

**WINNEBAGO COUNTY BOARD MEETING  
TUESDAY, NOVEMBER 15, 2016**

Vice-Chairman Bill Roh 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, Harpt, Eisen, Thompson, Ramos, Blank, Roh, Smith, Long, Scherck, Gabert, Binder, Olson, Wojciechowski, Gordon, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Powers, Locke, Hegg, Finch, Farrey, Rasmussen, Keller, Egan, Ellis, Snider and Kriescher. Excused: Albrecht, Brooks and Youngquist

Motion by Supervisor Robl and seconded by Supervisor Ellis to adopt the agenda with one exception, Resolution No. 081-112016 will be brought forward before Resolution No. 069-112016. CARRIED BY VOICE VOTE.

**PUBLIC HEARING**

No one from the public addressed the Board.

**COMMUNICATIONS AND PETITIONS**

The following correspondence was presented to the Board by Sue Ertmer, County Clerk:

- Communications, petitions, etc.
  - Correspondence:
    - Letter from Gordon Hintz regarding the Wisconsin Department of Transportation “Just Fix It” campaign for transportation funding for Wisconsin roadways.
  - Zoning Petitions:
    - No. 001 – A zoning request from Alan S. and Jenny A. Hansen, Town of Winchester; tax parcel no. 028-0797-03; to rezone from A-2 to R-1 for residential purposes was referred to the Planning and Zoning Committee
  - Resolutions from Other Counties:
    - Outagamie County – Resolution #57-2016-17 – “Urges the state legislature to develop and enact bipartisan support for funding of comprehensive, sustainable, effective and evidence based communicable disease control and prevention for the public’s health” was referred to the Legislative Committee.

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Warnke reported that Resolution No. 065-102016 for an additional \$30,000.00 for Taxiway B reconstruction was tabled because of the wishes of the Committee. It will be brought back to the board at another time.

Supervisor Farrey announced that the Land Conservation Committee will be holding a public hearing regarding text amendments for waste management of Chapter 13 of the Winnebago County General Code on November 28, 2016 at 7:00 p.m. at the Vinland Town Hall.

Supervisor Egan announced that the Legislative Committee will meet on November 28, 2016. Agenda items need to be submitted by noon on Monday, November 21, 2016.

Supervisor Smith reported on attendance at the East Wisconsin Counties Railroad Consortium meeting on November 9, 2016 in Juneau, WI. It was voted on to maintain dues at \$25,000 per county. Mr. Smith reported that the Wisconsin Department of Transportation is distributing \$29.6 million in grants through the railroad program. He stated that \$90 million in revenue comes into this area for new customers. State and local revenues are at \$292 million.

Supervisor Ellis attended a beautiful ceremony honoring Veterans at Park View Health Center on November 11. About thirty veterans were in attendance from all branches of the military.

Supervisor Roh announced that there will be a joint meeting for the Aviation Committee and the Facilities and Property Management Committee on Wednesday, November 30 at 8:30 a.m. at the Facilities building.

Motion by Supervisor Finch and seconded by Supervisor Konetzke to approve the September 6, 2016 and October 18, 2016 proceedings. CARRIED BY VOICE VOTE.

**COUNTY BOARD VICE-CHAIRMAN'S REPORT**

Vice-Chairman Roh reported that Chairman Albrecht, and Supervisors Brooks and Youngquist are excused from tonight’s meeting.

Invitations for the County Board Christmas Party were placed on the Supervisor’s desks.

## **PROPOSED MENTAL HEALTH CRISIS SERVICE CENTER BUILDING PROJECT**

Dr. Bill Topel, Director of Human Services, reported on a proposed capital project of a mental health crisis service center. Winnebago County currently is renting two facilities known as Summit House and Toward Tomorrow. The proposal is to combine the two separate facilities into a single facility. This would be a sixteen-bed Behavioral Health Adult Residential Facility, also known as a group home. Dr. Topel went into detail describing the new facility and where it would be located. This project would allow the programs to be operated out of a single facility, owned by the county. It would enjoy the economies of scale and eliminate duplication of space, functions and staff. Dr. Topel then took questions from the board.

