – Thompson and Farrey. (1 vacancy) CARRIED.

RESOLUTION NO. 248-82013: Support an Amendment to Proposed Administrative Rule ATCP 49 to Allow for Landowner Preference as a Criterion for Counties to Consider When Determining Land Areas to Map for Farmland Preservation Areas

WHEREAS, the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) has drafted a proposed Administrative Rule, known as ATCP 49, to administer the Wisconsin Farmland Preservation Program under Chapter 91, Wis Stats; and

WHEREAS, all counties in the State of Wisconsin are mandated by Chapter 91, Wis Stats, to adopt a Countywide Farmland Preservation Plan, which, subsequently, was accomplished in 2012 by the Winnebago County Board and certified for five (5) years through 2017 by the Wisconsin DATCP; and

WHEREAS, ATCP 49 contains provisions that detail the criteria for the DATCP to use in certifying Countywide Farmland Preservation Plans, including a provision that landowner preference may not be used to determine whether land areas are mapped into the program, which will cause many property owners to be involuntarily included against their wills; and

WHEREAS, Winnebago County is required to update its current Farmland Preservation Plan before the end of 2017 for recertification by DATCP, and in its current form ATCP 49 will cause Winnebago County to map into the program many landowners into the program against their wills, as landowner preference cannot be used as a criteria.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby seeks an amendment to the proposed Wisconsin Administrative Rule ATCP 49, Subchapter II, Section 49.12(1)(c), to delete the words "not" and "primarily" so that it reads as follows:

ATCP 49.12 Certification Standards.

(1) Rationale

(c) The rationale may ~~not~~ be based ~~primarily~~ on landowner preferences.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution and proposed amendment to ATCP 49, copy attached hereto, to all members of the State Legislature representing Winnebago County; all members of the State Assembly Committee on Agriculture; Wisconsin Counties Association; the Secretary of the Wisconsin Department of Agriculture, Trade, and Consumer Protection; and to all Town Clerks in Winnebago County.

Submitted by:

LEGISLATIVE COMMITTEE

PLANNING AND ZONING COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Ayes: 26. Nays: 9 – Englebert, Eisen, Smith, Widener, Tews, Olson, Hardy, Warnke and Turner. (1 vacancy) CARRIED.

RESOLUTION NO. 249-82013: Support an Amendment to § 114.136(2)(a), Wis Stats, to Authorize a Committee of the Governing Body Owning an Airport or Spaceport Site to Formulate an Ordinance to Protect the Aerial Approaches to the Airport or Spaceport and to Conduct a Public Hearing or Hearings on Such an Ordinance Before the Committee

WHEREAS, Winnebago County has adopted an ordinance, specifically, Chapter 24 of the General Code of Winnebago County, pursuant to § 114.136, Wis Stats, which allows owners of airports or spaceports to protect, by ordinance, the land use activity in the vicinity of aerial approaches of such airport or spaceport; and

WHEREAS, current provisions in § 114.136(2)(a), Wis Stats, provides that if the airport or spaceport is owned by a county, the county park manager is solely authorized to formulate such an ordinance, including any subsequent amendments to such an ordinance, and holding a public hearing or hearings relative to such an ordinance without the oversight or approval of any committee of jurisdiction from the governing body; and

WHEREAS, without committee oversight or approval, in the process of formulating such an ordinance and subsequently conducting a public hearing thereon, the representative interests of citizens and taxpayers of the governing body owning the airport or spaceport is significantly compromised; and

WHEREAS, both the Winnebago County Legislative Committee and the Planning and Zoning Committee feel it is in the best interests of Winnebago County and other governing bodies owning an airport or spaceport site to amend § 114.136(2)(a), Wis Stats, to require oversight and approval from a committee of the governing body in formulating an ordinance and holding a public hearing or hearings thereon before such a committee and removing such authority from the county park manager.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby seeks legislation to amend § 114.136(2)(a), Wis Stats, to read as follows:

114.136 Airport and Spaceport Approach Protection

(2) Formulation of Ordinance, Public Hearing

(a) Except as provided by sub. (1) (b) or (c), ~~the county park commission in the case of any county except any county with a county executive or county administrator in which case the county park manager, the city or village plan commission in the case of a city or village, or if there is no such commission or manager,~~ a committee of the governing body or bodies of the county, city, village, or town, which owns the airport or spaceport site, shall formulate a tentative ordinance and hold a public hearing or hearings thereon in some public place within the county, city, village, or town. Notice of the hearings shall be given by publication of a class 3 notice, under ch. 985, in the area affected by the proposed ordinance.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution and proposed amendment to § 114.136(2)(a), Wis Stats, a copy of which is attached hereto, to all State Legislators representing Winnebago County, the Wisconsin Counties Association, and to other counties owning airports.

