

Adjourned Session (April 18, 1989)

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**Proceedings  
of the  
Board of Supervisors  
of  
Winnebago County  
ADJOURNED SESSION  
COUNTY BOARD MEETING  
Tuesday, April 18, 1989**

The Winnebago County Board of Supervisors was called to order by the Chairman Ralph R. Nielsen at 6:00 p.m., in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

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The meeting was opened with the Pledge of Allegiance to the Flag and Invocation by Supervisor Wagner.

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Roll Call showed full board present.

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Motion made by Supervisor J.C. Pawlowski and seconded that the minutes for the meeting held on March 21, 1989 be approved as printed in the official newspaper. CARRIED BY VOICE VOTE.

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A communication from the State Farm Insurance Company advising Winnebago County of an accident at the site of 2020 Harrison Street because of improperly and poorly placed barricades. Referred to the Personnel & Finance Committee.

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**COUNTY EXECUTIVE'S REPORT**

Mr. Paul W. Stevenson, County Executive, reported to the county board of supervisors that the new switchboard will be in operation very shortly and the new system will be less expensive. Another landfill site has been opened. Remodeling has taken place in the courthouse. David Schmidt, County Planner, has long-range plans.

**COUNTY EXECUTIVE'S APPOINTMENTS**

**RE: APPOINTMENTS TO ADVOCAP BOARD OF DIRECTORS**

I would appreciate your confirmation of the following re-appointments to the Advocap Board of Directors:

Supervisor Dorothy Schwartz  
Supervisor Joe Maehl  
Supervisor Ron Montgomery  
Supervisor Ray Gose

All appointments are for a 2 year term expiring 4-19-91.

**RE: APPOINTMENTS TO SOLID WASTE MANAGEMENT BOARD**

I would appreciate your confirmation of the following re-appointments to the Solid Waste Management Board:

Ken Robl, Supervisor  
Bob Grundman, Supervisor  
Franklin Moore  
1348 Campbell  
Neenah, WI 54956

**RE: APPOINTMENT TO PUBLIC SAFETY BOARD**

I would appreciate your confirmation of the following re-appointments to the Public Safety Building Board:

Supervisor On-in King  
Supervisor Eugene Yanko

**RE: APPOINTMENT TO AFFIRMATIVE ACTION COMMISSION**

I would appreciate your confirmation of the following re-appointment to the Affirmative Action Commission:

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Supervisor Sylvester Gavinski

This is a 3 year term expiring 4 2 1-92.

RE: APPOINTMENT TO WINNEBAGO COUNTY HOUSING AUTHORITY

I would appreciate your confirmation of the following re-appointment to the Winnebago County Housing Authority:

Mr. Warren Sanders  
673 South Park Avenue  
Neenah, WI 54956

This is a 5 year term expiring 4-19-94.

RE: APPOINTMENTS TO UNIFIED BOARD

I would appreciate your confirmation of the following re-appointments to the Unified Board:

Supervisor Dorothy Schwartz  
Jim Hanseder  
625 Towman Road  
Neenah, WI 54956

Robert Paynter  
345 Winnebago Avenue  
Menasha, WI 54952 These are 3 year terms expiring 4-21-92.

RE: APPOINTMENTS TO BOARD OF ADJUSTMENT

I would appreciate your confirmation of the following re-appointments to the Board of Adjustment:

Betty Pollack  
300 W. Lone Elm  
Van Dyne, WI 54979  
(Town of Nekimi)  
Arden Schroeder  
9458 Highway 45  
Neenah, WI 54956  
(Town of Clayton)

All appointments are for a 3 year term expiring 4-21-92.

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Motion made by Supervisor J.C. Pawlowski and seconded to approve the County Executive's appointments. CARRIED BY VOICE VOTE.

#### **COUNTY TOUR**

The County Board Chairman announced that the Annual Tour of county-owned properties and facilities will be held on May 15th, 1989 and the time for the tours will be 9a.m. and 4p.m. A schedule will be mailed to the supervisors.

#### **PUBLIC HEARING**

The Chair announced that at this time the public would be allowed to express their opinion on any resolution or ordinance which appears on the agenda.

There was much discussion from the public on resolution No. 156-489 which is requesting funds for expansion of South Industrial Park in the City of Oshkosh.

Mr. Walter Chrapla, from the City of Neenah, was concerned with Resolution No. 152 which dealt with the sale of the fair grounds; namely the handling of the money, what interest will be received by the County on this money; what buildings will be moved.

#### **ZONING AMENDMENTS**

A zoning amendment was received from the Town of Nekimi requesting a change in zoning on property owned by Joseph & Janet L. Paulus for a R-1 single family dwelling was presented. REFERRED TO THE PLANNING & ZONING COMMITTEE.

A zoning amendment request was received from the Town of Algoma for a change in zoning on property owned by Terrel O. Wesenberg P-1 zoning to M-2 to be used for trans-shipment depot. REFERRED TO THE PLANNING & ZONING COMMITTEE.

A zoning amendment was received from the Town of Menasha requesting a change in zoning on property owned by Tom G. Buege to remove a portion of lot from floodplain for new home construction. REFERRED TO THE PLANNING & ZONING COMMITTEE.

A zoning amendment request was received from EM-REY, Inc. for a change in zoning on property located in the Town of Algoma from R-1 Rural residential to R-2 Single Family subdivision. REFERRED TO PLANNING & ZONING COMMITTEE.

**ZONING REPORTS & ORDINANCES**

REPORT NO. 1. A report from the Planning & Zoning committee that Gary Laeyendecker is requesting a change in zoning for a R-2 single family subdivision was read. Motion made by Supervisor Owens and seconded to accept the report. CARRIED BY VOICE VOTE.

ZONING ORDINANCE NO. 89-ZC-005. An ordinance which will change the map of the Town of Menasha as it relates to the property owned by Gary Laeyendecker was presented. Motion made by Supervisor Owens and seconded to adopt the ordinance. CARRIED BY VOICE VOTE.

REPORT NO. 2. A report from the Planning & Zoning committee that Louis Resch is requesting a change in zoning to R-i to allow for a single family dwelling was presented. Motion made by Supervisor Owens and seconded to accept the report. CARRIED BY VOICE VOTE.

ZONING ORDINANCE NO. 89-ZC-006. An ordinance which will change the map of the Town of Winchester as it relates to the property owned by Milford O. Herreid was presented. Motion made by Supervisor Owens and seconded to adopt the ordinance. CARRIED BY VOICE VOTE.

**TOWN OF WINNECONNE ZONING ORDINANCE**

Motion made by Supervisor Owens and seconded that the Board of Supervisors approve the Zoning Ordinance for the Town of Winneconne. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO.3. A request from the Town of Clayton for change in zoning from Agricultural District to Residential District was presented. Motion made by Supervisor Grundman and seconded to adopt the ordinance. CARRIED BY VOICE VOTE.

**REQUEST STATE CONSTITUTIONAL  
AMENDMENT: ALL COUNTY ELECTIVE  
OFFICES BE NON-PARTISAN**

The following Resolution No. 129-389 was presented:  
TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

BE IT RESOLVED, that the Winnebago County Board of Supervisors does hereby request that a bill be introduced in the Wisconsin Legislature to amend the Wisconsin Constitution so as to provide that all elective county offices be non-partisan.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Wisconsin Counties Association for

appropriate action.

Submitted by,

GOVERNMENTAL RELATIONS COMMITTEE

CARRIED BY VOICE VOTE TO RECONSIDER.

Vote on Resolution. Ayes 24 Kollath, Flavin, Gavinski, Ribble, Eckrich, Witzke, Aibright, Knigge, Maehl, Cartwright, Hartman, Wollermann, Christofferson, Metzger, Steber, Lauson, Broas, Goff, Gose, Schwartz, King, Rob!, Putzer, and Lawson. Nays 21 — O'Brien, J.C. Pawlowski, W.C. Pawlowski, Schaidler, Grundman, Laabs, Diakoff, Yanko, Owens Widmer, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Montgomery, Utech, Troxell, Nielsen, and Luebke. CARRIED.

**ACCEPT SEC. 92.14 STATE SOIL AND WATER RESOURCE MANAGEMENT  
PROGRAM FUNDS (\$38,500)**

The following Resolution No. 140-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection has approved 1989 funding, through the state Soil and Water Resource Management Program (Sec. 92.14), for soil and water resource management programs and projects in Winnebago County in the amount of \$38,500; and

WHEREAS, the County Board must authorize acceptance of said funds.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that acceptance of funding in or near the amount of \$38,500 from the Wisconsin Department of Agriculture, Trade and Consumer Protection be and hereby is authorized.

Submitted by,

LAND CONSERVATION COMMITTEE

Motion made by Supervisor Maehl and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**APPOINTMENT TO LONG TERM SUPPORT ADVISORY COMMITTEE**

The following Resolution No. 141-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the County Board of Supervisors pursuant to Wis. Stats. sec. 46.27(4) appoints members to the Long Term Support Advisory Committee or Community Options Committee; and

WHEREAS, this committee oversees and reviews the development of the County Community Options plan, and serves

without compensation; and

WHEREAS, vacancies on this committee exist and specific types of consumers must be represented.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that Mrs. Mabel Larson of Oshkosh, representing the elderly consumers of Long Term Support Services be appointed as a member of the Long Term Support Advisory Committee.

Submitted by,

**SOCIAL SERVICES BOARD**

Motion made by Supervisor Laabs and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**ACCEPT "HEALTHY START IN WINNEBAGO  
COUNTY" PROMOTION FUNDS (\$6,000)**

The following Resolution No. 142-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Wisconsin Division of Health has designated \$6,000 for the promotion of Healthy Start in Winnebago County; and

WHEREAS, the Winnebago County Public Health Department desires to increase efforts to promote Healthy Start; and

WHEREAS, the Public Health Department encounters the target population and other health providers in the provision of services; and

WHEREAS, existing part-time staff would be utilized to provide the service; and

WHEREAS, it is necessary that the County Board authorize the acceptance for said funds.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive be and hereby is authorized to accept funding in the amount of \$6,000 to conduct a "Healthy Start in Winnebago County" promotion. Submitted by,

**HEALTH COMMITTEE**

Motion made by Supervisor Steber and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**WINNEBAGO COUNTY UW-EXTENSION  
75th ANNIVERSARY RESOLUTION**

The following Resolution No. 143-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Act of May 8, 1914 (38 Stat. 372), as amended, commonly known as the Smith Lever Act, fostered the

development of the federal, state and county partnership known as the Cooperative Extension Service; and

WHEREAS, the Smith-Lever Act has contributed greatly in assisting American farm families with the efficient production of a reliable supply of food and fiber for consumers in this country and worldwide; and

WHEREAS, the Cooperative Extension Service has done much to help rural and urban adults and youth help themselves as they have steadily improved their quality life and leadership ability; and

WHEREAS, the Extension partnership as applied in Wisconsin embodies the true meaning of the "Wisconsin Idea" — extending the resources and knowledge of the University to the people of the state wherever they live and work; and

WHEREAS, the 75th anniversary of the passage of the Smith-Lever Act recognizes the contributions of all Cooperative Extension county and campus faculty to the growth and development of Wisconsin; and

WHEREAS, Winnebago County and its Agriculture and Extension Committee have for decades contributed human and financial resources to the Cooperative Extension Service partnership;

THEREFORE, BE IT RESOLVED that the members of the Winnebago County Board hereby commend the Winnebago County Extension Office, UWEX Cooperative Extension and the federal government for their cooperation and partnership which has enabled county residents to apply the research and knowledge of the UW System in their homes, farms, families, businesses and communities.

Dated this 18th day of April, 1989:

Submitted by,

AGRICULTURE AND UNIVERSITY EXTENSION EDUCATION COMMITTEE

Motion made by Supervisor Maehl and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

#### **ELECTION OF A COUNTY CLERK**

RESOLUTION NO. 144-49. Procedure for electing a County Clerk to fill the unexpired term of the present clerk was explained by the Board Chairman. The Corporation Counsel ruled that a supervisor to be a candidate would be requested to resign. The Chairman announced that the candidate who received at least thirty votes would be the successful person. It was decided that roll call vote be taken for each candidate. Linda Wolfe received 31, Carol Reigh 11, Mona Schultz 0. The Chair declared Linda Wolfe the successful candidate.

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE COUNTY OF WINNEBAGO, WISCONSIN TO OBTAIN A LETTER OF CREDIT FOR THE PURPOSE SPECIFIED THEREIN. (SUNNYVIEW LANDFILL — CLOSURE -- \$1,308,452.74)**

The following Resolution No. 145-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the County of Winnebago, Wisconsin (the "County") is presently obligated to provide funding in the amount of One Million Three Hundred Eight Thousand Four Hundred Fifty Two and 74/100 dollars (\$1,308,452.74) for closure costs for the Winnebago County Sunnyview Landfill; and

WHEREAS, these funds are presently included in the Solid Waste Management Board budget but are not immediately available due to investment commitments; and

WHEREAS, the Department of Natural Resources requires that the County provide collateral in the form of a letter of credit to provide proof of financial responsibility for closure costs for said landfill pending availability of cash, certificates of deposit or U.S. Government securities as proof of financial responsibility.

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

Section 1. For the foregoing purposes the Chairperson and the Clerk of the County are hereby authorized and directed to obtain a letter of credit in favor of the Wisconsin Department of Natural Resources in the amount of One Million Three Hundred Eight Thousand Four Hundred Fifty Two and 74/100 Dollars (\$1,308,452.74), from the First Wisconsin National Bank of Oshkosh, Oshkosh, Wisconsin, on such terms as they shall determine in their discretions including the terms outlined in the commitment letter, a copy of which is attached hereto; provided, however, that such letter of credit shall expire no sooner than the date on which Winnebago County transfers cash, certificates of deposit or U.S. Government securities in the amount of \$1,308,452.74 to the First Wisconsin National Bank of Oshkosh pursuant to a Closure Irrevocable Escrow Agreement to provide financial responsibility for closure costs of the Winnebago County Sunnyview Landfill.

Section 2. The Chairperson and the Clerk are further authorized and directed to take such further steps as may be necessary to obtain such letter of credit, including but not limited to the execution of a reimbursement agreement in connection therewith.

Section 3. The officers of the Issuer, attorneys for the Issuer or other agents or employees of the Issuer are hereby authorized to do all acts and things required of them by or as a consequence hereof for the full, punctual and complete performance of all of the provisions hereof.

Section 4. All prior resolutions, rules, ordinances or other actions of this Governing Body or any parts thereof in conflict with the provisions or adoption hereof shall be and the same are hereby rescinded insofar as they may so conflict.

Section 5. In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof.

Section 6. This Resolution shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by,

PERSONNEL & FINANCE COMMITTEE

Motion made by Supervisor King and seconded to adopt the resolution. Roll Call Vote: Ayes 44—O'Brien, Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Djakoff, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Metzger, Steber, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salornon, Sundquist, Montgomery, King, Robl, Utech, Putzer, Troxell, Bremberger, Albrecht, Schwartz, Nielsen and Lawson. Nays 1 — Christofferson. CARRIED.

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE COUNTY OF WINNEBAGO, WISCONSIN TO OBTAIN A LETTER OF CREDIT FOR THE PURPOSE SPECIFIED THEREIN. (SUNNYVIEW LANDFILL — LONG TERM CARE —\$159,113.36)**

The following Resolution No. 146-489 was presented:  
TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the County of Winnebago, Wisconsin (the "County") is presently obligated to provide funding in the amount of One Hundred Fifty Nine Thousand One Hundred Thirteen and 36/100 Dollars (\$159,113.36) for long term care for the Winnebago County Sunnyview Landfill; and

WHEREAS, these funds are presently included in the Solid Waste Management Board Budget but are not immediately available due to investment commitments; and

WHEREAS, the Department of Natural Resources requires that the County provide collateral in the form of a letter of credit to provide proof of financial responsibility for long term care for said landfill pending availability of cash, certificates of deposit or U.S. Government securities as proof of financial responsibility.

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

**Section 1.** For the foregoing purposes the Chairperson and the Clerk of the County are hereby authorized and directed to obtain a letter of credit in favor of the Wisconsin Department of Natural Resources in the amount of One Hundred Fifty Nine Thousand One Hundred Thirteen and 36/100 Dollars (\$159,113.36), from the First Wisconsin National Bank of Oshkosh, Oshkosh, Wisconsin, on such terms as they shall determine in their discretion; provided, however, that such letter of credit shall expire no sooner than the date on which Winnebago County transfers cash, certificates of deposit or U.S. Government securities in the amount of \$159,113.36 to the First Wisconsin National Bank of Oshkosh pursuant to a Long Term Care Irrevocable Escrow Agreement to provide financial responsibility for long-term care of the Winnebago County Sunnyview Landfill.

Section 2. The Chairperson and the Clerk are further authorized and directed to take such further steps as may be necessary to obtain such letter of credit, including but not limited to the execution of a reimbursement agreement in connection therewith.

Section 3. The officers of the Issuer, attorneys for the Issuer or other agents or employees of the Issuer are hereby authorized to do all acts and things required by them by or as a consequence hereof for the full, punctual and complete performance of all of the provisions hereof.

Section 4. All prior resolutions, rules, ordinances or other actions of this Governing Body or any parts thereof in conflict with the provisions or adoption hereof shall be and the same are hereby rescinded insofar as they may so conflict.

Section 5. In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof.

Section 6. This Resolution shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by, PERSONNEL & FINANCE COMMITTEE

Motion made by Supervisor King and seconded to adopt the resolution. Roll Call Vote 45— O'Brien, Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Diakoff, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzsig, Steber, Lauson, Broas, Goff, Gose, Planaip, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen and Lawson. CARRIED.

**INCREASE HOURS OF PART-TIME  
DEVELOPMENTAL DISABILITIES CASE MANAGER AND CREATE FULL-TIME  
POSITION OF DEVELOPMENTAL DISABILITIES CASE MANAGER IN  
DEPARTMENT OF COMMUNITY PROGRAMS**

The following Resolution No. 147-489 was presented:  
TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS; WHEREAS, the continuing dramatic increase in the number of developmentally disabled individuals needing case management services within the community demand substantially more staff time than is currently available; and

WHEREAS, the Department of Community Programs has determined that this demand can best be met through the addition of 10.5 hours per week to an existing part-time position of Case Manager and through the creation of a new full-time position of Case Manager; and

WHEREAS, full funding for the increase in hours and for the new full-time position is available through Medical Assistance reimbursement and no new County funds would be required.

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NOW, THEREFORE BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the hours of the currently existing part-time position of Development Disabilities Case Manager be increased by 10.5 hours per week; and

BE IT FURTHER RESOLVED, that a new fulltime position of Development Disabilities Case Manager be and hereby is created; and

BE IT FURTHER RESOLVED, that funds to cover the cost of such increase in hours and for the new position be made available from within the budget of the Department of Community Programs; and

BE IT FURTHER RESOLVED, the increase in hours for this position be continued for only as long as full reimbursement from the Medical Assistance Program remains available.

Submitted by,

UNIFIED BOARD

and

PERSONNEL AND FINANCE COMMITTEE

Motion made by Supervisor Schwartz and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**DISALLOW CLAIM OF JACQUELINE WRYCHA**

The following Resolution No. 148-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, your Personnel and Finance Committee has had the claim of **Jacqueline Wrycha** 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 Jacqueline Wrycha dated February 21, 1989, 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 made by Supervisor King and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**AN ORDINANCE REPEALING SEC. 9.05(3)**

**OF GENERAL CODE OF WINNEBAGO**

**COUNTY, WISCONSIN RELATING TO ISSUANCE OF WORTHLESS CHECKS**

The following Resolution No. 149-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS. WHEREAS, the present language in sec. 9.05(3) of the General Code of Winnebago County limits the civil forfeiture enforcement for issuance of worthless checks to the unincorporated areas of the County; and

WHEREAS, your Committee, in response to requests from the District Attorney and the Sheriff's Department, recommends that sec. 9.05(3) of the General Code of Winnebago County be repealed so as to permit countywide application of this ordinance.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County does ordain as follows:

**Sec. 1. Repeal**

Sec. 9.05(3), General Code of Winnebago County, Wisconsin, is repealed.