### **ZONING REPORTS & ORDINANCES**

Report No. 001 – A report from the Planning and Zoning Committee regarding a requested zoning change from Audrey and Kenneth Ruedinger, Town of Rushford to change from A-2 General Agriculture to R-1 Rural Residential, for tax parcel no. 022-0824-02. Motion by Supervisor Egan and seconded by Supervisor Ellis to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 11/01/16– A requested zoning change from A-2 to R-1 for tax parcel no. 022-0824-02. Motion by Supervisor Egan and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: November 22, 2016)

Amendatory Ordinance No. 2 – A requested zoning change from the Town of Utica on behalf of Brian and Wendy Fisher – BW Fish, LLC to rezone from A-2 Agriculture District to RR Rural Residential Recreational for tax parcel no. 024-0144-02-01. Motion by Supervisor Egan and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: November 22, 2016)

### **RESOLUTIONS AND ORDINANCES**

#### **RESOLUTION NO. 081-112016: Award the Sale of \$3,940,000 General Obligation Promissory Notes**

WHEREAS, on October 18, 2016, the County Board of Supervisors of Winnebago County, Wisconsin (the "County"), by a vote of at least 3/4 of the members-elect, adopted a resolution (the "Authorizing Resolution") authorizing the issuance and providing for the sale of general obligation promissory notes (the "Notes") in an amount not to exceed \$3,940,000 for the purpose of paying the cost of constructing, remodeling and improving roads, highways, bridges, buildings and sites and acquiring and installing furnishings, fixtures and equipment (the "Project");

WHEREAS, pursuant to the Authorizing Resolution, the County Board of Supervisors heretofore has directed its financial advisor, Robert W. Baird & Co. Incorporated ("Baird") to take the steps necessary to sell the Notes in the principal amount of \$3,940,000 to pay costs of the Project;

WHEREAS, Baird, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on November 15, 2016;

WHEREAS, the County Clerk (in consultation with Baird) caused notice of the sale of the Notes to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. Baird has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by Baird are hereby ratified and approved in all respects. All actions taken by officers of the County and Baird in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Notes. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of \$3,940,000; shall be dated December 6, 2016; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2017. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on April 1, 2024 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on April 1, 2023 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2016 through 2025 for the payments due in the years 2017 through 2026 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$3,940,000 General Obligation Promissory Notes, dated December 6, 2016" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all

other funds of the County and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded November 15, 2016.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

#### **RESOLUTION NO. 069-112016: Commendation for Steven Krumenauer**

WHEREAS, Steven Krumenauer has been employed with the Winnebago County Highway Department for the past twenty-five (25) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Steven Krumenauer 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 Steven Krumenauer 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 Steven Krumenauer.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 070-112016: Commendation for Craig Mittelstaedt**

WHEREAS, Craig Mittelstaedt has been employed with the Winnebago County Highway Department for the past thirty-one (31) years, and during that time has been a most conscientious and devoted County employee; and  
WHEREAS, Craig Mittelstaedt 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 Craig Mittelstaedt 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 Craig Mittelstaedt.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 071-112016: Commendation for Michael Spanbauer**

WHEREAS, Michael Spanbauer has been employed with the Winnebago County Highway Department for the past thirty-seven (37) years, and during that time has been a most conscientious and devoted County employee; and  
WHEREAS, Michael Spanbauer 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 Michael Spanbauer 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 Michael Spanbauer.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 072-112016: Commendation for Gordon LeDioyt**

WHEREAS, Gordon LeDioyt has been employed with the Winnebago County Sheriff's Department for the past twenty-eight (28) years, and during that time has been a most conscientious and devoted County employee; and  
WHEREAS, Gordon LeDioyt 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 Gordon LeDioyt 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 Gordon LeDioyt.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 073-112016: Authorize Execution of a Three-Year Expo Rental Agreement with Oshkosh Kennel Club, Inc.**

WHEREAS, Winnebago County has been approached by the Oshkosh Kennel Club Incorporated to enter into a three (3) year contract for use of the Sunnyview Exposition Center facilities for an annual AKC dog show; and

WHEREAS, the Oshkosh Kennel Club Inc has been a tenant of the Sunnyview Exposition Center facilities, in good standing, for approximately twenty-five (25) years while presenting an annual AKC dog show; and

WHEREAS, the AKC dog show presented by Oshkosh Kennel Club Incorporated is open to the public and is an event of merit for the Sunnyview Exposition Center facilities.

WHEREAS, it is in the best interest of Winnebago County to permit the long range scheduling of said event to allow the promoter to secure necessary agreements with subcontractors and vendors; and

WHEREAS, the long range scheduling of events at the Sunnyview Exposition Center allows County staff to efficiently program the facilities so as to maximize their use and ensure generation of revenues.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Parks Department to enter into a three (3) year lease agreement with the Oshkosh Kennel Club Inc for presentation of an AKC dog show to be held annually for two days during the month of May with a rental fee of approximately \$4,500 per year or \$13,500 over the three (3) year term of the agreement.