Submitted by:
LEGISLATIVE COMMITTEE
PLANNING AND ZONING COMMITTEE

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

RESOLUTION NO. 250-82013: Approve Applying Fund Balance to Capital Projects Previously Approved This Year to be Funded with Bond Proceeds.

WHEREAS, the Winnebago County Board of Supervisors approved resolutions to bond for capital projects as follows during 2013:

| 2013 Capital Projects Approved for Funding With Bond Proceeds | |
|--|-----------------------|
| <u>Number</u> | <u>Amt of Bonding</u> |
| 142-12013 | \$ 575,000 |
| 164-22013 | \$ 1,600,000 |
| 186-32013 | \$ 186,000 |
| 197-42013 | \$ 1,601,000 |
| TOTAL | <u>\$ 3,962,000</u> |

and,

WHEREAS, there are sufficient excess funds in the General Fund Undesignated Fund Balance to pay for these projects without the need to issue general obligation promissory notes; and

WHEREAS, capital projects are generally one-time expenditures and this would be an appropriate use of the Undesignated Fund Balance; and

WHEREAS, not doing a bond issue this year will result in savings of approximately \$50,000 of bond issue costs.

WHEREAS, applying these excess funds will help reduce future tax levies for debt service which would be a benefit to Winnebago County taxpayers.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$3,962,000 of General Fund Undesignated Fund Balance to capital projects that were approved by the Resolutions identified above in place of bond proceeds.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Roh and seconded to adopt. Ayes: 35. Nays: 0. (1 vacancy) CARRIED.

RESOLUTION NO. 251-82013: Authorize a Transfer of \$70,000 from the General Fund Undesignated Fund Balance to the Professional Services Account of the Facilities Departments 2013 Budget for the Purpose of Hiring Consultants to Perform a Courthouse Security Project Comprehensive Study.

WHEREAS, Courthouse security has been reviewed in small increments over the past 10-15 years; and

WHEREAS, it would be in Winnebago County's best interests to retain a consultant that specializes only in court design, operations, and security to complete a comprehensive analysis of the courts, building, and security; and

WHEREAS, the consultant would provide a list of options to improve court security incorporating potential changes to operations, building improvements, and space allocations; and

WHEREAS, this consultant would have no future financial interest with any decision made for the Courthouse; and

WHEREAS, the study will look at current and future needs and operations; and

WHEREAS, the consultant will provide a report that will provide a detailed plan for coordinated projects to increase security so that duplication of efforts, rework, or unnecessary work would be minimized.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$70,000 to the Professional Services Account of the Facilities and Property Management Department's 2013 Budget for the purpose of retaining a consultant to perform a Courthouse Security Project Comprehensive Study.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes that funds be transferred from the General Fund Undesignated Fund Balance to cover this expense.

Submitted by:
FACILITIES & PROPERTY MANAGEMENT COMMITTEE
JUDICIARY AND PUBLIC SAFETY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Wingren and seconded to adopt. Ayes: 35. Nays: 0 (1 vacancy) CARRIED.

RESOLUTION NO. 252-82013: Appropriate \$190,000 for the 2012 CTH T Reconstruction Project in the Towns of Oshkosh and Vinland.

WHEREAS, in 2012 the Winnebago County Highway Department completed a project to reconstruct CTH T from CTH Y to CTH GG in the Towns of Oshkosh and Vinland; and

WHEREAS, Winnebago County was approved by the State to use \$450,000 in CHIP-D funding to reconstruct a segment from CTH Y to CTH G. The project completed in 2012 utilized approximately \$260,000 with the remainder to be used on the segment from CTH GG to CTH G in 2014; and

WHEREAS, When the funding was requested from the County Board in early 2012, the entire \$450,000 amount from the State was inadvertently included in the calculations, resulting in a shortfall in funding for the segment from CTH Y to CTH GG; and

WHEREAS, the Winnebago County Highway Department is requesting that this funding be made available from unused bonding from the CTH H project which is projected to have a surplus.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$190,000 to the 2012 CTH T Project to make up for a shortfall in state funds; and

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the shortfall be made available from unused Capital Bonding from the CTH H Highway Project.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 35. Nays: 0. (1 vacancy). CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, September 3, 2013. CARRIED BY VOICE VOTE.

The meeting was adjourned at approximately 8:45 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 August 20, 2013.

Susan T. Ertmer
Winnebago County Clerk