**Sec. 2. Effective Date**

The repeal of sec. 9.05(3), General Code of Winnebago County, Wisconsin, shall take effect the date following passage and publication.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion made by Supervisor Planalp and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**REQUEST AUTHORITY TO APPLY FOR FUNDS FOR MAINTENANCE OF COUNTY OWNED SNOWMOBILE TRAILS**

The following Resolution No. 150-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS.

WHEREAS, Winnebago County is interested in maintaining County owned and leased lands for public snowmobile trail use; and

WHEREAS, funds are available for snowmobile maintenance through the Department of Natural Resources pursuant to sec. 23.09(26) Wis. Stats; and

WHEREAS, in order to participate in this project, it is necessary that the County Board authorize the submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive he and he hereby is authorized to make application on behalf of Winnebago County with the Department of Natural Resources, pursuant to sec. 23.09(26), Wis. Stats. for any financial aid that may be available for public snowmobile trail use in Winnebago County.

Submitted by, PARKS AND RECREATION COMMITTEE

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Motion made by Supervisor Lauson and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**BLACK WOLF BOAT LANDING SEWER EASEMENT**

The following Report No. 151-489 was read:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

The Town of Black Wolf has formed a sanitary district and will be running sewer lines throughout the coming months. Much of the sewer line work will need to be done on private property, and our Black Wolf Boat Landing is no exception. An easement is required to initially construct the sewer, and a permanent easement is also required for future troubleshooting and maintenance. The easement will be approximately 200 feet in length and will be 60 feet in width for construction purposes, 20 feet in width for the permanent easement. The committee has reviewed the easement agreement and would encourage positive endorsement of this easement by the Board.

James Lauson,

Chairman-Parks Committee

Motion made by Supervisor Lauson and seconded to accept the report. CARRIED BY VOICE VOTE.

**AUTHORIZE EXECUTION OF SEWER  
EASEMENT TO TOWN OF BLACK WOLF  
SANITARY DISTRICT NO. 1**

The following Resolution No. 151-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, your Parks and Recreation Committee has received a request from the Town of Black Wolf Sanitary District No. 1 for an easement strip to construct and install a sanitary sewage collection system upon and under County owned property known as the Black Wolf Boat Landing; and

WHEREAS, your Committee has determined that granting this easement will be in the best interests of the County and recommends passage of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the County Clerk be and she hereby is authorized to execute the easement to the Town of Black Wolf Sanitary District No. 1, a copy of which is attached hereto for the sum of \$1.00 and other good and valuable consideration.

Submitted by,

PARKS AND RECREATION COMMITTEE

Motion made by Supervisor Lauson and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**AUTHORIZE SALE OF WINNEBAGO COUNTY FAIRGROUNDS TO DEAL REALTY, INC. RETAIN ARCHITECTURAL/ENGINEERING SERVICES FOR NEW FAIRGROUNDS CONSTRUCTION PROJECT.**

The following Resolution No. 152-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS WHEREAS, your Agricultural Extension and Education Committee and Buildings and Grounds Committee have completed negotiations for sale of the Winnebago County Fairgrounds property to Dial Realty, Inc. of Omaha, Nebraska, and

WHEREAS, the terms and conditions relating to said sale are as hereinafter provided; and

WHEREAS, your Committees are recommending that appropriate County officials be authorized to execute a purchase/sale agreement between Winnebago County and Dial Realty, Inc. containing the aforementioned terms and conditions; and

WHEREAS, a schedule is attached hereto indicating critical dates for construction of the new Winnebago County Fairgrounds and Exposition Center in time for the 1990 Winnebago County Fair; and

WHEREAS, now is an appropriate time to move forward with the process for selection of an architect/engineer and to complete the plans and specifications for the construction of the new Fairgrounds and Exposition Center at a total project cost not to exceed the proceeds realized from the sale of the present Winnebago County Fairgrounds; and

WHEREAS, your Committees are recommending that a Fairgrounds Special Building Committee be appointed by the County Board for this project with membership consisting of members of Agricultural and Extension Education Committee and Buildings and Grounds Committee; and

WHEREAS, your Committees are also recommending that the Fairgrounds Special Building Committee be authorized to work with the County Executive, whenever it is appropriate, to assure successful completion of the Winnebago County Fairgrounds and Exposition Center construction project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Executive and County Clerk are authorized to execute a purchase/sale agreement between Winnebago County and Dial Realty, Inc. which will result in the transfer of title to the Winnebago County Fairgrounds property under the following terms and conditions:

**A. Payment Schedule**

Buyer to pay Seller a total purchase price of

\$2,825,000. Payment to be as follows:

\$1,400,000 by 8/1/89

\$1,425,000 by 4/1/90

**B. Title Transfer**

Title to entire Fairgrounds property (27 acres more or less) to be transferred on 8/1/89, the date of closing this transaction. Buyer is to submit all title transferee designation information to Seller prior to 5/1/89.

**C. Letter of Credit**

Seller is to receive an irrevocable Letter of Credit in favor of Winnebago County providing for payment of \$1,425,000 to Winnebago County by 4/1/90 to be issued on behalf of Buyer by a bank to be named by Buyer and which is satisfactory to Winnebago County. Buyer to submit a specimen of the aforementioned Letter of Credit to Winnebago County for review and approval prior to 5/1/89.

**D. Purchase/Sale Agreement**

Buyer and Seller agree to execute a purchase/sale agreement on 5/1/89 unless the Winnebago County Board of Supervisors has not adopted a resolution authorizing such action or the said County Board action does not authorize execution of the purchase/sale agreement as proposed.

**E. Earnest Money**

Buyer agrees to pay Seller the sum of \$10,000 as earnest money at the time of execution of the purchase/sale agreement. The earnest money shall be applied to the purchase price at closing or disbursed as provided in the purchase/sale agreement as permitted by law.

**F. Possession Date**

Buyer to have possession of Phase I property on 9/11/89. Seller to have until 9/10/89 to remove any buildings or parts thereof it chooses to remove from Phase I property and shall have until 12/31/89 to remove any buildings or parts thereof it chooses from the remainder of the Fairgrounds property.

BE IT FURTHER RESOLVED that a Fairgrounds Special Building Committee with membership consisting of members of the Agricultural and Extension Education Committee and Buildings and Grounds Committee is hereby created and is authorized to work with the County Executive, whenever it is appropriate, to assure successful completion of the Winnebago County Fairgrounds and Exposition Center construction project.

BE IT FURTHER RESOLVED that the Special Building Committee is authorized to select an architect/engineer for this project and the County Executive is authorized to execute a contract for said architect/engineer to prepare plans and specifications for construction of the new Fairgrounds and Exposition Center at a total project cost not to exceed the proceeds realized from the sale of the present Winnebago County Fairgrounds.

BE IT FURTHER RESOLVED that the sum of \$125,000 be made available as a loan from the General Fund to cover the cost of architect/engineering services for this project billed through August 1, 1989 at which time said loan will be repaid from funds received from Dial Realty, Inc.

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BE IT FURTHER RESOLVED that the County Board be furnished progress reports on this project from time to time.

Submitted by,

AGRICULTURAL AND EXTENSION EDUCATION COMMITTEE

BUILDINGS AND GROUNDS COMMITTEE

Motion made by Supervisor Maehl and seconded to adopt the resolution. Motion made by Supervisor Yanko and seconded to separate the resolution into two parts: 152-A — Authorize Sale of Winnebago County Fairgrounds to Dial Realty, Inc. and 152-B — Retain Architectural/Engineering Services for New Fairgrounds Construction Project. Roll Call Vote.

Ayes 34 - O'Brien, Pawlowski, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Diakoff, Yanko, Owens, Widmer, Maehl, Christofferson, Steber, Lawson, Goff, Gose, Planalp, Wagner, Salomon, Bremberger, Albrecht, Schwartz, Robl, Utech, Putzer, Troxell, Nielsen and Lawson. Nays 11 — Kollath, Flavin, Knigge, Cartwright, Hartmann, Wollerman, Metzger, Broas, Sundquist, Montgomery, King. CARRIED.

**AUTHORIZE WINNEBAGO COUNTY PARTICIPATION IN DISADVANTAGED  
BUSINESS ENTERPRISE (DBE) PROGRAM--WITTMAN REGIONAL AIRPORT**

The following Resolution No. 153-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

BE IT RESOLVED by the Winnebago County Board of Supervisors that Winnebago County's participation in the Disadvantaged Business Enterprise Program at Wittman Regional Airport; as indicated in the attachments hereto, is approved.

BE IT FURTHER RESOLVED that appropriate county officials are hereby authorized to execute documents which are required for County participation in the program.

Submitted by,

AVIATION COMMITTEE

Motion made by Supervisor Sundquist and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**RESCIND AND RECREATE SECTIONS 2 1.05(2) THROUGH (8) OF GENERAL CODE  
OF WINNEBAGO COUNTY: RATES AND CHARGES AT WIVFMAN FIELD AIRPORT:**

The following Ordinance No. 154-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS. WHEREAS, your Aviation Committee has reviewed the rates, fees and charges at Wittmnan Field Airport including landing fees, overnight parking, Thangar rental,

terminal floor rental, display case rental, courtesy telephone and fuel flowage fees and other fees and charges; and

WHEREAS, your Committee is recommending revisions in the current ordinance provisions relating to such rates, fees and charges as hereinafter provided.

**AUTHORIZE SALE OF WINNEBAGO COUNTY FAIRGROUNDS TO  
DIAL REALTY, INC.**

The following Resolution No. 152A-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, your Agricultural Extension and Education Committee and Buildings and Grounds Committee have completed negotiations for sale of the Winnebago County Fairgrounds property to Dial Realty, Inc. of Omaha, Nebraska; and

WHEREAS, the terms and conditions relating to said sale are as hereinafter provided; and

WHEREAS, your Committees are recommending that appropriate County officials be authorized to execute a purchase/sale agreement between Winnebago County and Dial Realty, Inc. containing the aforementioned terms and conditions; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Executive and County Clerk are authorized to execute a purchase/sale agreement between Winnebago County and Dial Realty, Inc. which will result in the transfer of title to the Winnebago County Fairgrounds property under the following terms and conditions:

**A. Payment Schedule**

Buyer to pay Seller a total purchase price of \$2,825,000. Payment to be as follows:

\$1,400,000 by 8/1/89

\$1,425,000 by 4/1/90

**B. Title Transfer**

Title to entire Fairgrounds property (27 acres more or less) to be transferred on 8/1/89, the date of closing this transaction. Buyer is to submit all title transferee designation information to Seller prior to 5/1/89.

**C. Letter of Credit**

Seller is to receive an irrevocable Letter of Credit in favor of Winnebago County providing for payment of \$1,425,000 to Winnebago County by 4/1/90 to be issued on behalf of Buyer by a bank to be named by Buyer and which is satisfactory to Winnebago County. Buyer to submit a specimen of the aforementioned Letter of Credit to Winnebago county for review and approval prior to 5/1/89.

**D. Purchase/Sale Agreement**

Buyer and Seller agree to execute a purchase/sale agreement on 5/1/89 unless the Winnebago County Board of Supervisors has not adopted a resolution authorizing such action or the said County Board action does not authorize execution of the purchase/sale agreement as proposed.

**E. Earnest Money**

Buyer agrees to pay Seller the sum of \$10,000 as earnest money at the time of execution of the purchase/sale agreement. The earnest money shall be applied to the purchase price at closing or disbursed as provided in the purchase/sale agreement as permitted by law.

**F. Possession Date**

Buyer to have possession of Phase I property on 9/11/89. Seller to have until 9/10/89 to remove any buildings or parts thereof it chooses to remove from Phase I property and shall have until 12/31/89 to remove any buildings or parts thereof it chooses from the remainder of Fairgrounds property.

Submitted by,

**AGRICULTURAL AND EXTENSION EDUCATION COMMITTEE AND  
BUILDING AND GROUNDS COMMITTEE**

Motion by Supervisor Planaip and seconded to amend first paragraph of Resolution 152A-489 after the words "Winnebago County Fairgrounds property" to insert: ", the present use of which is to hold the Winnebago County Fair and recognize 4-H youth", and further to amend the fourth paragraph and insert: "this fund to be designated to account number 100-000-17xxx." Both amendments lost by voice vote.

Roll call vote on Resolution 152-A: Ayes: 40 —O'Brien, Kollath, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Grundman, Witzke, Aibright, Luebke, Yanko, Knigge, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzgi, Steber, Lauson, Broas, Goff, Gose, Planalp, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robi, Utech, Putzer, Troxell, Nielsen and Lawson. Nays: 5—J.C. Pawlowski, Diakoff, Owens, Wagner and Laabs. CARRIED.

**RETAIN ARCHITECTURAL/ENGINEERING SERVICES FOR NEW FAIRGROUNDS  
CONSTRUCTION PROJECT.**

The following Resolution No. 152B-489 was presented:  
TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS. WHEREAS, a schedule is attached hereto indicating critical dates for construction of the new Winnebago County Fairgrounds and Exposition Center in time for the 1990 Winnebago County Fair; and

WHEREAS, now is an appropriate time to move forward with the process for selection of an architect/engineer and to complete the plans and specifications for the construction of the new Fairgrounds and Exposition Center at a total project cost not to exceed the proceeds realized from the sale of the present Winnebago County Fairgrounds; and

WHEREAS, your Committees are recommending that a Fairgrounds Special Building Committee be appointed by the County Board for this project with membership consisting of members of Agricultural and Extension Education Committee and Buildings and Grounds Committee; and

WHEREAS, your Committees are also recommending that the Fairgrounds Special Building Committee be authorized to work with the County Executive, whenever it is appropriate, to assure successful completion of the Winnebago County Fairgrounds and Exposition Center construction project.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a Fairgrounds Special Building Committee with membership consisting of members of the Agricultural and Extension Education Committee and Buildings and Grounds Committee is hereby created and is authorized to work with the County Executive, whenever it is appropriate, to assure successful completion of the Winnebago County Fairgrounds and Exposition Center construction project.

BE IT FURTHER RESOLVED that the Special Building Committee is authorized to select an architect/engineer for this project and the County Executive is authorized to execute a contract for said architect/engineer to prepare plans and specifications for construction of the new Fairgrounds and Exposition Center at a total project cost not to exceed the proceeds realized from the sale of the present Winnebago County Fairgrounds.

BE IT FURTHER RESOLVED that the sum of \$125,000 be made available as a loan from the General Fund to cover the cost of architect/engineering services for this project billed through August 1, 1989 at which time said loan will be repaid from funds received from Dial Realty, Inc.

BE IT FURTHER RESOLVED that the County Board be furnished progress reports on this project from time to time including a report at the June, 1989 County Board Workshop session.

Submitted by,

AGRICULTURAL AND EXTENSION EDUCATION COMMITTEE AND  
BUILDINGS AND GROUNDS COMMITTEE

Motion by Supervisor Yanko and seconded to table Resolution 152b-489 until next month. Roll call vote.

Ayes: 19 — **J.C. Pawlowski, Ribble, W.C. Pawlowski**, Grundman, Laabs, Diakoff, Yanko, Owens, Widmer, Cartwright, Christofferson, Steber, Gose, Planalp, Wagner, Salomon, Cartwright, Christofferson, Steber, Gose, Planalp, Wagner, Salomon, Bremberger, Albrecht, Putzer. Nays: 25— O'Brien, Kollath, Flavin, Gavinski, Eckrich, Schaidler, Witzke, Aibright, Luebke, Knigge, Maehl, Hartmann, Wollerman, Metzsig, Lauson, Broas, Goff, Sundquist, Schwartz, Montgomery, King, Robl, Utech, Troxell, Lawson. Abstain: 1 — Nielsen. LOST.

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Motion by Supervisor Utech and seconded to amend the last "Be It Further Resolved" clause to include "a report in the June, 1989 County Board Workshop Session." CARRIED BY VOICE VOTE.

Roll Call Vote on Resolution 152B-489: Ayes: 36— O'Brien, Kollath, Flavin, Gavinski, W.C. Pawlowski, Eckrich, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Knigge, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzgi, Steber, Lauson, Broas, Goff, Planalp, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Troxell, Nielsen, Lawson. Nays: 9 — J.C. Pawlowski, Ribble, Diakoff, Yanko, Owens, Widmer, Gose, Wagner, Putzer. CARRIED.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain: Sections 21.05(2) through (8) of the General Code of Winnebago County is rescinded and recreated to read:

Text of newly created Sections 2 1.05(2) through (8) is attached.

This ordinance shall take effect July 1, 1989.

Submitted by,  
AVIATION COMMITTEE

Motion made by Supervisor Sundquist and seconded to adopt the ordinance. CARRIED BY VOICE VOTE.

**APPROVE COUNTY INDUSTRIAL  
DEVELOPMENT PROJECT: PROVIDE  
FUNDS FOR EXPANSION OF OMRO  
INDUSTRIAL PARK (\$125,000)**

The following Resolution No. 157-489 was presented:

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, your Industrial Development Board has received a request from the City of Omro for funds in the amount of \$125,000 to be used to fund a portion of Phase I of the water, sewer and lift station installation in the 1st addition to the Omro Industrial Park; and

WHEREAS, the completion of the 1st addition to the Omro Industrial Park will eventually increase tax base and employment; and

WHEREAS, a copy of the application for funding this project and the proposed agreement are attached hereto and made a part hereof; and

WHEREAS, your Industrial Development Board is requesting that the County Board approve this project for funding

and agreement at this time so that construction can begin as soon as possible.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the aforementioned Winnebago County Industrial Development Project be and the same is hereby approved.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the County and the City do agree as follows:

(1) That the County does hereby grant to the City a loan in the amount of \$125,000 for the project known as "Provide Funds for Expansion of Omro Industrial Park" same to be payable to the City when such funds are needed for the project.

(2) The City agrees to repay said loan in full not later than Five (5) years from the date on which the funds are turned over to the City.

(3) The loan shall be subject to an annual administrative fee equal to (one-half prime rate of interest as of date of this agreement) on the unpaid balance thereof which shall be paid annually by the City on the anniversary date the funds were turned over to the City pursuant to this Agreement.

(4) The City agrees to comply with the provisions of the "Funding Policies and Guidelines for Industrial Development Loans" as approved by the Winnebago County Board of Supervisors on January 17, 1989 and made a part of this Agreement.

Submitted by,

INDUSTRIAL DEVELOPMENT BOARD

Motion made by Supervisor Maehl and seconded to adopt the resolution. CARRIED BY VOICE VOTE.

**REPEALING AND RECREATING  
CHAPTER 18 OF THE GENERAL CODE  
WINNEBAGO COUNTY, WISCONSIN (LAND  
DIVISION ORDINANCE)**

Motion made by Supervisor Luebke and seconded to reconsider Ordinance No. 18-1188 was presented.

Roll Call Vote: Ayes 26 — O'Brien, Kollath, Flavin, Grundman, Witzke, Albright, Luebke, Knigge, Maehl, Cartwright, Hartmann, Metzger, Lauson, Goff, Salomon, Sundquist, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen and Lawson. Nays 19 — J.C. Pawlowski, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Laabs, Diakoff, Yanko, Owens, Widmer, Wollerman, Christofferson, Steber, Broas, Gose, Planalp, Wagner, Bremberger, CARRIED. On motion to adopt the resolution. Ayes 22 — O'Brien, Kollath, Grundman, Witzke, Albright, Albrecht, Luebke, Knigge, Maehl, Hartmann, Wollerman, Metzger, Goff, Salomon, Sundquist, Schwartz, Montgomery, King, Robl, Utech, Nielsen and Lawson. Nays 23 — J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Laabs, Diakoff, Yanko, Owens, Widmer, Cartwright, Christofferson, Steber, Lauson, Broas, Gose, Planalp, Wagner, Bremberger,

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Putzer and Troxell. LOST.

Motion made by Supervisor J.C. Pawlowski and seconded to adjourn until Tuesday, May 16, 1989 at 6 p.m., CARRIED BY VOICE VOTE.

Respectfully submitted, Dorothy L. Propp

Winnebago County Clerk

State of Wisconsin

County of Winnebago SS

I, Dorothy L. Propp, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the proceedings for the Winnebago County Board of Supervisors for their meeting held on Tuesday, April 18, 1989.