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 074-112016: Authorize a Three-Year Print Media Licensing Agreement Between Winnebago County and Calumet Publishing Inc**

WHEREAS, Calumet Publishing Inc. desires to enter into a media licensing agreement with Winnebago County whereby Calumet Publishing Inc. would become the print 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, Calumet Publishing Inc. shall be granted rights allowing it to install up to five (5) advertising signs at specific locations included on a list of predetermined Parks properties; and

WHEREAS, pursuant to this agreement, Calumet Publishing Inc. shall be granted rights allowing on-site presence during events at a predetermined location regardless of event sponsor, 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 web page with a link to their web page; and

WHEREAS, in exchange for the advertising exposure made available to it by Winnebago County, Calumet Publishing Inc. shall provide the Winnebago County Parks Department with certain promotional privileges including the right to post specified advertising related materials within the monthly newspaper owned by Calumet Publishing Inc. entitled The Scene; and,

WHEREAS, each year over the three-year term of the agreement, Calumet Publishing Inc. shall grant the Winnebago County Parks Department a minimum of six (6) print advertisements of ½ page minimum size charged to Winnebago County Parks Department at ½ price of the current rate card fee, publication of events held at Winnebago County Parks facilities in each edition's event calendar, and The Scene's official logo and link on the Winnebago County Parks web page; and,

WHEREAS, said agreement shall run through December 31, 2019, with Calumet Publishing 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 Winnebago County Corporation Counsel and is incorporated herein by reference and made 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 Winnebago County Clerk to enter into a print media agreement allowing Calumet Publishing Inc. to become the print media provider of the Winnebago County Parks Department for the exclusive right to maintain a mutually favorable relationship intended to benefit the marketing efforts of both parties for a period running through December 31, 2019, with the agreement containing those major terms described above.

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 075-112016: 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 properties; 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 materials 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 the commission rate of \$.50 per transaction; and,

WHEREAS, said agreement shall run through December 31, 2019, 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 Winnebago County Corporation Counsel and is incorporated herein by reference and made 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 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 properties which shall run through December 31, 2019, and shall contain those major terms described above.

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 076-112016: Authorize a Three-Year Trail Sponsorship Agreement Between Winnebago County and Vines & Rushes LLC**

WHEREAS, Vines & Rushes LLC is a local winery located in the Town of Nepeuskun on property bordering the Mascoutin State Recreation Trail; and

WHEREAS, Vines & Rushes LLC desires to enter into a three (3) year agreement with Winnebago County whereby in exchange for a yearly payment of Two Thousand Dollars (\$2,000.00), Vines & Rushes LLC would be recognized as an official sponsor of the Winnebago County-owned property recognized as the Mascoutin State Recreation Trail; and

WHEREAS, in exchange for its financial support Winnebago County would grant Vines & Rushes LLC the right to use its resources to engage in trail improvements within an area determined by Winnebago County for the purpose of establishing and maintaining a shared use path ingress/egress route from the Mascoutin Trail to Sponsor's property with associated costs borne by Sponsor; and

WHEREAS, Winnebago County would further extend to Vines & Rushes LLC certain promotional privileges including the right to post specified advertising related materials on predetermined Parks properties; and

WHEREAS, said agreement shall run through December 31, 2019, with Vines & Rushes LLC 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 Winnebago County Corporation Counsel and is incorporated herein by reference and made 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 Winnebago County Clerk to enter into a three (3) year agreement with Vines & Rushes LLC granting Vines & Rushes LLC the right to be recognized as a sponsor of the section of the Mascoutin State Recreation Trail owned and operated by Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that in exchange for fees totaling Six Thousand Dollars (\$6,000) over a period of three (3) years, Vines & Rushes LLC shall be granted rights as stated above and such rights shall run for a period extending through December 31, 2019.

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 077-112016: Authorize a Three-Year Online Media Licensing Agreement Between Winnebago County and Oshkosh Independent Online Newspaper, Inc.**

WHEREAS, the Oshkosh Independent Online Newspaper Inc desires to enter into an on-line media licensing agreement with Winnebago County whereby the Oshkosh Independent Online Newspaper Inc would become the on-line 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, the Oshkosh Independent Online Newspaper Inc shall be granted rights allowing it to install up to five (5) advertising signs at specific locations included on a list of predetermined Parks properties; and

WHEREAS, pursuant to this agreement, the Oshkosh Independent Online Newspaper Inc shall be granted rights allowing on site presence during events at a predetermined location regardless of event sponsor, 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 web page with a link to their web page; and



WHEREAS, in exchange for the advertising exposure made available to it by Winnebago County, the Oshkosh Independent Online Newspaper Inc shall provide the Winnebago County Parks Department with certain promotional privileges including the right to post specified advertising related materials within a minimum of one (1) weekly online advertisement on main page of the Oshkosh Independent Online Newspaper Inc's of a size to be determined on said weekly basis, and publication of events held at Winnebago County Parks facilities in each online edition's event calendar; and

WHEREAS, said agreement shall run through December 31, 2019, with the Oshkosh Independent Online Newspaper 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 Winnebago County Corporation Counsel and is hereby incorporated by reference and made 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 Winnebago County Clerk to enter into an on-line media agreement allowing the Oshkosh Independent Online Newspaper Inc to become the on-line media provider of the Winnebago County Parks Department for the exclusive right to maintain a mutually favorable relationship intended to benefit the marketing efforts of both parties for a period running through December 31, 2019, with the agreement containing those major terms described above.

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 078-112016: Authorize Execution of Airport Hangar Lease Between Wittman Regional Airport and Emily Noack and Tracy Noack**

WHEREAS, Emily Noack and Tracy Noack desire to enter into an airport hangar lease with Winnebago County for a three (3)-year period commencing on October 1, 2016, for the rental of Hangar 809C at the following rate:

Year 1: \$402.37 per month (plus sales tax)  
Year 2: \$414.44 per month (plus sales tax)  
Year 3: \$426.87 per month (plus sales tax); and

WHEREAS, this three year lease would be a renewal of a previous three-year lease recently completed by Emily Noack and Tracy Noack; and

WHEREAS, your undersigned Committee believes that said proposed lease is fair and that execution of said lease would be in the best interests of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves execution of an airport hangar lease between Wittman Regional Airport and Emily Noack and Tracy Noack for a term of three (3) years commencing on October 1, 2016, pursuant to the provisions as provided in the proposed lease agreement, a copy of which may be obtained from the Airport Director or the Winnebago County Corporation Counsel. Said lease is incorporated herein by reference and made a part of this Resolution.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute said lease.

Submitted by:  
AVIATION COMMITTEE

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

**RESOLUTION NO. 079-112016: Authorize Execution of Amendment #4 of Lease Agreement Between Winnebago County and Fox Valley Technical College**

WHEREAS, Winnebago County and Fox Valley Technical College entered into a Lease Agreement effective September 14, 1992, and subsequently amended same on June 22, 1995, with regard to rental rates of property; on October 1, 1998, with regard to land rental for aviation and non-aviation related property; and on July 21, 1999, with regard to a land swap and hangar construction at said facility; and

WHEREAS, in August 2012 Fox Valley Technical College completed a building addition to its S. J. Spanbauer Center to expand classroom and other student facilities; and

WHEREAS, Fox Valley Technical College shall pay the applicable aeronautical-use rate (19% of floor space) and non-aeronautical-use rates (81% of floor space) for the 8,100 square foot addition, which will total \$2,855.50 in additional annual land rent revenue; and

WHEREAS, the attached Amendment has been approved by the Fox Valley Technical College Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves Amendment #4 to the Lease Agreement between Winnebago County and Fox Valley Technical College

originally executed on September 14, 1992, and as amended on June 22, 1995, October 1, 1998, and July 21, 1999. A copy of said Amendment #4 is incorporated herein by reference and made a part of this resolution.

Submitted by:  
AVIATION COMMITTEE

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

**ORDINANCE NO. 080-112016: Amend Chapter 21 of the General Code of Winnebago County—Airport Fees at Wittman Regional Airport**

WHEREAS, landing fees for commercial aircraft operations; ramp fees; terminal use rates; land rental rates for private and commercial hangar construction, ramps, parking lots and agricultural purposes; general aviation tie-down fees, and T-hangar rates have not had rate increases since approximately 2011; and

WHEREAS, previous proposed rate increases in 2012 were not enacted because of the state of the economy; and

WHEREAS, Wittman Regional Airport is mandated by the state and federal government grant assurances to maintain fee and rental structures which will make the airport as self-sustaining as possible; and

WHEREAS, the proposed fee increases as reflected in the attached list of fees for Wittman Regional Airport would become effective on January 1, 2017, at least 30 days after airport tenants are notified of the proposed increases.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Winnebago that amendments to Chapter 21 of the Winnebago County General Code shall be made to landing fees for commercial aircraft operations; ramp fees; terminal use rates; land rental rates for private and commercial hangar construction, ramps, parking lots and agricultural purposes; general aviation tie-down fees; and T-hangar rates as reflected in the attached list of fees for Wittman Regional Airport.