Respectfully submitted,

Dorothy L. Propp

Winnebago County Clerk

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Proceedings  
of the  
Board of  
Supervisors  
of  
Winnebago County  
ADJOURNED SESSION  
COUNTY BOARD MEETING  
Tuesday, May 16, 1989

The Winnebago County Board of Supervisors was called to order by the Chairman Ralph R. Nielsen at 6:00 p.m., in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call showed full board present, except Supervisor Christofferson.

Supervisor J.C. Pawlowski moved to postpone approval of the April Board Minutes until June 6, 1989. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

Notice of Injury and Claim of Laurie A. Schultz was read and referred to Personnel and Finance Committee. Letter dated May 10, 1989 from East Central Wisconsin Regional Planning Commission was placed on file.

**COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Nielsen stated the Wisconsin Counties Association Convention will be held Sept.17-20,1989 in Eau Claire. He urged everyone to read the May, 1989 issue of Wis. Counties Magazine as Winnebago County is mentioned several times in it. Changes for the 1989-90 County Directory are to be given to Judiciary & Public Safety Committee or Linda Wolfe. Chairman Nielsen presented a savings bond to Christine Kuehl for her suggestion which won an award. He also announced Linda Wolfe submitted three suggestions which won awards.

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

County Executive Stevenson introduced former Supervisors Roland Kampo and James Bahr. He attended the following meetings in April: Pickett Meal Site, County Executive's and Administrators Meeting, Foster Care Appreciation Dinner, Friends of the Fox meeting, Cerebral Palsy Annual Meeting, and Aid Assn. for Lutherans Annual Meeting. The Meg-Drug Unit made 70 arrests in the last two months. Mr. Stevenson gave a speech to Neenah High School students, and they will attend the Sept. County Board meeting. He met with Judge Crane regarding a sixth Circuit Court. The County Planner is studying space requirements for this and other offices. Winnebago County received a rebate check from Wis. Counties Assn. Insurance Group on our premiums. Iris Ost has been hired as the new Purchasing/Insurance Manager. The new telephone system is now 90% installed and working out well.

#### **APPOINTMENTS**

County Executive Paul Stevenson made the following appointments:

Ms. Iris Ost- Purchasing /Insurance Manager  
Ms. Theresa Jarapko - Affirmative Action Commission  
Appointments were confirmed by voice vote.

#### **PUBLIC HEARING**

Chairman Nielsen invited members of the public to express views on any resolution or ordinance on the agenda.

Walt Chrapla, 721 Mitchell St., Neenah, WI spoke on Resolution No. 159, and felt it should be considered at budget time and financial history should be available.

The following persons spoke and/or read correspondence from area businesses in favor of Resolution 174 regarding the airport renovation project: Jack Steinhilber, 5330 I-Ah-Maytah Road, Oshkosh, WI; David Green, 404 W. New York, Oshkosh, WI; Ron Leib of Ambassador Travel, Oshkosh, WI; David Juedes, 3762 Candlish Harbor, Oshkosh, WI and of Fox Valley Travel, Oshkosh, WI; and Dr. Kent Kruse, 2005 Beech Street, Oshkosh, WI. Roland Kampo, 1634 Acorn Court, Menasha, WI spoke against Resolution 174 due to high taxes and the inability of taxpayers to pay for it.

**ZONING PETITIONS**

Zoning Amendment from Town of Algoma re: change from agriculture to R-2 residential for single family home by K.G. Purtell. REFERRED TO PLANNING & ZONING COMMITTEE.

Zoning Amendment from Town of Menasha re: change from R-5 to B-3 for existing portion of Racquet Club and possible expansion from Valley Bank, Appleton, Wis. REFERRED TO PLANNING & ZONING COMMITTEE.

Zoning Amendment from Town of Menasha re: change from R-2 to M-2 for parking by Wisconsin Tissue Mills. REFERRED TO PLANNING & ZONING COMMITTEE.

Zoning Amendment from Town of Neenah re: change from R-1 to R-2 for single family dwelling by Mary K. Bodway. REFERRED TO PLANNING & ZONING COMMITTEE.

Zoning Amendment from Town of Nekimi re: change from A-1 to R-1 for residential home by Kenneth G. Lyness. REFERRED TO PLANNING AND ZONING COMMITTEE.

Zoning Amendment from Town of Oshkosh re: change from M-1 to R-1 for residential and agricultural use by Oshkosh Storage Company. REFERRED TO PLANNING AND ZONING COMMITTEE.

**ZONING REPORTS AND ORDINANCES**

REPORT NO. 1 A report from Planning & Zoning Committee re: change to R-2 (single-family subdivided) for development of a single-family subdivision by EMREY, Inc. Motion by Supervisor Owens to accept the report. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #5-1-89. A request from Town of Algoma for change from R-1 (Rural Residential) to R-2 (Suburban Residential). Motion by Supervisor Owens to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 2. A report from Planning & Zoning Committee re: change to M-2 (Heavy industrial) to operate a trans-shipment depot (rail to truck) by Terrel O. Wesenberg. Motion by Supervisor Owens to accept the report. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #5-2-89. A request from Town of Algoma for change from P-1 (Institutional & Recreational) to M-2 (Heavy Industrial). Motion by Supervisor Owens to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 3 A report from Planning & Zoning Committee re: change to remove a portion of lot from floodplain zoning for new home construction for Tom G. Buege. Motion by Supervisor Owens to accept the report. CARRIED BY VOICE VOTE.

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AMENDATORY ORDINANCE #5-3-89. A request from Town -of Menasha for change from R-2 w/floodplain to R-2 without/floodplain. Motion by Supervisor Owens to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 4. A report from Planning & Zoning Committee re: change to R-1 (single-family) for construction of a single family dwelling by Joseph F. and Janet L. Paulus. Motion by Supervisor Owens to accept the report. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #5-4-89. A request from Town of Nekimi for change from A-1 (Agri-Business) to R-1 (Rural Residential). Motion by Supervisor Owens to adopt. CARRIED BY VOICE VOTE.

**REPORTS, RESOLUTIONS & ORDINANCES**

It was moved and seconded to consider Resolutions 174, 175 and 176 after Resolution 158. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 158-589  
AUTHORIZATION TO EXECUTE  
CONSTRUCTION AGREEMENT TO PROCEED  
WITH IMPLEMENTATION OF COUNTY**

**OWNED LANDFILL GAS UTILIZATION ELECTRIC GENERATION SYSTEM.**

WHEREAS, the County Board did support the Winnebago County Methane Gas Recovery Project through adoption of Resolution 149-687; and

WHEREAS, the Solid Waste Management Board (S.W.M.B.) has pursued and completed an extensive request for proposal process for development of the Winnebago County Landfill Gas Project (LFG) at the County's Snell Road Landfill site; and

WHEREAS, the S.W.M.B. signed an agreement with Solar Turbines, Inc., a wholly owned subsidiary of the Caterpillar Company, as its vendor to construct a two-phase County-owned LFG Collection Migration Control (Phase I) and Optional Gas Utilization Electrical Generation Project (Phase II) and in addition and have negotiated and received an electric power purchase buy back offer from Wisconsin Public Service Corporation; and

WHEREAS, the costs for Phase I and II are 2.1 and 3.7 million dollars respectively, for a total of 5.8 million dollars; and

WHEREAS, the S.W.M.B. completed construction and self funded the 2.1 million dollar cost of Phase I from its operating budget during the interim period of time between Phase I construction and recommendation of Phase II

implementation in order to consolidate recommendation of Phase II implementation in order to consolidate financing of the entire project into one bond issue; and

WHEREAS, during construction of Phase I, the S.W.M.B. tested the gas generation and collection capabilities of the system and have determined that the technical and economic feasibility of Phase II is recommended for implementation; and

WHEREAS, County Board authorization is required to execute the construction agreement with Solar Turbines, Inc. for implementation of the optional Phase II part of LFG project; and

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors hereby authorizes the appropriate County officials to execute the construction agreement with Solar Turbines, Inc. for implementation of Phase II of the LFG project.

BE IT FURTHER RESOLVED in the event that the County Board of Supervisors determines not to implement Phase II, the S.W.M.B. would utilize the County Board's original approval of 3.5 million dollars previously authorized through adoption of resolution 172-88 7, to fund the \$2.1 million Dollar cost of Phase I in order to permit the S.W.M.B. to readjust it's operational budget accordingly.

Submitted by, PERSONNEL & FINANCE COMMITTEE

and

**SOLID WASTE MANAGEMENT BOARD**

Supervisor King moved and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

**RESOLUTION NO. 174-589 APPROVE AIRPORT TERMINAL BUILDING RENOVATION AND IMPROVEMENTS PROJECT; PROVIDE FUNDS (\$850,000).**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the Airport Terminal Building Renovation and Improvements Project consisting of the following be and the same is hereby approved:

Replace Terminal Roof, Ceiling and lighting	\$360,000
etc	
Terminal Renovation (Phase I)	
	Construct Snack Bar and Restroom
Partitions	\$10,000
Terminal Renovation (Phase II)	\$500,000
Terminal Renovation (Phase III)	\$300,000
<b>TOTAL PROJECT COST</b>	<b>\$1,170,000</b>

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Less State & Federal Aids	240,000
Total County Share	\$ 930,000

BE IT FURTHER RESOLVED, that the County funds needed for this project shall be provided as follows:

Funds Included in 1989 Budget....	\$80,000
Funds to be Obtained through issuance of general obligation bonds or notes	\$850,000
TOTAL	\$930,000

Submitted by,  
AVIATION COMMITTEE

Motion by Supervisor Sundquist and seconded to adopt. Supervisor Sundquist withdrew his motion and the second was withdrawn. Supervisor Sundquist then moved to suspend the policy established in October, 1983 to have a workshop session for any expenditures over \$100,000.

Vote: Ayes—17: O'Brien, Witzke, Albright, Luebke, Maehl, Hartmann, Lauson, Broas, Goff, Planaip, Sundquist, Bremberger, Montgomery, King, Utech, Troxell, Nielsen. Nays—27: Kollath, J.C. Pawlowski, Eckrich, Schaidler, Grundman, Laabs, Diakoff, Yanko, Knigge, Owens, Widmer, Cartwright, Wollerman, Metzsig, Steber, Gose, Wagner, Salomon, Albrecht, Schwartz, Robi, Putzer, Lawson, Flavin, Gavinski, Ribble, W.C. Pawlowski. Absent: Christofferson. Lost.

Chairman Nielsen announced that this matter will be included on the agenda for the June 6, 1989 County Board meeting for discussion and resolution.

**RESOLUTION NO. 175-589 APPROVE CTH "K" CONSTRUCTION PROJECT.**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the CTH "K" Project which consists of construction of an overpass and roadway on CTH "K" between the USH 44/20th Street intersection and Oakwood Road at an estimated cost of \$1,434,200 be and the same is hereby approved.

BE IT FURTHER RESOLVED that Winnebago County's estimated share of the project cost, namely, \$600,000, be provided through issuance of general obligation bonds or notes.

Submitted by,  
HIGHWAY COMMITTEE

Supervisor Robl moved to suspend the policy established in October, 1983 to have a workshop session for any

expenditures over \$100,000. Vote: Ayes—39: O'Brien, Kollath, J.C. Pawlowski, Flavin, Gavinski, Laabs, Witzke, Albright, Luebke, Diakoff, Yanko, Knigge, Widmer, Maehl, Cartwright, Hartmann, Metzsig, Lauson, Broas, Goff, Gose, Planalp, Wagner, Sundquist, Bremberger, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Grundman. Nay: 5 - Owens, Wollerman, Steber, Salomon, Albrecht. Absent: Christofferson. CARRIED.

Supervisor Robi moved and it was seconded to adopt Resolution No. 175-589. 2/3rds votes required.

Ayes—43: O'Brien, Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Grundman, Laabs, Witzke, Aibright, Luebke, Diakoff, Yanko, Knigge, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Metzsig, Steber, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson. Nay: Owens. Absent: Christofferson. CARRIED.

**RESOLUTION NO. 176-589 REIMBURSE OPERATING CAPITAL FOR CONSTRUCTION COSTS OF SUNNY VIEW LANDFILL BUILDINGS (\$1,100,000).**

**WHEREAS, the construction of sunnyview landfill buildings and other** improvements was funded from Solid Waste Management **Board** operating capital with **the** understanding that \$1,100,000 of the cost thereof would be included for reimbursement as part of the next succeeding County project financing effort; and

WHEREAS, the Solid Waste Management Board did include this project as part of its 1989 Budget and will amortize the cost of these improvements over a ten year period.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors does hereby approve reimbursement of construction costs for Sunnyview Landfill Building and other improvements in the amount of \$1,100,000.

BE IT FURTHER RESOLVED, that the aforementioned \$1,100,000 be provided through issuance of general obligation bonds or notes and used to restore Solid Waste Management Board operating capital.

Submitted by,

**SOLID WASTE MANAGEMENT BOARD**

Supervisor Putzer moved to amend by deleting word "bonds" in last paragraph. Motion withdrawn. Supervisor Grundman moved and it was seconded to adopt. 2/3rd vote required. Ayes: 44—O'Brien, Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Diakoff, Yanko, Knigge, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Metzsig, Steber, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robi, Utech, Putzer, Troxell, Nielsen, Lawson, Owens. Nays: 0. Absent: Christofferson. CARRIED.

**SUBSTITUTE RESOLUTION NO. 159-589 AUTHORIZE BIDDING FOR COUNTY GENERAL OBLIGATION BONDS OR NOTES OR OTHER OBLIGATIONS (\$8,350,000): METHANE GAS RECOVERY PROJECT (PHASES I AND II), CONSTRUCTION OF SUNNYVIEW LANDFILL BUILDINGS, CTH “K” PROJECT AND AIRPORT TERMINAL BUILDING RENOVATION AND IMPROVEMENTS PROJECT; PROVIDE FUNDS FOR**

**FINANCING COSTS.**

**WHEREAS, the following** Winnebago County projects require financing through the sale of County general obligation bonds, notes or other appropriate county obligations:

Methane Gas Recovery	
Phase I (Reimbursement)	\$2,100,000
Phase II	\$3,700,000
Sunnyview Landfill	
Buildings (Reimbursement)	\$1,100,000
County Trunk Highway “K”	
Construction	\$600,000
Airport Terminal Building Renovation	
and Improvements	\$850,000
<b>TOTAL</b>	<b>\$8,350,000 and;</b>

WHEREAS, now is the time to structure a financial package and authorize the bidding procedure for the issuance of said County obligations; and

WHEREAS, the estimated cost for the various services to be provided relating to said obligations including financial consultant, bond counsel, rating agency, printing and publication is \$35,000; and

WHEREAS, your Personnel and Finance Committee is recommending that the sum of \$35,000 be made available from the General Fund for these costs with the provision that, where appropriate, any expenditures for such purpose will be returned to the General Fund on a prorated basis from funds obtained for these projects through the issuance of County obligations.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors, that appropriate County officials take the necessary steps to obtain bids on County General Obligation Bonds, Notes or other appropriate county

obligations in the amount of not to exceed \$8,350,000 to provide funds for the aforementioned projects.

BE IT FURTHER RESOLVED that the sum of \$35,000 be made available from the General Fund to cover the cost of various services relating to the issuance of said obligations with the provision that, where appropriate, any expenditures for such purpose will be returned to the General Fund on a prorated basis from funds obtained for these projects through issuance of said obligations.

Submitted by,

PERSONNEL & FINANCE COMMITTEE

Supervisor Eckrich moved to amend by removing the \$850,000 for airport terminal building renovation and improvements. Motion withdrawn. - Supervisor King moved and it was seconded to adopt. 2/3rds vote of board membership required. Vote: Ayes—42: O'Brien, Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, Eckrich, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Diakoff, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Metzger, Steber, Lauson, Broas, Goff, Gose, Planalp, Wagner, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lauson. Nays: 2 - Salomon, W.C. Pawlowski. Absent: Christofferson. CARRIED.

**RESOLUTION NO. 160-589 COMMENDATION TO DOROTHY L. PROPP.**

**WHEREAS, Dorothy Propp has served as a conscientious and devoted employee of Winnebago County for more than fifty one years; and**

WHEREAS, she distinguished herself by meritoriously serving in the Office of County Clerk for the past twenty six years; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Dorothy Propp for the fine services she has rendered to Winnebago County and the office to which she was elected.

Submitted by,

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor King and seconded to vote by machine and send results to Mrs. Propp. Vote: Ayes— 44: O'Brien, Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Schaidler, Grundman. Laabs, Witzke,

Albright, Luebke, Diakoff, Yanko, Knigge, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Metzsig, Steber, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salonion, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson, Owens. Nays:--0. Absent: Christofferson. CARRIED UNANIMOUSLY.

**RESOLUTION NO. 161-589 COMMENDATION TO BERYL E. MAURITZ.**

WHEREAS, Beryl Mauritz has been employed with the Park View Health Center of Winnebago County, for the past twenty-one years and three months, and during that time has been a most conscientious and devoted County employee; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Beryl Mauritz for the fine services she has rendered to Winnebago County and Park View Health Center.

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

Submitted by,

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor King and seconded to adopt. CARRIED UNANIMOUSLY.

**RESOLUTION NO. 162-589 COMMENDATION TO JAMES W. LEE.**

**WHEREAS, James Lee was employed by the Winnebago County Highway Department for twenty-four years and nine months, and during that time had been a most conscientious and devoted County employee; and**

WHEREAS, James Lee has **recently passed away** and it is highly appropriate for the Winnebago County Board of Supervisors to acknowledge his many years of dedicated service,

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to the family of James Lee for the fine services that he rendered to Winnebago County and the Winnebago County Highway Department.

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

Submitted by,

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor King and seconded to adopt. CARRIED UNANIMOUSLY.

**RESOLUTION NO. 163-589 REQUEST LEGISLATION REGARDING  
STATE FUNDING ASSISTANCE FOR CARE OF BRAIN INJURED PERSONS.**

**WHEREAS, the Department of Community Programs** has held public hearings required regarding services to the citizens of Winnebago County; and

**WHEREAS,** testimony was presented by several individuals indicating the need for services to individuals who are brain injured; and

**WHEREAS,** waiting lists exist for persons who are brain injured as follows:

—five (5) require residential services, approximate funding cost to serve is \$130,875

—eleven (11) require vocational services, approximate funding cost to serve is \$81,020

—Fifteen (15) require service coordination, approximate funding cost to serve is \$32,650

in addition, \$75,000 of County tax levy is currently being used to fund service to the brain injured; and

**WHEREAS,** the State of Wisconsin has mandated that services to the brain injured be provided through County Departments of Community Programs, and

**WHEREAS,** the State has mandated the provision of services to the brain injured, but provided no funds whatsoever for this purpose

**NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that the Legislature of the State of Wisconsin consider legislation to assist local county government by allocating funds to fulfill this mandate.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the State legislators representing citizens of Winnebago County, to Governor Tommy Thompson, to the United North-East Chapter of the Wisconsin Brain Trauma Association, to the Executive Director of The Wisconsin County's Association, and to the Winnebago County Lobbyist.

Submitted by,

COMMUNITY PROGRAMS BOARD

Supervisor Schwartz moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 164-589  
AUTHORIZE EXECUTION OF LEASE AGREEMENT BETWEEN WINNEBAGO  
COUNTY AND TERRY L. FOOTIT, KATHY J. RUEDINGER, GREGORY J. RUEDINGER  
(a partnership).**

BE IT RESOLVED hi' the Winnebago Counts Board of Supervisors that the County Executive and County Clerk be and they hereby are authorized to execute the lease agreement between Winnebago County and Terry L. Footit. Kathy d. Ruedinger, Gregory J. Ruedinger, a partnership, a copy of which was attached to a Report made immediately preceding action on this resolution.

Submitted by,  
AVIATION COMMITTEE

Supervisor Sundquist moved and it was seconded to adopt. 2/3rds Vote Required. Vote: Ayes—42: O'Brien, Kollath, Flavin, Gavinski, Ribble, W. C. Pawlowski, Eckrich, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Diakoff, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Metzsig, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson. Nays—2: J.C. Pawlowski, Steber. Absent: Christofferson. CARRIED.

**RESOLUTION NO. 165-589  
RATIFYING ACTION OF THE SECRETARY OF  
TRANSPORTATION, WISCONSIN  
DEPARTMENT OF TRANSPORTATION IN  
ACCEPTING AND EXECUTING GRANT AMENDMENT, WITTMAN REGIONAL  
AIRPORT, OSHKOSH, WISCONSIN  
AIP 3-55-0061-05.**

WHEREAS, the Federal Aviation Administration (herein called the "FAA") has determined that, in the best interests of the United States, the Grant Agreement, relating to Project No. AIP 3-55-0061-05 between the Administrator of the FAA, acting for and on behalf of the United States, and the County of Winnebago, Wisconsin (herein called the "Sponsor"), accepted by the Sponsor on June 1, 1987, should be amended as herein provided; and

WHEREAS, it is considered necessary to adjust the project by increasing the Federal obligation by \$22,500; from \$225,000 to \$247,500.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Supervisors of the County of Winnebago as follows:

SECTION I. That the County of Winnebago, as Sponsor, ratifies the action of the Secretary of Transportation in executing a Grant Amendment for the purpose of obtaining federal aid in the development of the Wittman Regional Airport, Oshkosh, Wisconsin, said Amendment being as set forth hereinbelow.

SECTION II. That the Board of Supervisors does hereby ratify and affirm the Agency Agreement between the Secretary

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of Transportation, and the County of Winnebago, Wisconsin dated November 19, 1985 in accordance with Section 114.32 and Section 114.33, Wisconsin Statutes, affecting this project.

SECTION III. That a copy of the Grant Amendment No. 1 is attached hereto and made a part hereof.

Submitted by,

**AIRPORT COMMITTEE**

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

**RESOLUTION NO. 166-589  
ACCEPT COUNTY VETERANS SERVICE  
OFFICER GRANT**

WHEREAS, Wisconsin Statutes 45.43(7) sets forth grant application requirements which Winnebago County qualifies.

WHEREAS, funds are available through the Wisconsin Department of Veterans Affairs, pursuant to 45.43(7) of the Statutes are used in the operation and salaries of the Veterans Service Officer.

WHEREAS, the Veterans Service Officer having submitted an application for a County Veterans Service Officer's Grant for funds in the amount of \$3,000 since 1973

WHEREAS, the Veterans Service Officer has received approval from the Judiciary and Public Safety Committee (committee of jurisdiction) to apply for the annual grant.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors does hereby, authorize the acceptance and use of the aforementioned County Veterans Service Officer's Grant in accordance with the application and committee recommendation.

BE IT FURTHER RESOLVED, that the County Executive be and he hereby is authorized to accept this award on behalf of Winnebago County.

Respectfully submitted, **JUDICIARY & PUBLIC SAFETY COMMITTEE**

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

**RESOLUTION NO. 167-589  
SUPPORT POLICIES OF DISTRICT  
ATTORNEY REGARDING PROSECUTION**

**OF DRUG CASES.**

**BE IT RESOLVED that the Winnebago County**

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Board of Supervisors does hereby encourage and support the policies of the Winnebago County District Attorney regarding the prosecution of drug cases, namely, distribution of drug caseload among three assistants. Holding out for convictions on all counts. General non-acceptance of plea bargains. Considering prosecution of drug cases to be No. 1 priority in the office. Pushing for stiffer penalties (jail, prison and fines) for drug dealers and defendants involved in drug related crimes. Submitted by, JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion to amend by Supervisor Montgomery to change fourth item from "No. 1" to "high". AMENDMENT CARRIED BY VOICE VOTE. Vote on Resolution: CARRIED BY VOICE VOTE.

**RESOLUTION NO. 168-589  
AMEND COUNTY BOARD POLICY  
CONCERNING DISPOSAL OF COUNTY  
ASSETS (Personal Property)**

**BE IT RESOLVED** by the Winnebago County Board of Supervisors that the County Board Policy concerning disposal of County assets (Resolution 116-289) be amended to read as follows:

That the disposal of all county owned personal property will be at public sale, public auction, trade-in, or placed out on bids.

**BE IT FURTHER RESOLVED** that this amended policy shall take effect immediately.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Supervisor Owens moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 169.589**

**DELAY WISCONSIN LEGISLATIVE ACTION ON AB 269 REGARDING LAND INFORMATION PROGRAM.**

WHEREAS, the Wisconsin Legislature funded a Wisconsin Land Records Committee (WLRC) for a two year period ending July, 1987, with the committee's charge being to study and provide recommendations on land records modernization issues; and

WHEREAS, the Wisconsin Land Records Committee has now filed its final report which appears to form the basis for AB 269; and

WHEREAS, AB 269, If passed, calls for the creation of a State Land Information Board and new duties and responsibilities to be imposed on local government; and

WHEREAS, it is important for Legislators representing Winnebago County citizens to know the concerns of this County Board.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that State Legislative action on AB 269 be delayed so as to permit determination of fiscal impact which will have to be borne by local units of government to implement this proposed legislation.

BE IT FURTHER RESOLVED that State legislative action on AB 269 be delay to permit analysis and evaluation by the Wisconsin Counties Association and discussion thereafter with County officials at the 1989 Wisconsin County Boards Convention.

BE IT FURTHER RESOLVED that a copy of the resolution be sent to the Wisconsin legislative members representing Winnebago County citizens, the Wisconsin Counties Association, and to the Wisconsin Governor.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Moved by Supervisor Diakoff and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 170-589

**PROVIDE FUNDS FOR SANITARY SEWER  
ASSESSMENT — BLACK WOLF BOAT**

LANDING: (\$7,400).

WHEREAS. Winnebago County has received a notice of Assessment for Sewerage Facilities from the Town of Black Wolf Sanitary District No. 1; and

WHEREAS, the amount of the assessment is \$14,800; and

WHEREAS, the assessment affects Winnebago County property known as the Black Wolf Boat Landing which includes the boat landing and the residential use of a portion of the property; and

WHEREAS, the residential use on the property is that of Mrs. Micheal T. Nagy, former owner of entire boat landing parcel, who retained a life estate in the residence located thereon at the time of sale of the property to the County; and

WHEREAS, Mrs. Nagy has agreed to pay the assessment for the residential use, namely \$7,400; and

WHEREAS, Winnebago County is liable for payment for one residential equivalent, namely \$7,400, primarily due to the public toilet facilities located on the boat landing portion of the property

NOW, THEREFORE, BE IT RESOLVED BY THE

Winnebago County Board of Supervisors that the sum of \$7,400 be made available from the Contingency Fund to cover the

cost of the Black Wolf Sanitary District No. 1 sewerage assessment relating to the County owned Black Wolf Boat landing property.

Submitted by,  
PARKS AND RECREATION  
COMMITTEE

Moved by Supervisor Lauson and seconded. 2/3rds vote required. CARRIED BY UNANIMOUS VOICE VOTE.

**ORDINANCE NO. 171-589**

**AMEND CERTAIN SECTIONS OF COUNTY CODE RELATING TO FEES AND CHARGES:  
WINNEBAGO COUNTY COMMUNITY LAKE.**

The County Board of Supervisors of the County of Winnebago does ordain as follows:

Section 19.24(3) (a) 1. under caption **Season Pass is amended to read**

**Child Pass (5-12 Yrs) \$5.00**

**Section 19.24(3) (a) 2. under caption General Admission (Daily) is amended to read**

**Child (5-12 Yrs) .38**

**Child under 5 Yrs. when accompanied by parent or guardian FREE**

Section 19.24(3) (a) 4. which reads

**Clothing Basket \$1.00**

is rescinded.

The aforementioned amendments and recession shall take effect upon passage and publication.

Submitted by,  
**PARKS AND RECREATION COMMITTEE**

Moved by Supervisor Lauson and seconded to adopt. 2/3 vote required. CARRIED BY UNANIMOUS VOICE VOTE.

**RESOLUTION NO. 172-589 SPLIT A FULL-TIME POSITION OF FAMILY COURT COUNSELOR INTO TWO PART-TIME POSITIONS OF FAMILY COURT COUNSELOR IN THE FAMILY COURT COUNSELING PROGRAM OF THE CIRCUIT COURTS.**

WHEREAS, the Director of Family Court Counseling Services has requested that an existing fulltime position of Family Court Counselor be split into two part-time positions of Family Court Counselor in order to provide clients with a

wider variety of staffing choices and in order to better cover the temporary absences of the professional staff; and

WHEREAS, the Judiciary and Public Safety Committee and the Personnel and Finance Committee have reviewed this request, have found merit in it and have subsequently endorsed it; and

WHEREAS, the cost of staffing the two part-time positions at the 50% level will not exceed the cost of staffing one full-time position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that a full-time position of Family Court Counselor be, and hereby is, split into two (50%) part-time positions of Family Court Counselor within the Family Court Counseling Program of the Circuit Courts.

BE IT FURTHER RESOLVED, that no increase in hours for either part-time position be made except by separate Resolution of the Winnebago County Board of Supervisors.

BE IT FURTHER RESOLVED, that funds to cover the cost of this action be made available from within the budget of the Family Court Counseling Program of the Circuit Courts.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE and  
PERSONNEL AND FINANCE COMMITTEE

Moved by Supervisor King and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

**RESOLUTION NO. 173-589 COMMENDATION TO EDWARD M. PENSON.**

WHEREAS, Edward M. Penson has served as Chancellor of the University of Wisconsin-Oshkosh for eleven years; and

WHEREAS, Dr. Penson is retiring after challenging the University to achieve lofty goals he set at the commencement of his tenure; and

WHEREAS, under Dr. Penson's enabling leadership and guidance, UW-Oshkosh has overcome its former image of weakness and has arisen to regional and national prominence; and

WHEREAS, Dr. Penson has continually strived to attract diverse and scholarly faculty and students; and

WHEREAS, Dr. Penson has work toward mending the psychological rift between the University and resident communities.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that Dr. Edward M. Penson be honored and thanked for the dedicated service he has rendered to the University of Wisconsin-Oshkosh and our community.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this resolution to Dr. Edward M. Penson.

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Submitted by,

Ron J. Montgomery District 38 Supervisor Motion made by supervisor Montgomery and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

**RESOLUTION NO. 177-589 APPROVE TRANSFER OF FUNDS, INCREASING STATE AIDS AND EXPENDITURES TO MATCH PROGRAMS (\$433,744),**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the Budget Transfer Request in the amount of \$433,744, a copy of which is attached hereto, be and same is hereby approved. Submitted by, SOCIAL SERVICES BOARD 2/3rds vote required. Moved by Supervisor Laabs and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

**RESOLUTION NO. 178-589 APPROVE TRANSFER OF FUNDS: INCREASE EXPENSE AND REVENUE BUDGETS - ADULT FOSTER CARE (\$312,000)**

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the following transfers of funds be and the same is hereby approved:

\$142,000 from Account 210-620-55810-0122 (Adult Family Home-Expense)  
to Account 210-000-44511  
(Adult Family Home - Revenue) \$170,000 from Account 210-620-55810-0156  
(Comm. Care / Treatment Expense)  
to Account 210-000-44512  
(Comm. Care / Treatment Revenue)

Submitted by,  
SOCIAL SERVICES BOARD

2/3rds vote required. Moved by Supervisor Laabs and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

**RESOLUTION NO. 179-589  
APPROVE TRANSFER OF FUNDS; INCREASE  
ALLOCATION OF COP FUNDING TO  
DEPARTMENT OF COMMUNITY  
PROGRAMS (\$213,136).**

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BE IT RESOLVED by the Winnebago County Board of Supervisors that the following transfer of funds be and same is hereby approved:

\$213,136 from Account 210-620-55810-1314

(Supportive Home Care)

to Account 210-620-58922-1314

(Unified Board—COP-Supportive Home Care) Submitted by,

SOCIAL SERVICES BOARD

2/3rds vote required. Moved by Supervisor Laabs and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

Motion made by Supervisor J. C. Pawlowski to adjourn until the June 6, 1989 workshop session. CARRIED BY VOICE VOTE.

Respectfully submitted, Linda Wolfe Winnebago County Clerk

State of Wisconsin)SS  
(County of Winnebago)

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held on May 16, 1989.

Linda Wolfe  
Winnebago County Clerk

**Proceedings**  
Of the  
**Board of Supervisors**  
Of  
**Winnebago County**  
**WORKSHOP SESSION**  
**COUNTY BOARD MEETING**  
**Tuesday, June 6, 1989**

Chairman Ralph R. Nielsen called the meeting to order at 6:00 p.m. in the Supervisors' Room Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call showed full board present, with Supervisors Michael Utech and James Lauson excused.

Supervisor J. C. Pawlowski moved to approve the minutes of April 18, 1989 as printed. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

Letter from Joe Halter, Executive Director of Winne-Fond Lake Consortium, in support of remodeling Wittman Regional Airport, was read and placed on file.

Notice of claim of Estate of Amarendra N. Chatterjee and Nanda Chatterjee and her two minor children was referred to personnel and Finance Committee.

**COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Nielsen announced the necessity of changing the date of the adjourned June County Board session due to the bond issue documents not being available. Motion by Supervisor Wagner and seconded to change the June County Board meeting to Wednesday, June 28, 1989 at 6:00 P.M. CARRIED BY VOICE VOTE.

**PUBLIC HEARING**

David Green 404 W. New York Avenue, Oshkosh, WI spoke in favor of the airport remodeling. Walt Chrapla, 721 Mitchell St. Neenah, WI expressed dissatisfaction with the county's voice mail in the telephone system. He questioned Resolution 182-689 with the public hearing being held after the sale of the bonds. Gib Spanbauer, 2651 Edgewood Lane, Oshkosh, WI spoke against annexation in the Town of Oshkosh.

**FAIRGROUNDS UPDATE BY ROD COENEN  
OF MILLER, WAGNER & COENEN, INC.**

The purpose of this report was to provide the Winnebago County Board with an update of plans for the new Fair and Exposition Site on Sunnyview Road. He explained Martensen & Eisele are doing some of the local detail work for the new, multiple-use facility. They are looking into alternatives for water and sewer connections. The joint committee of Agriculture & Extension and Buildings and Grounds approved the Master Plan last week. They will meet on June 7 and June 14 and should be ready to go into the final design. The final plan will be brought to the County Board for approval in August. Preliminary work on the new site should start in September, and

the 1990 County Fair will be held there. Mr. Coenen answered questions from Board members following his report.

**ADDING A SIXTH CIRCUIT COURT  
BY JUDGE WILLIAM CRANE**

Judge Crane explained the report which was distributed to the Board members and said it could take several years to institute a new court because it was necessary to go before the State Legislature and also have it included in a Court Plan. Due to the court statistics provided, Winnebago County will be justified in adding another court in the next few years. He urged planning begin for it in the near future.

**AIRPORT REMODELING PROJECT BY  
RICK SOKOL, AIRPORT MANAGER**

Mr. Sokol gave a report on the proposed remodeling at Wittman Regional Airport. He stated the roof presently has an "R" factor of 3. With remodeling, it will be increased to an R20. New carpet, sales counters, PA system, and signs are included in the remodeling to update the facility, as well as extensive remodeling of the first floor for airlines, snack bar, and car rental agencies. The second floor would include a conference room, cocktail lounge, public viewing area, and administrative offices. Questions were raised regarding the roof, handicapped accessibility of the second floor, and the cocktail lounge costs. He answered questions from supervisors on the project.

**REPORTS, RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 180-689  
APPROVE AIRPORT TERMINAL BUILDING  
RENOVATION AND IMPROVEMENTS  
PROJECT; PROVIDE FUNDS (\$850,000)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the Airport Terminal Building Renovation and Improvements Project consisting of the following be and the same is hereby approved:

Replace Terminal Roof, Ceiling and Lighting, etc .....	\$ 360,000
Terminal Renovation (Phase II) .....	\$ 500,000
Terminal Renovation (Phase III) .....	\$ 300,000
<b>TOTAL PROJECT COST .....</b>	<b>\$1,160,000</b> Less State & Federal Aids .....
<b>Total County Share .....</b>	<b>\$ 920,000</b>

BE IT FURTHER RESOLVED, that the County Funds needed for this project shall be provided as follows:

Funds Included in 1989 Budget .....	\$ 70,000
Funds to be Obtained through issuance of general obligation bonds or notes .....	\$ 850,000
<b>TOTAL .....</b>	<b>\$920,000</b>

Submitted by,  
AVIATION COMMITTEE

Vote Requirement for Passage: 2/3rds Vote.

Supervisor Albrecht moved and it was seconded to adopt Resolution No. 180-689.

Supervisor Wagner moved to amend the price to \$650,000. There was no second to the motion.

Supervisor Owens moved it was seconded to refer Resolution No. 180-689 back to committee. Vote: Ayes 33 —Planalp, Gose, Robi, W.C. Pawlowski, Laabs, Wollerman, Albright, Steber, Christofferson, Ribble, Grundman, Salomon, Owens, Cartwright, Metzsig, Flavin, Diakoff,

Widmer, Yanko, Gavinski, Putzer, Wagner, Bremberger, Luebke, Broas, Knigge, Eckrich, Schwartz, Schaidler, J.C. Pawlowski, Kollath, Nielsen, Maehl. Nays - 10 — Sundquist, Albrecht, O'Brien, Troxell, King, Lawson, Goff, Hartmann, Planap, Witzke. Excused — 2 — Utech and Lauson. CARRIED.

**RESOLUTION NO. 181-689**

**AUTHORIZING THE BORROWING OF \$3,800,000; AND PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION PROMISSORY NOTES, SERIES 1989 "A" THEREFOR**

WHEREAS, the County Board hereby finds and determines that it is necessary, desirable and in the best interest of Winnebago County, Wisconsin (the "County") to raise funds for the purpose of paying the cost of road construction, repair and improvement and reimbursing the County for funds expended *in* anticipation of borrowing to construct and equip a utility office building and a methane gas collection system (the "Project"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the County Board hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and,

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes.

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

**Section 1. Authorization of the Notes.** For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12 (12) of the Wisconsin Statutes, the principal sum of THREE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$3,800,000) from a purchaser to be determined by competitive sale (the "Purchaser").

**Section 2. Sale of the Notes.** To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation promissory notes aggregating the principal amount of THREE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$3,800,000) (the "Notes").

**Section 3. Sale Date and Price of the Notes.**

The County shall offer the Notes for public sale on June 27, 1989 at a price of not less than One Hundred Percent (100%) of the principal amount thereof, plus accrued Interest to the date of delivery.

**Section 4. Notice of Sale.** The Finance Director is hereby authorized and directed to cause a notice of sale, in substantially the form attached hereto as Exhibit A and incorporated herein by this reference, to be published at least once in either the Oshkosh Northwestern, the official newspaper of the County or in The **Bond Buyer**, a financial newspaper published in New York, New York prior to the date set for the sale of the Notes.

**Section 5. Official Notice of Sale.** The Finance Director (in consultation with the County's financial advisor, First Wisconsin National Bank of Milwaukee) shall also cause an Official Notice of Sale to be prepared and distributed in substantially the form attached hereto as Exhibit B and incorporated herein by this reference and may prepare or cause to be prepared and Distributed an Official Statement or other form of offering circular.

**Section 6. Arbitrage Covenant.** The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (the "Regulations").

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with

the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or Regulations.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceed rigs, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the closing.

**Section 7. Additional Tax Covenants Including Rebate; Qualified tax-exempt Obligation Status.** The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. 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 for inclusion in the transcript of proceedings as of the closing, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes.

The County does not anticipate that it will qualify for the small issuer exemption from the rebate requirements of the Code. Accordingly, the County hereby covenants and agrees that there shall be paid from time to time all amounts to be rebated to the United States pursuant to Section 148(f) of the Code and any applicable income tax regulations proposed or promulgated thereunder. This covenant and agreement shall survive payment in full or defeasance of the Notes. In order to fulfill such covenant and agreement, the County is hereby authorized to employ independent accountants, consultants or attorneys to assist in determining the rebate amounts.

The County hereby covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

The County hereby designates the Notes to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b) (3) of the Code and in support of such designation, the County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County as of the closing.

**Section 8. Award of the Notes.** Following receipt of bids for the Notes, the County shall consider taking further action to provide the details of the Notes; to award the Notes to the lowest responsible bidder therefore whose proposal results in the lowest true interest cost to the County; and to levy a direct annual irreparable tax to pay the principal of and interest on the Notes as the same becomes due as required by law.