Submitted by:  
AVIATION COMMITTEE

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

**RESOLUTION NO. 082-112016: Appropriate Funding for Lake Winnebago Management Plan Grants Coordinator Position**

WHEREAS the Fond du Lac County Executive has indicated his support in writing for the creation of a tri-county, intergovernmental agreement, which would include the creation of a Grants Coordinator Position to oversee the Lake Winnebago Management Plan, last approved by the Wisconsin Department of Natural Resources in 1989; and

WHEREAS, an intergovernmental agency would assure transparency and legislative oversight by any committee created as a result of such an Agreement; and

WHEREAS, the undersigned Winnebago County Board Supervisors do believe it is now in the best interests of Winnebago County to support the 2016 and 2017 budget requests of \$15,000 and \$20,000 for said position originally placed in the budget requests submitted for 2016 and 2017;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$35,000 from the Undesignated Fund Balance to Account Number 53565 (Operating Grants) for the purpose of the creation of a Lake Winnebago Management Plan Grants Coordinator position.

Submitted by:  
CHUCK FARREY, District #30  
TOM SNIDER, District #35  
LARRY KRIESCHER, District #36  
NANCY BARKER, District #2

Motion by Supervisor Farrey and seconded by Supervisor Ellis to adopt.

Motion by Supervisor Hegg and seconded by Supervisor Gabert to amend Line 15 to read as follows: "Winnebago County to support the 2017 budget requests of \$20,000 for said position originally placed in the budget requests submitted for 2017" and Line 19 to read as follows: "appropriates the sum of \$20,000 from the Undesignated Fund Balance to Account Number...". After discussion, Supervisor Farrey accepted this amendment as a "friendly correction" to the resolution.

Vote on Resolution as corrected: AYES: 33; NAYES: 0; ABSTAIN: 0; ABSENT: 3 – Albrecht, Brooks and Youngquist. CARRIED.

**RESOLUTION NO. 083-112016: Establish Compensation for Winnebago County Executive**

WHEREAS, the next four-year term for the Office of the Winnebago County Executive will begin in April 2017; and

WHEREAS, § 59.22, Wis Stats, requires that any changes in the compensation for this elected position must be adopted by the County Board of Supervisors earlier than the first date for filing nomination papers for the upcoming term which, in this case, is December 1, 2016; and

WHEREAS, a reasonable salary is necessary to attract well-qualified candidates to this full-time elected position.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the annual salary rates for the Winnebago County Executive for the term commencing in April 2017 shall be as follows:

April 2017 through March 2018	\$106,989
April 2018 through March 2019	\$109,129
April 2019 through March 2020	\$111,311
April 2020 to end of term	\$113,537

BE IT FURTHER RESOLVED that the above-mentioned officer be provided with County health, dental, life, and long-term disability insurance benefits at the same level and on the same terms and conditions as are provided to County-appointed department heads, including any modifications which may be made from time to time during the officer's term, and that the officer participate in the Wisconsin Retirement System on the same terms as apply to other elected officials as provided by state law.

BE IT FURTHER RESOLVED that funds to cover the cost of this action be included as part of the budgets for the respective years.

Submitted by  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Finch to adopt. Vote: AYES: 31; NAYES: 2 – Hegg and Farrey; ABSTAIN: 0; ABSENT: 3 – Albrecht, Brooks and Youngquist. CARRIED.

Motion by Supervisor Robl and seconded by Supervisor Konetzke to adjourn until the December 20, 2016 meeting at 6:00 p.m. The meeting was adjourned at 7:45 p.m.

Submitted by:  
Julie A. Barthels  
Winnebago County Deputy Clerk

State of Wisconsin)  
County of Winnebago) ss

I, Julie A. Barthels, 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 15, 2016.

Julie A. Barthels  
Winnebago County Deputy Clerk