**Section 9. Conflicting Resolutions; Severability; Effective Date.** All prior resolutions, rules or other actions of the County 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 this 6th day of June 1989. Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and it was seconded to substitute Exhibits A & B attached to Resolution No. 181-689. CARRIED BY VOICE VOTE.

**Substitute Exhibit A Resolution 181-689**

**NOTICE OF SALE \$3,800,000**

**WINNEBAGO COUNTY, WISCONSIN GENERAL OBLIGATION PROMISSORY**

**NOTES, SERIES 1989 A DATED JULY 1, 1989**

SEALED BIDS will be received until 11:00 a.m. (Central Time) on JUNE 27, 1989

The Notes will be dated July 1, 1989 and will mature serially on December 1 of each year, in the years and principal amounts as follows:

<b>Year</b>	<b>Principal Amount</b>	<b>Year</b>	<b>Principal Amount</b>
1990	\$235,000	1995	\$450,000
1991	350,000	1996	485,000
1992	380,000	1997	515,000
1993	400,000	1998	555,000
1994	430,000		

Interest is payable commencing on June 1, 1990 and semi-annually thereafter on December 1 and June 1 of each year.

The Notes will be issued in book-entry form only. The Notes when issued, will be registered in the name of CEDE & Co., as nominee for The Depository Trust Company, New York, New York, who will act as the Securities depository of the Notes.

The Notes maturing on December 1, 1995 and thereafter are callable on December 1, 1994 and thereafter in the manner provided in the Official Notice of Sale.

The Notes shall be designated "qualified tax-exempt obligations".

The Notes are being issued for the purpose of paying the cost of road construction, repair and improvement and reimbursing the County for funds expended in anticipation of borrowing to construct and equip a utility office building and a methane gas collection system.

The approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin and the transcript of proceedings will be furnished to the Purchaser without cost. Additional information including the Official Notice of Sale and the Preliminary Official Statement may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202, Attention: David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned.

Delore R. LeMarche  
Finance Director  
Winnebago County Courthouse  
415 Jackson Street  
Oshkosh, WI 54903  
(414) 235-2500

**Substitute Exhibit B Resolution 181-689**

**OFFICIAL NOTICE OF SALE \$3,800,000**

**WINNEBAGO COUNTY, WISCONSIN GENERAL OBLIGATION PROMISSORY NOTES, SERIES 1989 A DATED JULY 1, 1989**

**Date, Time, and Place.** Sealed bids will be received by the Finance Director, Winnebago County, Wisconsin for all but no part of its \$3,800,000 Winnebago County General Obligation Promissory Notes, Series 1989 A, in the office of the County Executive Room, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin 54903 until 11:00 a.m. (Central Time) on JUNE 27, 1989 at which time the bids 'will be publicly opened and read. The bids should be directed to the Finance Director and plainly marked "Bid for Notes". A regular meeting of the County Board will be held on said date for the purpose of taking action on such bids as may be received.

**Details of the Notes.** The Notes will be dated July 1, 1989 and will mature serially on December 1 of each year, in the years and principal amounts as follows:

<b>Year</b>	<b>Principal Amount</b>
1990	\$235,000
1991	350,000
1992	380,000
1993	400,000

1994	430,000
1995	450,000
1996	485,000
1997	515,000
1998	555,000

Interest on said Notes would be payable commencing on June 1, 1990 and semi-annually thereafter on December 1 and June 1 of each year.

**Optional Redemption.** At the option of the County, the Notes maturing on I) December 1, 1995 and thereafter shall be subject to redemption prior to maturity on December 1, 1994 or on any interest payment date thereafter. Said Notes shall be redeemable as a whole or in part, in inverse order of maturity and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

**Registration.** The Notes will be issued as fully registered notes without coupons and, when issued, will be registered only in the name of CEDE & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository of the Notes. A single Note certificate for each maturity WILL BE issued to DTC and immobilized in its custody. Individual purchases may be made in book-entry form only pursuant to the rules and procedures established between DTC and its participants, in the principal amount of \$5,000 and integral multiples thereof. Individual purchasers will not receive certificates evidencing their ownership of the Notes purchased. The successful bidder shall be required to deposit the Note certificates with DTC as a condition to delivery of the Notes. The County will make payments of principal and interest on the Notes to DTC or its nominee as registered owner of the Notes in next-day funds. Transfer of those payments to participants of DTC will be the responsibility of DTC; transfer of the payments to beneficial owners by DTC participants will be the responsibility of such participants and other nominees of beneficial owners all as required by DTC rules and procedures. No assurance can be given by the County that DTC, its participants and other nominees of beneficial owners will make prompt transfer of the payments as required by DTC rules and procedures. The County assumes no liability for failures of DTC, its participants or other nominees to promptly transfer payments to beneficial owners of the Notes.

**Depository.** In the event that the securities depository relationship with DTC for the Notes is terminated and the County does not appoint a successor depository, the County will prepare, authenticate and deliver, at its expense, fully-registered certificate Notes in the denominations of \$5,000 or any integral multiple thereof in the aggregate principal amount of Notes of the same maturities and with the same interest rate or rates then outstanding to the beneficial owners of the Notes.

**Authority and Security.** The Notes shall be issued pursuant to Section 67.12(12), Wisconsin Statutes and resolutions adopted by the County Board. The Notes are general obligations of the County. The Principal of and interest on the Notes will be payable from ad valorem taxes, which may be levied without limitation as to rate or amount upon all of the taxable property located in the County. The Notes shall be issued for the purpose of paying the cost of road construction, repair, and improvement and reimbursing the County for funds expended in anticipation of borrowing to construct and equip a utility office building and a methane gas collection system.

**Qualified Tax-Exempt.** The County has designated the Notes to be "qualified tax exempt obligations" pursuant to the provisions of Section 265(b) (3) of the Internal Revenue Code of 1986, as amended, and in support of such designation, the Finance Director or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate to the County as of the date of delivery and payment for the Notes.

**Bid Specifications.** Bids will be received on an interest rate basis in integral multiples of One-Twentieth (1/20) or One-Eighth (1/8) of One Percent (1%). Any number of rates may be bid but the difference between the highest and lowest rate bid shall not exceed One Percent (1%). All Notes of the same maturity shall bear the same interest rate. No bid for less than One Hundred Percent (100%) of the principal amount of the Notes plus accrued interest to the date of delivery will be considered. The Notes will be awarded on the basis of the lowest true interest cost to the County.

**Good Faith Deposit.** Each bid shall be accompanied by a certified check or cashiers check

payable to the Finance Director in the amount of THIRTY-EIGHT THOUSAND DOLLARS (\$38,000). The check of the successful bidder shall constitute a good faith deposit and shall be retained by the County to insure performance of the requirements of the sale by the successful bidder. In the event the successful bidder shall fail to comply with the terms of its bid, the check will be forfeited as full and complete liquidated damages. Upon delivery of the Notes, the check will be applied to the purchase price of the Notes or returned to the Purchaser, but no interest shall be allowed thereon. After the award is made to the successful bidder, the checks of the unsuccessful bidders will be returned forthwith.

**Form of Notes; Delivery.** The Notes shall be delivered in typewritten form, one Note per maturity, to The Depository Trust Company, securities depository of the Notes for the establishment of book-entry accounts at the direction of the successful bidder within approximately forty-five (45) days after the award. Payment at the time of delivery must be made in federal or other immediately available funds. In the event delivery is not made within forty-five (45) days after the date of the sale of the Notes, the successful bidder may, prior to tender of the Notes, at its option, be relieved of its obligation under the contract to purchase the Notes and its good faith check shall be returned, but no interest shall be allowed thereon.

**Legal Opinion.** The successful bidder will be furnished without cost, the unqualified approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin. A copy of said legal opinion shall be affixed to the Notes. A transcript of the proceedings relative to the issuance -of the Notes (including a No-litigation Certificate) shall be furnished to the successful bidder without cost. CUSIP numbers will be included on the typewritten Notes.

**Purchaser's Certificate.** Simultaneously with or before delivery of the Notes, the successful bidder shall furnish to the County a certificate, made on the best knowledge, information and belief of the successful bidder, acceptable to bond counsel, stating the initial reoffering prices to the public of each maturity of the Notes and further stating that a substantial amount of each maturity of the Notes was sold to the public or final purchasers thereof (not including bond houses and brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at or below such initial reoffering prices.

**Irregularities.** The County reserves the right to reject any and all bids and to waive any and all irregularities.

**Information.** Copies of the Official Statement and additional information may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202; Attention: David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned Delore R. LeMarche Finance Director Winnebago County Courthouse 415 Jackson Street Oshkosh, WI 54903 (414) 235-2500. Two-thirds vote required for passage.

Mr. Dave DeYoung of First Wisconsin National Bank of Milwaukee explained the bonding issue to the County Board members. He explained the dates had to be changed to June 27, 1989 when bids will be received. The notes will be dated July 1, 1989 and will mature serially on December 1 of each year until 1998.

Supervisor King moved for the adoption of Resolution No. 181-689 with change of date to June 28 from June 27, 1989. Vote: Ayes 43—Planalp, Sundquist, Albrecht, Gose, O'Brien, Robl, W.C. Pawlowski, Laabs, Troxell, King, Wollerman, Albright, Owens, Salomon, Grundman, Witzke, Ribble, Christofferson, Steber, Goff, Lawson, Cartwright, Metzger, Hartmann, Flavin, Diakoff, Widmer, Yanko, Gavinski, Putzer, Wagner, Bremberger, Luebke, Broas, Knigge, Eckrich, Montgomery, Schwartz, Schaidler, Nielsen, Maehl, J. C. Pawlowski, Kollath. Nays—U. Excused 2—Utech and Lauson. CARRIED.

#### RESOLUTION NO. 182-689

#### AUTHORIZING THE ISSUANCE AND THE SALE OF \$850,000 GENERAL OBLIGATION

#### PROMISSORY NOTES (AMT) SERIES 1989

WHEREAS, the County Board of Winnebago County, Wisconsin (the "County") deems it to be necessary, desirable and in the best interest of the County to issue, pursuant to Section 67.12 (12) of the Wisconsin Statutes, not to exceed \$850,000 general obligation promissory notes for the

public purpose of renovating and improving the airport terminal facilities at Wittman Field; acquiring updated equipment; making related site improvements; and paying legal, financing, and other professional fees (the "Project");

WHEREAS, counties are authorized by the provisions of Section 67.04 and 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes; and,

WHEREAS, it has been determined that general obligation promissory notes in the principal amount of \$850,000 should be issued and it is now necessary to authorize their sale.

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

**Section 1. Authorization of the Notes.** For the purpose of paying the cost of the project, there shall be borrowed pursuant to Section 67.12 (12) of the Wisconsin Statutes, the principal sum of EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000) from a purchaser to be determined by competitive sale (the "Purchaser").

**Section 2. Sale of the Notes.** To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation promissory notes aggregating the principal amount of EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000) (the "Notes").

**Section 3. Sale Date and Price of the Notes.**

The County shall offer the \$850,000 General Obligation Promissory Notes (AMT), Series 1989 B (the "Notes") for public sale on June 27, 1989 at a price of not less than One Hundred Percent (100%) of the principal amount thereof, plus accrued interest to the date of delivery.

**Section 4. Notice of Sale.** The Finance Director is hereby authorized and directed to cause notices of sale, in substantially the form hereto attached as Exhibit A and incorporated herein by this reference, to be published once in either the Oshkosh Northwestern, the official newspaper of the County or in The Bond Buyer, financial newspaper published in the City of New York, New York prior to the date set for the sale of the Notes.

**Section 5. Official Notice of Sale. The Finance**

Director (in consultation with the County's financial advisor, First Wisconsin National Bank Milwaukee) shall also cause an Official Notice of Sale to be prepared and distributed in substantially the form attached hereto as Exhibit B and incorporated herein by this reference and may prepare or cause to be prepared an Official Statement or other form of offering circular. The details of the Notes set forth in Exhibits A and B are hereby adopted and approved as and for the details of the Notes.

**Section 6. Arbitrage Covenant. The County**

shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and any income tax regulations promulgated thereunder (the "Regulations").

The Note Proceeds may be temporarily invested in legal investments until needed provided, however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations.

The Finance Director, or other officer of the County charged with responsibility for issuing the Notes shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County, regarding the amount and use of the Note proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

**Section 7. Additional Tax Covenants,**

**Including Rebate.** The County hereby further covenants and agrees with each and every holder of the Notes as follows:

(a) The County will take all necessary steps and perform all obligations required by the Code

and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103 (a) and 141 (e) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. 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 as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations;

(b) The County will take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Sections 103 (a) and 141 (e) of the Code, the interest on which is excluded from gross income for federal income tax purposes;

(c) No part of the Note Proceeds will be used to finance retail food and beverage service facilities, automobile sales or service facilities, recreation or entertainment facilities, a golf course, country club, massage parlor, tennis club, skating facility including roller skating, skateboard and ice skating), racket sports facility (including any handball or racquetball court), hot tub facility, suntan facility, race track, airplane, skybox or other private luxury box, any health club facility, any facility primarily used for gambling, or any store the principal business of which is the sale of alcoholic beverages for consumption off premises;

(d) Not more than Two percent (2%) of the aggregate face amount of the Notes will be used to pay the fees, costs and expenses of in connection with the Notes;

(e) No portion of the Note proceeds is to be used for the acquisition of existing property or land;

(f) At least Ninety-Five Percent (95%) of the Note Proceeds will be used for facilities such as runways and taxi-ways, air traffic control towers, radar installations, certain airport terminal facilities, facilities for crash/fire/rescue operations, airport hangars, maintenance facilities that must be located at the airport site because of their direct connection with air transportation, public parking facilities that are directly related and essential to transportation by air of passengers and cargo;

(g) The facilities financed with Note Proceeds will be owned by the County and leased to certain private users of such facilities (the "Lessees"), only if the following requirements are met:

(1) The Lessees make an irrevocable election not to claim depreciation or investment credit on the property,

(2) The lease term including options is not more than 80% of the reasonably expected economic life of the facilities, and

(3) The Lessees do not have an option to purchase the facilities other than at fair market value;

(h) Other than Note Proceeds invested in a reasonably required reserve or replacement fund or during any temporary period allowable under the Regulations, the amount of Note Proceeds invested in higher yielding investments will not exceed the lesser of (i) five percent (5%) of the Note proceeds, or (ii) \$100,000;

(i) The average maturity of the Notes is not more than One Hundred Twenty Percent (120%) of the average reasonably expected economic life of the facilities being financed with the Note Proceeds,

(j) A notice for public hearing with respect to the Notes shall be published on or before **June 20, 1989** (which date is at least 14 days prior to the public hearing date referenced below) in the Oshkosh **Northwestern** and such notice shall apprise the residents of the County of the proposed issuance of the Notes and the nature of the financing. The Form of the Notice is attached hereto as **Exhibit C**;

(k) A public hearing will be held on July 5, 1989 by the Aviation Committee of the County and such public hearing will be conducted in a manner which provided a reasonable opportunity for interested persons to express their views, both orally and in writing, on the proposed issue of the Notes and the nature of the financing;

(1) All information reports (including Form 8038) required under Section 149 (e) of the Code will be filed; and,

(m) There shall be paid from time to time all amounts to be rebated to the United States pursuant to Section 148 (f) of the Code and any applicable income tax regulations proposed or

promulgated thereunder. This covenant and agreement shall survive payment in full or defeasance of the Notes. In order to fulfill such covenant and agreement, the County is hereby authorized to employ independent accountants, consultants or attorneys to assist in determining the rebate amounts.

Section 8. **Award of the Notes.** Following receipt of bids for the Notes, the County Board of Supervisors shall consider taking further action to provide the details of the Notes; to award the Notes to the Lowest responsible bidder therefor whose proposal results in the lowest true interest cost to the County; and to levy a direct annual irrevocable tax sufficient to meet principal and interest on the Notes as the same becomes due as required by law.

**Section 9. Conflicting Resolutions; Severability; Effective Date.** All prior resolutions, rules or other actions of the County 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 bylaw. Adopted and recorded this 6th day of June, 1989.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

**SUBSTITUTE Exhibit A**

**RESOLUTION 182-689**

**NOTICE OF SALE**

**\$850,000**

**WINNEBAGO COUNTY, WISCONSIN GENERAL OBLIGATION PROMISSORY NOTES (AMT), SERIES 1989 B DATED JULY 1, 1989 SEALED BIDS will be received until 11 a.m. (Central Time) on JUNE 27, 1989**

The Notes will be dated July 1, 1989 and will mature serially on December 1 of each year, in the years

and principal amounts as follows:

<b>Year</b>	<b>Amount</b>
1990	\$ 50,000
1991	\$80,000
1992	\$ 85,000
1993	\$90,000
1994	\$ 95,000
1995	\$100,000
1996	\$110,000
1997	\$115,000
1998	\$125,000

Interest is payable commencing on June 1, 1990 as semi-annually thereafter on December 1 and June 1 of each year.

The Notes will be issued in book-entry form only. The Notes, when issued, will be registered in the name of CEDE & Co., as nominee of The Depository Trust Company, New York, New York, who will act as the securities depository of the Notes.

The Notes maturing on December 1, 1995 and thereafter are callable on December 1, 1994 and thereafter in the manner provided in the Official Notice of Sale.

The Notes are being issued for the purpose of paying the cost of renovating and improving the airport terminal facilities at Wittman Field; acquiring updated equipment; making related site improvements; and paying legal financing, and other professional fees.

The approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin and the transcript of proceedings will be furnished to the Purchaser without cost. Additional information including the Official Notice of Sale and the Preliminary Official Statement may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202; Attention: David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned.

Delore R. LeMarche Finance Director Winnebago County Courthouse 415 Jackson Street  
Oshkosh, WI 54903 (414) 235-2500

**SUBSTITUTE Exhibit B****RESOLUTION 182-689****OFFICIAL NOTICE OF SALE****\$850,000****WINNEBAGO COUNTY, WISCONSIN GENERAL OBLIGATION PROMISSORY NOTES (AMT), SERIES 1989 B DATED JULY 1, 1989**

**Date, Time, Place.** Sealed bids will be received by the Finance Director, Winnebago County, Wisconsin for all but no part of its \$850,000 General Obligation Promissory Notes (AMT), Series 1989 B in the office of the County Executive Room, 415 Jackson Street, Oshkosh, WI 54903; until 11:00 a.m. (Central Time) on

JUNE 27, 1989

at which time the bids will be publicly opened and read. The bids should be directed to the Finance Director and plainly marked "Bid for Notes". A regular meeting of the County Board will be held on said date for the purpose of taking action on such bids as may be received.

**Details of the Notes.** The Notes will be dated

July 1, 1989 and will mature serially on December 1 of each year, in the years and principal amounts as follows:

<b>Year</b>	<b>Amount</b>
1990	\$ 50,000
1991	\$80,000
1992	\$85,000
1993	\$ 90,000
1994	\$ 95,000
1995	\$100,000
1996	\$110,000
1997	\$115,000
1998	\$125,000

Interest on said Notes will be payable commencing on June 1, 1990 and semi-annually thereafter on December 1 and June 1 of each year.

**Optional Redemption At the option** of the County, the Notes maturing on December 1, 1995 and thereafter shall be subject to redemption prior to maturity on December 1, 1994 or on any interest payment date thereafter. Said Notes shall be redeemable as a whole or in part, in inverse order of maturity and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

**Registration.** The Notes will be issued as fully-registered Notes without coupons and, when issued, will be registered only in the name of CEDE & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository of the Notes. A single Note certificate for each maturity will be issued to DTC and immobilized in its custody. Individual purchases may be made in bookentry form only pursuant to the rules and procedures established between DTC and its participants, in the principal amount of \$5,000 and integral multiples thereof. Individual purchasers will not receive certificates evidencing their ownership of the Notes purchased. The successful bidder shall be required to deposit the Note certificates with DTC as a condition to delivery of the Notes. The County will make payments of principal and interest on the Notes to DTC or its nominee as registered owner of the Notes in next-day funds. Transfer of those payments to participants of DTC will be the responsibility of DTC; transfer of the payments to beneficial owners by DTC participants will be the responsibility of such participants and other nominees of beneficial owners all as required by DTC rules and procedures. No assurance can be given by the County that DTC, its participants and other nominees of beneficial owners will make prompt transfer of the payments as required by DTC rules and procedures. The County assumes no liability for failures of DTC, its participants or other nominees to promptly transfer payments to beneficial owners of the Notes.

**Depository.** In the event that the securities depository relationship with DTC for the Notes is terminated and the County does not appoint a successor depository, the County will prepare, authenticate and deliver, at its expense, fully-registered certificate Notes in the denominations of \$5,000 or any integral multiple thereof in the aggregate principal amount of Notes of the same maturities and with the same interest rate or rates then outstanding to the beneficial owners of the Notes.

**Authority and Security.** The Notes shall be issued pursuant to Section 67.12 (12), Wisconsin Statutes and resolutions adopted by the County Board. The Notes are general obligations of the County. The principal of and interest on the Notes will be payable from ad valorem taxes, which may be levied without limitation as to rate or amount upon all of the taxable property located in the County. The Notes shall be issued for the purpose of paying the cost of renovating and improving the airport terminal facilities at Wittman Field; acquiring update equipment; making related site improvements; and paying legal financing, and other professional fees.

**Bid Specifications.** Bids will be received on an interest rate basis in integral multiples of One-Twentieth (1/20) or One-Eighth (1/8) of One Percent (1%). Any number of rates may be bid but the difference between the highest and lowest rate bid shall not exceed One Percent (1%). All Notes of the same maturity shall bear the same interest rate. No bid for less than the principal amount of the Notes plus accrued interest to the date of delivery will be considered. The Notes shall be awarded to a responsible bidder whose proposal results on the lowest true interest cost to the County.

**Good Faith Deposit.** Each bid shall be accompanied by a certified check or cashier's check payable to the County in the amount of EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$8,500). The check of the successful bidder shall constitute a good faith deposit and shall be retained by the County to insure performance of the requirements of the sale by the successful bidder. In the event the successful bidder shall fail to comply with the terms of its bid, the check will be forfeited as full and complete liquidated damages. Upon delivery of the Notes, the check will be applied to the purchase price of the Notes or returned to the Purchaser, but no interest shall be allowed thereon. After the award is made to the successful bidder, the checks of the unsuccessful bidders will be returned forthwith.

**Form of Notes; Delivery.** The Notes shall be delivered in typewritten form, one Note per maturity, to The Depository Trust Company, New York, New York, securities depository of the Notes for the establishment of book-entry accounts at the direction of the successful bidder within approximately forty-five (45) days after the award. Payment at the time of delivery must be made in federal or other immediately available funds. In the event delivery is not made within forty-five (45) days after the date of the sale of the Notes, the successful bidder may, prior to tender of the Notes, at its option, be relieved of its obligation under the contract to purchase the Notes and its good faith check shall be returned, but no interest shall be allowed thereon.

**Alternative Minimum Tax.** In the opinion of Bond Counsel, under existing law, the interest on the Notes is excluded from gross income for federal income tax purposes, except for any period during which a Note is held by a "substantial user" of the facilities financed by the Notes, or a "related person" within the meaning of Section 147(a) of the Internal Revenue Code of 1986 (the "Code"). It should be noted, however, that interest on the Notes is an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. In addition to the foregoing exceptions, the opinion set forth in the first sentence of this paragraph is subject to the condition that the County comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Notes in order that interest thereon be, or continue to be, excluded from gross income for federal income tax purposes. The County has covenanted to comply with each such requirement. Failure to comply with certain of such requirements may cause the inclusion of interest on the Notes in gross income for federal income tax purposes to be retroactive to the date of issuance of the Notes.

**Legal Opinion.** The successful bidder will be furnished without cost, the unqualified approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin. A copy of said legal opinion shall be affixed to the Notes. A transcript of the proceedings relative to the issuance of the Notes (including a No-litigation Certificate) shall be furnished to the successful bidder without

cost. CUSIP numbers will be included on the typewritten Notes.

**Purchaser's Certificate.** Simultaneously with or before delivery of the Notes, the successful bidder shall furnish to the County a certificate, made on the best knowledge, information and belief of the successful bidder, acceptable to bond counsel, stating the initial reoffering prices to the public of each maturity of the Notes and further stating that a substantial amount of each maturity of the Notes was sold to the public or final purchasers thereof (not including bond houses and brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at or below such initial reoffering prices.

**Irregularities.** The County reserves the right to reject any and all bids and to waive any and all irregularities.

**Information.** Copies of the Official Statement and additional information may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202; Attention: David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned. Delore R. LeMarche, Finance Director, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, WI 54903, (414) 235-2500.

Supervisor King moved and it was seconded to withdraw Resolution 182-689. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 183-689  
AUTHORIZING THE BORROWING OF  
\$3,710,000; and PROVIDING FOR THE  
ISSUANCE AND SALE OF GENERAL  
OBLIGATION REFUNDING NOTES, SERIES  
1989 C THEREFOR**

WHEREAS, the County Board hereby finds and determines that it is necessary, desirable and in the best interest of Winnebago County, Wisconsin (the "County") to raise funds for the purpose of refunding the County's \$3,710,000 General Obligation Promissory Notes of 1988, Series A, dated September 1, 1988 (the "Prior Issue") (hereinafter the refinancing of the County's outstanding obligations shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the County Board deems it to be necessary, desirable and in the best interest of the County to refund the Prior Issue for the purpose of providing permanent financing for the project undertaken with the proceeds of the Prior Issue; and

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation refunding notes to refinance its outstanding obligations.

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

**Section 1. Authorization of the Notes.** For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of THREE MILLION SEVEN HUNDRED TEN THOUSAND DOLLARS (\$3,710,000) from a purchaser to be determined by competitive sale (the "Purchaser").

**Section 2. Sale of the Notes.** To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation refunding notes aggregating the principal amount of THREE MILLION SEVEN HUNDRED TEN THOUSAND DOLLARS (\$3,170,000) (the "Notes").

**Section 3. Sale Date and Price of the Notes.** The County shall offer the Notes for public sale on June 27, 1989 at a price of not less than Ninety-Nine and One-Half Percent (99.5%) of the principal amount thereof, plus accrued interest of the date of delivery.

**Section 4. Notice of Sale.** The Finance Director is hereby authorized and directed to cause a notice sale, in substantially the form attached hereto as **Exhibit A** and incorporated herein by this reference, to be published at least once in either the **Oshkosh Northwestern**, the official newspaper of the County or in **The Bond Buyer**, a financial newspaper published in New York, New York prior to the date set for the sale of the Notes.

**Section 5. Official Notice of Sale.** The Finance Director (in consultation with the County's financial advisor, First Wisconsin National Bank of Milwaukee) shall also cause an Official Notice of Sale to be prepared and distributed in substantially the form attached hereto as **Exhibit B and incorporated herein by** this reference and may prepare or cause to be prepared and distributed an Official Statement or other form of offering circular.

**Section 6. Arbitrage Covenant.** The County shall not take any action with respect to the Note Process which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (the "Regulations").

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or Regulations.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the closing.

**Section 7. Additional Tax Covenants Including Rebate; Qualified Tax. Exempt Obligation Status.** The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103 (a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. 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 for inclusion in the transcript of proceedings as of the closing, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103 (a) of the Code, the interest on which is excluded from gross income for federal income tax purposes.

The County does not anticipate that it will qualify for the small issuer exemption from the rebate requirements of the Code. Accordingly, the County hereby covenants and agrees that there shall be paid from time to time all amounts to be rebated to the United States pursuant to Section 148 (f) of the Code and any applicable income tax regulations proposed or promulgated thereunder. This covenant and agreement shall survive payment in full or defeasance of the Notes. In order to fulfill such covenant and agreement, the County is hereby authorized to employ independent accountants, consultants or attorneys to assist in determining the rebate amounts.

The County hereby covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

The County hereby designates the Notes to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265 (b) (3) of the Code and in support of such designation, the County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County as of the closing.

**Section 8. Award of the Notes.** Following receipt of bids for the Notes, the County shall consider taking further action to provide the details of the Notes; to award the Notes to the lowest responsible bidder therefor whose proposal results in the lowest true interest cost to the County; and to levy a direct annual irrevocable tax to pay the principal of and interest on the Notes as the same becomes due as required by law.

**Section 9. Conflicting Resolutions; Severability; Effective Date.** All prior resolutions, rules or other actions of the County 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 this 6th day of June, 1989.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and it was seconded to substitute Exhibits A & B attached to Resolution No. 183-689. CARRIED BY VOICE VOTE.

### **SUBSTITUTE Exhibit A**

#### **RESOLUTION 183-189**

#### **NOTICE OF SALE**

**\$3,710,000**

#### **WINNEBAGO COUNTY, WISCONSIN GENERAL OBLIGATION REFUNDING NOTES, SERIES 1989 C DATED**

**AUGUST 1, 1989**

SEALED BIDS will be received until 11:00 a.m.

(Central Time) on JUNE 27, 1989

The Notes will be dated August 1, 1989 and will mature serially on December 1 of each year, in the years and principal amounts as follows:

Year	Principal Amount
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1991	\$1,710,000
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1992	\$2,000,000
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Interest is payable commencing on June 1, 1990 and semi-annually thereafter on December 1 and June 1 of each year.

The Notes will be issued in book-entry form only. The Notes when issued, will be registered in the name of CEDE & Co., as nominee for The Depository Trust Company, New York, New York, who will act as the securities depository of the Notes.

The Notes maturing on December 1, 1992 are callable on December 1, 1991 and thereafter in the manner provided in the Official Notice of Sale.

The Notes shall be designated "qualified tax-exempt obligations".

The Notes are being issued for the purpose of refunding the County's \$3,710,000 General Obligation Promissory Notes of 1988, Series A, dated September 1, 1988.

The approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin and the transcript of proceedings will be furnished to the Purchaser without cost. Additional information including the Official Notice of Sale and the preliminary Official Statement may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202, Attention: David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned. Delore B. LeMarche, Finance Director, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, WI 54903, (414) 235-2500

### **SUBSTITUTE EXHIBIT B**

#### **RESOLUTION 183-689**

#### **OFFICIAL NOTICE OF SALE**

**\$3,710,000**

#### **WINNEBAGO COUNTY, WISCONSIN GENERAL OBLIGATION REFUNDING NOTES, SERIES 1989 C DATED AUGUST 1, 1989**

**Date, Time, Place.** Sealed bids will be received by the Finance Director, Winnebago County, Wisconsin for all but no part of its \$3,710,000 Winnebago County General Obligation Refunding Notes, Series 1989 C, in the office of the County Executive Room, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin 54903 until 11:00 a.m. (Central Time) on JUNE 27, 1989 at which time the bids will be publicly opened and read. The bids should be directed to the Finance Director and plainly marked "Bid for Notes". A regular meeting of the

County Board will be held on said date for the purpose of taking action on such bids as may be received.

**Details of the Notes.** The Notes will be dated August 1, 1989 and will mature serially on December 1 of each year, in the years and principal amounts as follows:

Year	Principal Amount
1991	\$1,710,000
1992	\$2,000,000

Interest on said Notes will be payable commencing on June 1, 1990 and semi-annually thereafter on December 1 and June 1 of each year.

**Optional Redemption.** At the option of the County, the Notes maturing on December 1, 1992 shall be subject to redemption prior to maturity on December 1, 1991 or on any interest payment date thereafter. Said Notes shall be redeemable as a whole or in part by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

**Registration.** The Notes will be issued as fully-registered notes without coupons and, when issued, will be registered only in the name of CEDE & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository of the Notes. A single Note certificate for each maturity will be issued to DTC and immobilized in its custody. Individual purchases may be made in book-entry form only pursuant to the rules and procedures established between DTC and its participants, in the principal amount of \$5,000 and integral multiples thereof. Individual purchasers will not receive certificates evidencing their ownership of the Notes purchased. The successful bidder shall be required to deposit the Note certificates with DTC as a condition to the delivery of the Notes. The County will make payments of principal and interest on the Notes to DTC or its nominee as registered owner of the Notes in the next-day funds. Transfer of those payments to participants of DTC will be the responsibility of DTC; transfer of the payments to beneficial owners by DTC participants will be the responsibility of such participants and other nominees of beneficial owners all as required by DTC rules and procedures. No assurance can be given by the County that DTC, its participants and other nominees of beneficial owners will make prompt transfer of the payments as required by DTC rules and procedures. The County assumes no liability for failures of DTC, its participants or other nominees to promptly transfer payments to beneficial owners of the Notes.

**Depository.** In the event that the securities depository relationship with DTC for the Notes is terminated and the County does not appoint a successor depository, the County will prepare, authenticate and deliver, at its expense, fully-registered certificate Notes in the denominations of \$5,000 or any integral multiple thereof in the aggregate principal amount of Notes of the same maturities and with the same interest rate or rates then outstanding to the beneficial owners of the Notes.

**Authority and Security.** The Notes shall be issued pursuant to Section 67.12 (12), Wisconsin Statutes and resolutions adopted by the County Board. The Notes are general obligations of the County. The principal of and interest on the Notes will be payable from ad valorem taxes, which may be levied without limitation as to rate or amount upon all of the taxable property located in the County. The Notes shall be issued for the purpose of refunding the County's \$3,710,000 General Obligation Promissory Notes of 1988, Series A, dated September 1, 1988.

**Qualified Tax-Exempt.** The County has designated the Notes to be "qualified tax exempt obligations" pursuant to the provisions of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended, and in support of such designation, the Finance Director or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County as of the date of delivery and payment for the Notes.

**Bid Specifications.** Bids will be received on an interest rate basis in integral multiples of One-Twentieth (1/20) or One-Eighth (1/8) of One Percent (1%). Any number of rates may be bid but the difference between the highest and lowest rate bid shall not exceed One Percent (1%). All Notes of the same maturity shall bear the same interest rate. No bid for less than Ninety-Nine and One-Half Percent (99.5%) of the principal amount of the Notes plus accrued interest to the date of delivery will be considered. The Notes will be awarded on the basis of the lowest true interest cost to the County.

**Good Faith Deposit.** Each bid shall be accompanied by a certified check or cashier's check payable to the Finance Director in the amount of THIRTY-SEVEN THOUSAND ONE HUNDRED DOLLARS (\$37,100). The check of the successful bidder shall constitute a good faith deposit and shall be retained by the County to insure performance of the requirements of the sale by the successful bidder. In the event the successful bidder shall fail to comply with the terms of its bid, the check will be forfeited as full and complete liquidated damages. Upon delivery of the Notes, the check will be applied to the purchase price of the Notes or returned to the Purchaser, but no interest shall be allowed thereon. After the award is made to the successful bidder, the checks of the unsuccessful bidders will be returned forthwith.

**Form of Notes; Delivery.** The Notes shall be delivered in typewritten form, one Note per maturity, to The Depository Trust Company, securities depository of the Notes for the establishment of 100k-entry accounts at the direction of the successful bidder within approximately forty-five (45) days after the award. Payment at the time of delivery must be made in federal or other immediately available funds. In the event delivery is not made within forty-five (45) days after the date of the sale of the Notes, the successful bidder may, prior to tender of the Notes, at its option, be relieved of its obligation under the contract to purchase the Notes and its good faith check shall be returned, but no interest shall be allowed thereon.

**Legal Opinion.** The successful bidder will be furnished without cost, the unqualified approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin. A copy of said legal opinion shall be affixed to the Notes. A transcript of the proceedings relative to the issuance of the Notes (including a No-litigation Certificate) shall be furnished to the successful bidder without cost. CUSIP numbers will be included on the typewritten Notes.

**Purchaser's Certificate.** Simultaneously with or before delivery of the Notes, the successful bidder shall furnish to the County a certificate, made on the best knowledge, information and belief of the successful bidder, acceptable to bond counsel, stating the initial reoffering prices to the public of each maturity of the Notes and further stating that a substantial amount of each maturity of the Notes was sold to the public or final purchasers thereof (not including bond houses and brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at or below such initial reoffering prices.

**Irregularities.** The County reserves the right to reject any and all bids and to waive any and all irregularities.

**Information. Copies** of the Official Statement and additional information may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202; Attention: David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned.

Delore R. LeMarche, Finance Director, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, WI 54903, (414) 235-2500.

Two-thirds vote required for passage.

Supervisor King moved for the adoption of Resolution No. 183-689, with the change of date to June 28 from June 27, 1989.

Vote: Ayes -43 -Planalp, Sundquist, Albrecht, Gose, O'Brien, Rob!, W.C. Pawlowski, Laabs, Troxell, King, Wollerman, Albright, Owens, Salomon, Grundman, Witzke, Ribble, Christofferson, Steber, Goff, Lawson, Cartwright, Metzger, Hartmann, Flavin, Diakoff, Widmer, Yanko, Gavinski, Putzer, Wagner, Bremberger, Luebke, Broas, Knigge, Eckrich, Montgomery, Schwartz, Schaidler, J.C. Pawlowski, Kollath, Nielsen, Maehl. Nays -0. Excused: 2 -Utech and Lauson. CARRIED.

#### RESOLUTION NO. 184-689

##### DISALLOW CLAIM OF PHILLIP SCHWAAB

WHEREAS, your Personnel and Finance Committee has had the claim of Phillip Schwaab 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 Phillip Schwaab dated March 24, 1989, 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

Supervisor King moved and it was seconded to adopt Resolution No. 184-689. CARRIED BY UNANIMOUS VOICE VOTE.

**REPORT ON STATUS OF SALE OF  
WINNEBAGO COUNTY FAIRGROUNDS**

Corporation Counsel Gerald Engeldinger reported he has been negotiating with Dial Realty, Inc. on the contract for the sale of the present County Fairgrounds. McMahn & Associates will do a survey of the land at a cost of approximately \$1,400-\$1,500. The closing date has been changed from 8/1/89 to 8/23/89 because of Dial's concern about liability exposure during the County Fair week, but the County will be paid 10% interest from 8/1-23/89. Mr. Engeldinger has been working in the insurance liability because there will be 10 or more events taking place after the closing of the sale. Dial Realty wants an early opportunity to start demolition on the fairgrounds buildings. Dial will get confirmation by the Special Building Committee on this. Dial will have someone check for underground storage tanks. No earnest money has been paid to date and the agreement has not been signed due to certain items yet to be negotiated. Mr. Engeldinger hopes to report at the next County Board meeting that the agreement has been signed.

Motion by Supervisor J. C. Pawlowski to adjourn until June 28, 1989. CARRIED BY VOICE VOTE.

Respectfully submitted, Linda Wolfe  
Winnebago County Clerk

(State of Wisconsin)  
(County of Winnebago)

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their workshop meeting held June 6, 1989.

Linda Wolfe  
Winnebago County Clerk

Proceedings  
of the  
Board of  
Supervisors  
of  
Winnebago County

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
Wednesday, June 28, 1989**

The Winnebago County Board of Supervisors was called to order by the Chairman Ralph R. Nielsen at 6:00 p.m., in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call showed full board present, with the exception of Supervisors O'Brien, Schaidler, Diakoff, Steber and Putzer.

Supervisor J.C. Pawlowski moved and it was seconded to approve the minutes of May 16, 1989 and June 6, 1989. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

Notice of Claim from Robert and Michele McRoberts was read and referred to Personnel and Finance Committee. Notice of Claim from Yvonne S. Jajtner was received and referred to Personnel and Finance Committee. Retirement parties for Cecil Smith and Joyce Fischer were announced.

**ZONING PETITIONS**

Petition for Zoning Amendment from Mary K. Bodway re: change from R-1 to R-2 for single family dwelling. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from James L. Nerenhausen re: change from Industrial (grandfathered) & R-1 to M-1 for parking lot for adjacent business. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from Bernard M. Miller (for George Brennand) re: change from A-1 to R-1 for single family lot development. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from John Pansy re: change from Agriculture to R-1 for a single family dwelling. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition from William J. Dougherty re: change from A-1/B-3 to M-2 for Office/Maintenance/Freight Terminal/Warehouse. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition from Earl Boyles re: change from A-2 to B-2 for a warehouse/boat storage. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition from Robert A. Stevens re: change from MH 1 to R-1. REFERRED TO PLANNING & ZONING COMMITTEE.

**COUNTY EXECUTIVE'S REPORT**

County Executive Stevenson stated he will hold a Department Head meeting on June 29 to begin work on the 1990 Budget and discuss long-range space plans. He spoke to the Badger Boys State in June. He met with harness racing people regarding their interest in racing at the fairgrounds.

**APPOINTMENTS**

County Executive Stevenson made the following appointments:

Nancy ALbright — Oshkosh Library Board

Alberta Goff — Tax Increment District No. 7

Review Board

Reg Freeman — Civil Service Commission

#### **REPORT BY EAST CENTRAL WIS.**

##### **REGIONAL PLANNING COMMISSION**

Ken Theme, Executive Director of the East Central Wisconsin Regional Planning Commission, discussed the Annual Report by his organization. He spoke on regional transportation needs, the 20-20 corridor, and the proposed relocation of Highway 10. He stated a Task Force on Solid Waste has been instituted. Eight of ten counties in the region belong to East Central.

#### **PUBLIC HEARING**

Mr. Walt Chrapla, 721 Mitchell Street, Neenah, WI spoke against Resolution 201-689 concerning a spec building in the Industrial Park in Winneconne and the rate of interest involved in the loan.

#### **ZONING REPORTS AND ORDINANCES**

REPORT NO.1. A report from Planning & Zoning Committee re: rezoning to add floodplain overlay district to comply with DNR permit and subdivision approval by Secura Financial. Motion by Supervisor Owens and seconded to accept the report. CARRIED.

AMENDATORY ORDINANCE #6-1-89. A request from Martenson & Eisele (for Secura Financial) for a zoning change from R-2 and SWD to Floodplain. Motion by Supervisor Owens and seconded to adopt. Motion by Supervisor Grundman to table. After discussion, Supervisor Grundman withdrew his motion. Vote on motion to adopt: Ayes — 27: Flavin, W.C. Pawlowski, Laabs, Aibright, Luebke, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Wollerman, Lauson, Broas, Goff, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robi, Utech, Troxell, Lawson. Nays — 11 — Kollath, J.C. Pawlowski, Gavinski, Ribble, Grundman, Witzke, Hartmann, Christofferson, Metzige, Gose, Nielsen. Excused — 7 — O'Brien, Eckrich, Schaidler, Diakoff, Steber, Planalp, Putzer. CARRIED.

REPORT NO.2. A report from Planning & Zoning Committee re: change to R-2 for development of single-family subdivision by JKJ Developers, Inc. Motion by Supervisor Owens and seconded to accept the report. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 6-2-89. A request from JKJ Developers, Inc. for change from A-i to R-2 zoning. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.3. A report from Planning & Zoning Committee re: change from R-5 to B-3 zoning by Valley Bank in the Town of Menasha. Motion by Supervisor Owens and seconded to accept the report. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 6-3-89. A request by Valley Bank for change from R-5 to B-3 zoning. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.4. A report from Planning & Zoning Committee re: change from R-2 to M-2 for construction of a parking lot by Wisconsin Tissue Mills. Motion by Supervisor Owens and seconded to accept the report. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 6-4-89. A request by Wisconsin Tissue Mills for change from R-2 to M-2 zoning. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.5. A report from Planning & Zoning Committee re: change from A-i to R-1 zoning for construction of a single-family dwelling by Kenneth G. Lyness. Motion by Supervisor Owens and seconded to accept the report. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 6-5-89. A request by Kenneth G. Lyness for zoning change from A-1 to R-1 for construction of a single-family dwelling. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.6. A report from Planning & Zoning Committee re, change from M-1 to R-1 for construction of single-family home by Oshkosh Storage Company. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 6-6-89. A request by Oshkosh Storage Company for zoning change from M-1 to R-1 for construction of single-family dwelling. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 7 A report from Planning & Zoning Committee re: amendment to Chapter 18.14(5) and 18.36(5), Subdivision Ordinance. Motion by Supervisor Owens and seconded to accept the report. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 6-7-89. An amendment to Chapter 18.14(5) and 18.36(5), Subdivision Ordinance to require unpaid taxes to be paid prior to signature and recording of a Certified Survey Map. Motion by supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

**REPORTS, RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 185-689**

**RESOLUTION AWARDING THE SALE OF**

**\$3,800,000 GENERAL OBLIGATION**

**PROMISSORY NOTES, SERIES 1989**

**A AND LEVYING A TAX IN**

**CONNECTION THEREWITH**

WHEREAS, on June 6, 1989, the County Board of Winnebago County, Wisconsin (the "County") adopted a resolution entitled: "Resolution Authorizing the Borrow of \$3,800,000; and Providing for the Issuance and Sale of General Obligation Promissory Notes, Series 1989 A Therefor" (the "Authorizing Resolution") which authorized the issuance of general obligation promissory notes for the purpose of paying the cost of road construction, repair and improvement and reimbursing the County for funds expended in anticipation of borrowing to construct and equip a utility office building and a methane gas collection system (the "Project");

WHEREAS, pursuant to the Authorizing Resolution, the Finance Director caused a Notice of Sale to be published in **The Bond Buyer** on June 21, 1989 offering the aforesaid general obligation promissory notes for public sale on June 28, 1989, and also caused an Official Notice of Sale to be circulated I potential bidders;

WHEREAS, the following sealed bid proposals we received:

<b>BIDDER</b>	<b>NET INTEREST COST</b>	<b>TRUE INTEREST RATE</b>
First Chicago Capital Markets, Inc	\$1,443, 377 90	6 373432%
First Wisconsin National Bank of Milwaukee	1,444,98797	63767
Harris Trust and Savings Bank	1,445, 003 13	6 3827
Blunt Ellis & Loewi Incorporated	1.445.61411	63878
Prudential-Bache Capital Funding	1,448,051 35	63910
Northern Trust Company	1,458,061 20	6 4388

WHEREAS, it has been determined that the bid proposal submitted by First Chicago Capital Markets, Inc., Chicago, Illinois 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. A copy of said bid is attached hereto as Exhibit A and incorporated herein by this reference.

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

**Section 1. Award of the Notes: The bid proposal** of the First Chicago Capital Markets, Inc., Chicago, Illinois (the "Purchaser") is hereby accepted, said proposal offering to purchase the \$3,800,000 Winnebago County General Obligation Promissory Notes, Series 1989 A (the "Notes") for the sum of THREE MILLION EIGHT HUNDRED THOUSAND ONE HUNDRED DOLLARS AND EIGHTY-FIVE CENTS (\$3,800,100.85), plus accrued interest to the date of delivery, resulting in a net interest cost of ONE MILLION FOUR HUNDRED FORTY-THREE THOUSAND THREE HUNDRED SEVENTY-SEVEN

DOLLARS AND NINETY CENTS (\$1,443,377.90) and an average true interest rate of 6.373432%. The notes bear interest as follows:

<b>Year of Maturity</b>	<b>Principal Amount</b>	<b>Interest Rate</b>
1990	\$235,000	7.10%
1991	350,000	7.00
1992	380,000	7.00
1993	400,000	6.20
1994	430,000	6.25
1995	450,000	6.25
1996	485,000	6.30
1997	515,000	6.30
1998	555,000	6.40

**Section 2. Terms of the Notes. The Notes shall**

be designated "General Obligation Promissory Notes, Series 1989 A"; shall be dated July 1, 1989; shall be in the denomination of \$5,000 or any integral multiple thereof; and shall mature serially on December 1 of each year, in the years and principal amounts as set forth above. Interest is payable commencing on June 1, 1990 and semi-annually thereafter on December 1 and June 1 of each year.

**Section 3. Redemption Provisions. At the**

option of the County, the Notes maturing on December 1, 1995 and thereafter shall be subject to redemption prior to maturity on December 1, 1994 or on any interest payment date thereafter. Said Notes shall be redeemable as a whole or in part, in inverse order of maturity 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 B and incorporated herein by this reference.

Section 5. 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 a direct annual irrepealable tax sufficient for that purpose is hereby levied upon all taxable property of the County. Said direct annual irrepealable tax shall be levied in the years and amounts as follows:

<b>Levy Year</b>	<b>Amount</b>
1989	\$583,648.75
1990	579,420.00
1991	584,920.00
1992	578,320.00
1993	583,520.00
1994	576,645.00
1995	583,520.00
1996	582,965.00
1997	590,520.00

The aforesaid direct annual irrepealable tax shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County levied in said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax heretofore levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created by Section 6 hereof.

Section 6. Segregated Debt Service Fund Account. There is hereby established in the Treasury a fund account separate and distinct from all other funds or accounts of the County to be designated "Debt Service Fund Account for \$3,800,000 Winnebago County General Obligation Promissory Notes, Series 1989 A dated July 1, 1989", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time of delivery to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof, and all other sums as may be necessary to pay interest on the Notes when the same shall become due and to retire the Notes at their respective maturity dates. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such

indebtedness is fully paid or otherwise extinguished.

**Section 7. Segregated Construction Fund.** The proceeds of the Notes (the "Note Proceeds") other than any premium and accrued interest which must be paid at the time of delivery of the Notes into the Debt Service Fund Account created herein shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Notes. Said proceeds may be temporarily invested in legal investments in the manner set forth in the Authorizing Resolution.

**Section 8. Small Issuer Exemption from**

Rebate. In accordance with Section 148(f) (4) (C) of the Code, the County covenants that it is a governmental unit with general taxing powers; that the Notes are not "private activity bonds" as defined in Section 141 of the Code; that ninety-five percent (95%) or more of the net proceeds of the Notes are to be used for local governmental activities of the County; and that the aggregate face amount of all tax-exempt obligations (other than "private activity bonds") issued by the County, including all subordinate entities of the County, during calendar year 1989 will not exceed \$5,000,000 excluding, however, tax-exempt obligations which are not outstanding at Closing and certain refunding bonds meeting the requirements of Section 148(f) (4) (C) (iii) of the Code. If for any reason the County did not qualify for the small issuer exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

**Section 9. Execution of the Notes.** The Notes shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, sealed with its official or corporate seal 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. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signature's shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

**Section 10. Payment of the Notes.** The principal of and interest on the Notes shall be paid by the County Clerk or Treasurer.

**Section 11. Conflicting Resolutions; Severability; Effective Date.** All prior resolutions, rules or other actions of the County 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 this 28th day of June, 1989. Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and Supervisor Lauson seconded to adopt. Vote: Ayes — 40 — Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Harlmann, Wollerman, Christofferson, Metzsig, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Troxell, Nielsen, Lawson. Nays — 0. Excused: O'Brien, Schaidler, Diakoff, Steber, Putzer. CARRIED.

**RESOLUTION NO. 186-689  
RESOLUTION AWARDING THE SALE  
OF \$3,710,000 GENERAL  
OBLIGATION REFUNDING NOTES, SERIES  
1989 C AND LEVYING A TAX IN  
CONNECTION THEREWITH**

WHEREAS, on June 6, 1989, the County Board of Winnebago County, Wisconsin (the "County") adopted a resolution entitled: "Resolution Authorizing the Borrowing of \$3,710,000; and Providing for the Issuance and Sale of General Obligation Refunding Notes, Series 1989 C therefor" (the "Authorizing Resolution") which authorized the issuance of general obligation promissory notes for the purpose of refunding the County's \$3,710,000 General Obligation Promissory Notes of 1988, Series A, dated September 1, 1988 (the "Prior Issue") (hereinafter the refinancing of the County's outstanding obligations

shall be referred to as the "Refunding");

WHEREAS, pursuant to the Authorizing Resolution, the Finance Director caused a Notice of Sale to be published in The Bond Buyer on June 16, 1989 offering the aforesaid general obligation promissory notes for public sale on June 28 1989, and also caused an Official Notice of Sale to be circulated to potential bidders;

WHEREAS, the following sealed bid proposals were received:

BIDDER	NET INTEREST COST	TRUE INTEREST RATE
First Wisconsin National Bank of Milwaukee	\$667,385 67	6 24595%
Prudential-Bache Capital Financing	671,563 33	6 2969
First Chicago Capital Markets, Inc	675,367 83	6 332963
Northern Trust Company	675,413 33	6 3352
Blunt Ellis & Loewi Incorporated	677,082 83	6 3526
Harris Trust and Savings Bank	681,445 97	6 3924
Shearson Lehman Hutton Inc	690,330 83	6 4754

WHEREAS, it has been determined that the bid proposal submitted by the First Wisconsin National Bank of Milwaukee, Milwaukee, Wisconsin 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. A copy of said bid is attached here to as Exhibit A and incorporated herein by this reference.

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

**Section 1. Award of the Notes.** The bid proposal of the First Wisconsin National Bank of Milwaukee, Milwaukee, Wisconsin (the "Purchaser") is hereby accepted, said proposal offering to purchase the \$3,710,000 Winnebago County General Obligation Refunding Notes, Series 1989 C (the "Notes") for the sum of THREE MILLION SEVEN HUNDRED SIX THOUSAND SIX HUNDRED SIXTY-ONE DOLLARS (\$3,706,661), plus accrued interest to the date of delivery, resulting in a net interest cost of SIX HUNDRED SIXTY-SEVEN THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS AND SIXTY-SEVEN CENTS (\$667,385.67) and an average true interest rate of 6.24959%. The Notes bear interest as follows:

Year of Maturity	Principal Amount	Interest Rate
1991	1,710,000	6.20%
1992	2,000,000	6.25

**Section 2. Terms of the Notes.** The Notes shall be designated "General Obligation Refunding Notes, Series 1989 C"; shall be dated August 1, 1989; shall be in the denomination of \$5,000 or any integral multiple thereof; and shall mature serially on December 1 of each year, in the years and principal amounts as set forth above. Interest is payable commencing on June 1, 1990 and semi-annually thereafter on December 1 and June 1 of each year.

**Section 3. Redemption Provisions. At the** option of the County, the Notes maturing on December 1, 1992 shall be subject to redemption prior to maturity on December 1, 1991 or on any interest payment date thereafter. Said Notes shall be redeemable as a whole or in part 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 B and incorporated herein by this reference. Section 5. 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 a direct annual irrepealable tax sufficient for that purpose is hereby levied upon all taxable property of the County. Said direct annual irrepealable tax shall be levied in the years and amounts as follows:

Levy Year	Amount
1989	\$ 308,026.67

1990	1,941,020.00
1991	2,125,000.00

The aforesaid direct annual irrevocable tax shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County levied in said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax heretofore levied shall be and continues irrevocable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created by Section 6 hereof.

**Section 6. Segregated Debt Service Fund**

Account. There is hereby established in the Treasury a fund account separate and distinct from all other funds or accounts of the County to be designated "Debt Service Fund Account for \$3,710,000 Winnebago County General Obligation Refunding Notes, Series 1989 C dated August 1, 1989", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time of delivery to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof, and all other sums as may be necessary to pay interest on the Notes when the same shall become due and to retire the Notes at their respective maturity dates. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

Section 7. **Segregated Refunding Fund.** The proceeds of the Notes (the "Note Proceeds") other than any premium and accrued interest which must be paid at the time of delivery of the Notes into the Debt Service Fund Account created herein shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Notes. Said proceeds may be temporarily invested in legal investments in the manner set forth in the Authorizing Resolution.

**Section 8. Small Issuer Exemption from Rebate.** In accordance with Section 148(f) (4) (C) of the Code, the County covenants that it is a governmental unit with general taxing powers; that the Notes are not "private activity bonds" as defined in Section 141 of the Code; that ninety-five percent (95%) or more of the net proceeds of the Notes are to be used for local governmental activities of the County; and that the aggregate face amount of all tax-exempt obligations (other than "private activity bonds") issued by the County, including all subordinate entities of the County, during calendar year 1989 will not exceed \$5,000,000 excluding, however, tax-exempt obligations which are not outstanding at closing and refunding bonds which are exempt from rebate requirements pursuant to the provisions of Section 148(f) (4) (C) (iv) of the Code. If for any reason the County did not qualify for the small issuer exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

**Section 9. Execution of the Notes.** The Notes shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, sealed with its official or corporate seal 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. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

**Section 10. Payment of the Notes.** The principal of and interest on the Notes shall be paid by the County Clerk or Treasurer.

**Section 11. Conflicting Resolutions; Severability; Effective Date.** All prior resolutions, rules or other actions of the County 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 this 28th day of June, 1989. Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and Supervisor Lauson seconded to adopt. Vote. Ayes — 40 — Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Grundman, Laabs, Witzke, Albright,

Luebke, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzig, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Troxell, Nielsen, Lawson. Nays —0. Excused: —5—O'Brien, Schaidler, Diakoff, Steber, Putzer. CARRIED.

**RESOLUTION NO. 187-689**  
**NOTICE OF TERMINATION OF**  
**FAIRGROUNDS LEASE**

WHEREAS, the closing of the sale of the Winnebago County Fairgrounds property to Dial Properties, Inc., is scheduled for August 23, 1989; and WHEREAS, the lease agreement between Winnebago County and the Winnebago County Fair Association covering the Winnebago County Fairgrounds property expires December 31, 1990 unless terminated sooner either by mutual consent of the parties or by 90 days advance written notice; and

WHEREAS, to accommodate the agreement with Dial Properties, Inc., the County is requesting termination of the Fairgrounds lease agreement as follows:

1. Effective August 23, 1989 as to the entire Winnebago County Fairgrounds property which includes 1.835 acres across Murdock Street, except the South East portion of main Fairgrounds property described as the E380' of the S160' upon which the Maxwell/Ed Building and office building are located and N500' of the S660' of the E210' which is a paved parking area adjoining the Maxwell/Ed Building property.
2. Effective December 1, 1989 as to the afore described excepted property.

and

WHEREAS, Winnebago County has discussed termination of the lease agreement with a representative of the Winnebago County Fair Association and has requested the Fair Association consider termination of the lease agreement as previously outlined; and

WHEREAS, the Winnebago County Fair Association was scheduled to meet on June 22, 1989, and hopefully, did have an opportunity to discuss the County's request for termination of the lease agreement; and

WHEREAS, any proposed agreement between Winnebago County and the Winnebago County Fair Association as to termination of the Fairgrounds lease will require Winnebago County Board of Supervisors approval.

NOW, THEREFORE, BE IT RESOLVED that termination of the lease agreement between Winnebago County and the Winnebago County Fair Association dated December 21, 1987 covering the Winnebago County Fairgrounds property effective and in the manner as hereinbefore provided is hereby approved.

Submitted by,

AGRICULTURAL AND EXTENSION EDUCATION COMMITTEE

Moved by Supervisor Maehl and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 188-689**  
**SUPPORT NEED FOR SIXTH CIRCUIT COURT**  
**IN WINNEBAGO COUNTY**

WHEREAS, your Judiciary and Public Safety Committee has been advised of the need for an additional Circuit Court in Winnebago County; and

WHEREAS, the Committee has reviewed the **Annual Comparison of Caseloads information** contained in the 1988 Annual Report prepared by the Winnebago County Clerk of Courts, a copy of which is attached hereto; and

WHEREAS, this information indicates substantial increases in all types of cases filed in Winnebago County during the period 1984 through 1988; and

WHEREAS, it is reasonable to assume that increases in such Winnebago County caseloads will continue in the future; and

WHEREAS, it may take a number of years to accomplish that which is necessary for the creation, establishment and staffing of a new court including:

—Wisconsin Legislative action to create a new sixth circuit court

—Winnebago County action to finance, construct and staff a new court  
—Election of a new Judge

and

WHEREAS, now is an appropriate time for Winnebago County to move forward with a request for Wisconsin Legislative action to create a sixth Winnebago County Circuit Court.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors does hereby support the need for an additional circuit court in Winnebago County and authorizes appropriate County officials to request the State of Wisconsin take responsive action, legislative and otherwise, to create Winnebago County Circuit Court, Branch VI.

BE IT FURTHER RESOLVED, that the current Winnebago County study for long range County space needs include provisions for a new Circuit Court to be created as determined by the Wisconsin Legislature.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Moved by Supervisor Planalp and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 189-689**

**PROVIDE CONTRACTUAL FAMILY COURT  
COUNSELING SERVICES TO WAUSHARA  
COUNTY: INCREASE HOURS OF PART-TIME  
FAMILY COURT COUNSELOR**

WHEREAS, the Director of the Winnebago County Family Court Counseling has been approached by a representative of the Waushara County Family Court regarding the provision of divorce and custody mediation services by Winnebago County to clients of the Waushara County Family Court on a contractual services basis; and

WHEREAS, Waushara County is willing to pay Winnebago County a fee for such services that substantially exceeds Winnebago County's cost; and

WHEREAS, in order to provide such services it would be necessary to increase the hours of one part-time Family Court Counselor by the number of hours to be contracted by Waushara County.

NOW, THEREFORE BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County Family Court Counseling Department be, and hereby is authorized to enter into a contractual services agreement with Waushara County for the purposes of providing Family Court counseling services to clients of Waushara County; and

BE IT FURTHER RESOLVED, that the hours of one part-time Family Court Counselor be increased by the number of hours to be contracted by Waushara County; and

BE IT FURTHER RESOLVED, that the increased hours of this part-time position remain in effect only so long as the contractual arrangement requiring them continues in effect; and

BE IT FURTHER RESOLVED, that funds necessary to cover the cost of these increased hours be made available from fees paid by Waushara County.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

and

PERSONNEL AND FINANCE COMMITTEE

Vote Requirement for Passage: Two-thirds Moved by Supervisor Planalp and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 190-689**

**INCLUDE ALL WINNEBAGO COUNTY  
POSITIONS UNDER THE SOCIAL  
SECURITY PROGRAM**

BE IT RESOLVED, by the Winnebago County Board of Supervisors that pursuant to the provisions of s.40.41 (1), Wisconsin Statutes, that Winnebago County be, and hereby is, included under the Federal Old Age, Survivors, Disability and Health Insurance System, effective July 1, 1989, for all of its eligible positions and offices; and

BE IT FURTHER RESOLVED, that funds to cover the cost of this action be provided from within the County Budget; and

BE IT FURTHER RESOLVED, that the County Clerk transmit a certified copy of this resolution to the Wisconsin Department of Employee Trust Funds.

Submitted by,

**PERSONNEL AND FINANCE COMMITTEE**

Moved by Supervisor King and seconded to adopt. Vote: Ayes — 39 — Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Troxell, Nielsen, Lawson. Nays — 1 — Metzger. Excused: — 5 — O'Brien, Schaidler, Diakoff, Steber, Putzer CARRIED.

**RESOLUTION NO. 191-689  
DISALLOW CLAIM OF LAURIE SCHULTZ  
F/K/A LAURIE NORTHRUP AND  
LAURIE A. CARRIVEAU**

WHEREAS, your Personnel and Finance Committee has had the claim of Laurie Schultz f/k/a Laurie Northrup and Laurie A. Carriveau 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 Laurie Schultz f/k/a Laurie Northrup and Laurie A. Carriveau dated May 11, 1989, 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**

Supervisor King moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 192-689 DISALLOW CLAIM OF ESTATE OF  
AMERENDRA N. CHATTERJEE & NANDA CHATTERJEE AND HER  
TWO MINOR CHILDREN**

WHEREAS, your Personnel and Finance Committee has had the claim of the Estate of Amarendra N. Chatterjee & Nanda Chatterjee and her two minor children 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 the Estate of Amarendra N. Chatterjee & Nanda Chatterjee and her two minor children dated May 22, 1989, 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**

Moved by Supervisor King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 193-689 COMMENDATION TO MARVIN E. ULRICH**

WHEREAS, Marvin Ulrich has been employed with the Highway Department of Winnebago County, for the past thirty-two years and two months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Marvin Ulrich 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 it hereby is extended to Marvin Ulrich for the fine services he has rendered to Winnebago County and the Highway Department.

Adjourned Session (June 28, 1989)

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

Submitted by,

PERSONNEL AND FINANCE COMMITTEE

Moved by Supervisor King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 194-689  
ACCEPT AIDS/HIV PARTNER  
REFERRAL GRANT**

WHEREAS, the Wisconsin Division of Health will provide funding of \$2,750 for training (\$1,000) and operations (\$1,750) to provide AIDS/HIV partner notification/referral services; and

WHEREAS, AID S/HIV contact notification is consistent with local public health agency responsibilities pursuant to Wisconsin Statutes Chapter 143 and public health standards.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive be and is hereby authorized to accept funding award on behalf of Winnebago County.

Submitted by,

HEALTH COMMITTEE

Moved by Supervisor Wagner and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 195-689 AMEND COUNTY BOARD RULES**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the following amendments to County Board Rules be and the same hereby are approved:

**Amend Rule 1.155**

1.155 Special orders of business may be scheduled by the County Board Chairman for presentation to the County Board on the 1st Tuesday of the months of January, March, June and September. Announcements of these special meetings shall be made by the County Board Chairman at the regularly scheduled County Board Meetings held the 3rd Tuesday of the

**Amend Rule 5.29**

**5.29 TRI-COUNTY RECREATION  
ASSOCIATION BOARD OF DIRECTORS**

5.2911 Three members of the Winnebago County Board of Supervisors shall represent Winnebago County on the Tri-County Recreation Association Board of Directors.

5.2912 **THE** Board of Directors shall be responsible for the supervision, maintenance, operation and development of the Ice Arena. New Rule 1.157

Any capital expenditure (improvement project) to be considered by the County Board at any session other than at the budget session, the estimated cost of which is in excess of \$100,000.00, shall require a special orders of business meeting of the County Board prior to consideration of any appropriation resolution by the Board relating to such capital expenditure.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Vote Requirement for passage: 3/4's of Members Present

Moved by Supervisor Owens and seconded to adopt. Supervisor Utech moved to remove the word "meeting" from Rule #1.157 on the fifth line. CARRIED BY VOICE VOTE. Vote on resolution as amended:

CARRIED BY VOICE VOTE.

**RESOLUTION NO. 196-689 COMMENDATION TO GEORGE O. PAYNE**

WHEREAS, George Payne has been employed with the Highway Department of Winnebago County, for the past thirty-four years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, George Payne 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 it hereby is extended to George Payne for the fine services he has rendered to Winnebago County and the Highway Department.

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

Submitted by,

PERSONNEL AND FINANCE COMMITTEE

Moved by Supervisor King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 197-689**

**PURCHASE COMPUTER FOR SHERIFF'S DEPARTMENT (\$3,500); USE OF STATE FUNDS DISTRIBUTED TO WINNEBAGO COUNTY**

WHEREAS, Winnebago County has received approximately \$12,300 from the State as its share of proceeds obtained from the sale of property confiscated in drug enforcement activities; and

WHEREAS, these funds can only be spent on Sheriff's Department activities; and

WHEREAS, the Sheriff has shown a need for a computer to be used by a secretary in his office to provide relief due to increased work load.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the sum of \$3500 be made available from the aforementioned funds for the purchase of a computer to be used in the Sheriff's Department office.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Vote Requirement for Passage: 2/3rds

Motion by Supervisor Planalp and seconded to adopt. Vote: Ayes — 40 — Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Grundman, Laabs, Witzke, Albright, Luehke, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzsig, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Troxell, Nielsen, Lawson. Nays — 0. Excused: 5 — O'Brien, Schaidler, Diakoff, Steber, Putzer. CARRIED.

**RESOLUTION NO. 198-689**

**APPROVE GRANT FOR CONTINUANCE OF METROPOLITAN ENFORCEMENT GROUPS — DRUG UNDERCOVER OPERATION — SHERIFF'S DEPARTMENT (\$159,600)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that receipt of the State of Wisconsin Grant in the amount of \$159,600 for continuance of Winnebago County Sheriff's Department participation in the Metropolitan Enforcement Group — Drug Undercover Operation be and same is hereby approved.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Vote Requirement for Passage: 2/3rds

Motion by Supervisor Planalp and seconded to adopt. Vote: Ayes — 40 — Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Grundman, Laabs, Witzke, Albright, Luehke, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzsig, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Troxell, Nielsen, Lawson. Nays — 0. Excused: 5 — O'Brien, Schaidler, Diakoff, Steber, Putzer. CARRIED.

**RESOLUTION NO. 199-689 APPROVE PARTICIPATION IN STATE CONCENTRATED ACCIDENT REDUCTION EFFORT (CARE) HIGHWAY SAFETY PROGRAM; ACCEPT STATE FUNDS (\$6,521.53)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that Winnebago County participation in the State Concentrated Accident Reduction Effort (CARE) program at a cost of \$6,521.53, which is fully reimbursed by the State for the period 6/1/89 - 12/31/89, is hereby approved.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Vote Requirement for Passage: 2/3rds

Motion by Supervisor Planalp and seconded to adopt. Vote: Ayes — 40 — Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Eckrich, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Widmer, Machi, Cartwright, Hartmann, Wollerman, Christofferson, Metzsig, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robi, Utech, Troxell, Nielsen, Lawson. Nays — 0. Excused: 5 — O'Brien, Schaidler, Diakoff, Steber, Putzer. CARRIED.

**RESOLUTION NO. 200-689 SUPPORT EAST CENTRAL WISCONSIN  
REGIONAL PLANNING COMMISSION LOWER FOX RIVER/WINNEBAGO POOL  
LONG RANGE PLAN**

BE IT RESOLVED that the Winnebago County Board of Supervisors does hereby support the East Central Wisconsin Regional Planning Commission Lower Fox River/Winnebago Pool Long Range Plan as indicated in the summary thereof which is attached hereto.

Submitted by,

GOVERNMENTAL RELATIONS COMMITTEE

Moved by Supervisor Goff and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 20 1-689**

**APPROVE COUNTY INDUSTRIAL DEVELOPMENT PROJECT: PROVIDE FUNDS  
FOR BUILDING CONSTRUCTION IN WINNECONNE INDUSTRIAL PARK (\$125,000)**

WHEREAS, your Industrial Development Board has received a request from the Village of Winneconne for funds in the amount of \$125,000 to be used to construct a building in the Winneconne Industrial Park; and

WHEREAS, the construction and eventual sale of this building will increase tax base and employment; and

WHEREAS, a copy of the application for funding this project and the proposed agreement are attached hereto and made a part hereof; and

WHEREAS, your Industrial Development Board is requesting that the County Board approve this project for funding and agreement at this time so that construction can begin as soon as possible.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the aforementioned Winnebago County Industrial Development Project be and the same is hereby approved.

BE IT FURTHER RESOLVED, that funds in the sum of \$125,000 be made available for this project from funds budgeted for this purpose.

BE IT FURTHER RESOLVED, that the County Executive is authorized to execute the agreement between Winnebago County and the Village of Winneconne for this project, a copy of which is attached hereto.

Submitted by,

INDUSTRIAL DEVELOPMENT BOARD

Moved by Supervisor Maehl and seconded to adopt. Supervisor Salomon moved to amend the agreement on page 2, item (3), line 2 to state: "1% above the rate that the money is borrowed by the county". Motion was seconded and LOST BY VOICE VOTE. Vote on resolution — CARRIED BY VOICE VOTE.

**RESOLUTION NO. 202-689**

**CONVERT CLERK-TYPIST II POSITION IN CIRCUIT COURT BRANCH III (PROBATE)  
FROM PART-TIME TO FULL-TIME STATUS**

WHEREAS, the continuing high volume of work in the Probate Office of the Clerk of Courts Department has required the ongoing assignment of full-time hours to the part-time position of Clerk Typist II and the assignment of overtime work to other employees within that office; and

WHEREAS, since there is no reasonable expectation that the volume of work in the Probate Office will subside in the foreseeable future; and

WHEREAS, changing the part-time position to a full-time position is the least expensive means of

getting the work done; and

WHEREAS, by changing the status of the part-time employee from part-time to full-time at this point in the year will assure the employee of fair treatment in terms of fringe benefits for full-time work.

NOW, THEREFORE BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the part-time position of Clerk Typist II assigned to the Probate Office of the Clerk of Courts Department be, and hereby is, converted to a full-time position.

BE IT FURTHER RESOLVED, that funds to cover the additional cost of wages and fringe benefits resulting from this action be made available from the Contingency Fund.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE

and

PERSONNEL AND FINANCE COMMITTEE

Vote Requirement for Passage: Two-thirds Motion by Supervisor King and seconded to adopt.

Vote: Ayes — 38 — Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Grundman, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzger, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Troxell, Nielsen, Lawson. Nays — 2 — Eckrich and Laabs. Excused: 5—O'Brien, Schaidler, Diakoff, Steber, Putzer. CARRIED.

**RESOLUTION NO. 203-689**

**PROVIDE COUNTY SHARE (\$3,000); COUNTY AID BRIDGE PROJECT — TOWN OF NEKIMI**

WHEREAS, the Town of Nekimi has requested county aid to replace a culvert on Knapp Street in the Town of Nekimi at a replacement cost of \$6,000; and

WHEREAS, this County Board, by Resolution No. 7 dated January 28, 1958, adopted certain guidelines and restrictions for aiding townships in the construction, improvement or repairing of town bridges located in Winnebago County pursuant to sec. 81.38, Wis. Stats.; and

WHEREAS, your Committee has determined that the request from the Town of Nekimi meets the guidelines and restrictions set forth in the resolution hereinabove referred to.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the request from the Town of Nekimi for the replacement of a culvert be approved for aid in the amounts set forth as follows:

Town of Nekimi's share	\$3,000
County's share	<u>\$3,000</u>
Total Project Cost	\$6,000

BE IT FURTHER RESOLVED, that the County's share in the amount of \$3,000 be made available from the Highway Department Bridge Maintenance Account.

Submitted by,

HIGHWAY COMMITTEE

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

**RESOLUTION NO. 204-689**

**PROVIDE COUNTY SHARE (\$2,500); COUNTY AID BRIDGE PROJECT—TOWN OF ALGOMA— CITY OF OSHKOSH**

WHEREAS, the Town of Algoma and City of Oshkosh have requested county aid to replace a twin culvert on Knapp Street in the Town of Algoma at a total estimated cost of \$5,000; and

WHEREAS, this County Board, by Resolution No. 7 dated January 28, 1958, adopted certain guidelines and restrictions for aiding townships in the construction, improvement or repairing of town bridges located in Winnebago County pursuant to sec. 81.38, Wis. Stats.; and

WHEREAS, your Committee has determined that the request meets the guidelines and restrictions set forth in the resolution hereinabove referred to.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the request from the Town of Algoma and City of Oshkosh for the replacement of a twin culvert be approved for

aid in the amounts set forth as follows:

Town of Algoma's share	\$1,250
City of Oshkosh's share	\$1,250
County's Share	<u>\$2,500</u>
Total Project Cost	\$5,000

BE IT FURTHER RESOLVED, that the County's share in the amount of \$2,500 be made available from the Highway Department Bridge Maintenance Account.

Submitted by,  
HIGHWAY COMMITTEE

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

RESOLUTION NO. 205-689

SUPPORT CONSTITUTIONAL AMENDMENT TO PROHIBIT DESECRATION OF THE  
U.S. FLAG

WHEREAS, the United States Supreme Court has declared a Texas law banning the burning of the American flag to be unconstitutional; and

WHEREAS, the American flag is a national symbol of the United States of America; and

WHEREAS, many Americans have given their lives in support of the principle of freedom for which the flag stands as a symbol.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors hereby request that its Congressmen, Senators and State Legislators support a proposed Federal Constitutional Amendment which would prohibit the desecration of the flag of the United States of America in the future.

Submitted by,

Jacquelyn C. Wagner - District 32 Winnebago County Board Supervisor

Supervisor Eckrich moved to suspend Rule 1.153 to consider this resolution. Motion seconded. CARRIED BY VOICE VOTE. Supervisor Wagner moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

Supervisor Wagner asked the Board for direction in disposing of the buildings at the Fairgrounds or having them moved to another location. It was suggested to advertise for bids and present at July County Board meeting.

Supervisor J.C. Pawlowski moved to adjourn until July 18, 1989. CARRIED BY VOICE VOTE.

Respectfully submitted,

Linda Wolfe

Winnebago County Clerk

State of Wisconsin  
County of WinnebagoSS

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held on June 28, 1989.

Linda Wolfe

Winnebago County Clerk

Proceedings  
of the  
Board of  
Supervisors  
of  
Winnebago County  
**ADJOURNED SESSION  
COUNTY BOARD MEETING  
Tuesday, July 18, 1989**

The Winnebago County Board of Supervisors was called to order by the Chairman Ralph R. Nielsen at 6:00 p.m., in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call showed full board present, with the exception of Supervisors Schaidler and Planalp.

Supervisor J.C. Pawlowski moved and it was seconded to approve the minutes of June 28, 1989. CARRIED BY VOICE VOTE.

Supervisor Montgomery moved and it was seconded to include Resolutions No. 210-789 and 211789 on the agenda. CARRIED BY VOICE VOTE.

Supervisor Gose made a motion and is was seconded to approve the agenda. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITION, ETC.**

Petition for Zoning Amendment from Timothy R. Schlafer, Century 21 Rollie Winter Realtors re: change from R2 single family to B2 commercial. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from Eileen O'Donnell re: change from B-3/HB to B-3 for resident showroom and shop. REFERRED TO PLANNING & ZONING COMMITTEE.

Letters from Senator Michael Ellis and Joseph Leean supporting County Board resolution concerning desecration of the flag. PLACED ON FILE.

Letter from Village of Winneconne requesting to withdraw from county library levy. REFERRED TO AGRICULTURE & EXTENSION EDUCATION COMMITTEE.

Notice of Claim from Robert McRoberts for damage to van. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

Notice of Claim from William Wolfram, Sportsman's Park Softball, Inc. for nuisance and inverse condemnation. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

Incident Report from Sheriff's Department regarding a boat patrol incident was received and placed on file.

**COUNTY EXECUTIVE'S REPORT**

County Executive Paul Stevenson read a letter from Representative Judy Klusman inviting interested persons to a Local Partnership Committee Meeting on July 19, 1989 at 7:00 p.m. in the City-County Building in Fond du Lac. He has been working on the budget and on a 5-year capital plan. He worked with East Central Wisconsin Regional Planning Commission on waterways studies. He attended groundbreaking ceremonies for new flooring at the Tri-County Ice Arena. He attended the NACO Convention in Cincinnati which was very informative.

**COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Ralph Nielsen asked for comments on his letter to change the September and October board meeting dates. Supervisor Wagner moved and it was seconded to change the October dates to: October 23, 1989 - 6:00 P.M. (Public Hearing), October 24 and 25, 1989 - 8:30 A.M. (until complete). Vote: Ayes - 25 - O'Brien, Ribble, W.C. Pawlowski, Laabs, Witzke, Albright, Yanko, Widmer, Maehl, Hartmann, Wollerman, Christofferson, Steber, Lauson, Goff, Gose, Wagner, Salomon, Bremberger, Albrecht, Schwartz, King, Robl, Troxell, Lawson. Nays - 13 - Kollath, J. C. Pawlowski, Flavin, Gavinski, Grundman, Luebke, Diakoff, Owens, Metzger, Broas, Sundquist, Utech, Putzer. Abstain - 5 - Eckrich, Knigge, Cartwright, Montgomery, Nielsen. Excused - 2 - Planalp and Schaidler. CARRIED.

Supervisor O'Brien moved and it was seconded to change the September meeting date to September 12, 1989 at 6:00 P.M. CARRIED BY VOICE VOTE.

4-H Ambassadors Amy Kreutzer and Gina Luedtke spoke on their 4-H experiences and invited supervisors to the 1989 County Fair.

### **PUBLIC HEARING**

There were no comments from the public.

#### **ZONING REPORTS AND ORDINANCES**

REPORT NO. 1. A report from Planning & Zoning Committee re: zoning change to R-2 to allow a new lot to meet ordinance standards from Blaise Bodway. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #7-1-89. A request for zoning change from R-1 Rural Residential to R-2 Suburban Residential. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 2. A report from Planning & Zoning Committee re: zoning change to M-1 (light industrial) for construction of a parking lot by James Nerenhausen, Sr. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #7-2-89. A request for zoning change from R-1 Rural Residential to M-1 Light Industrial. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 3. A report from Planning & Zoning Committee re: zoning change to R-1 for construction of single-family dwelling by Charles E. Paulson. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #7-3-89. A request for zoning change from A-1 Agri-Business to R-1 Rural Residential. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 4. A report from Planning & Zoning Committee re: zoning change to R-1 for lot development from Bernard M. Miller (for George Brennand). Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #7-4-89. A request for zoning change from A-1 Agri-Business to R-1 Rural Residential. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 5. A report from Planning & Zoning Committee re: zoning change to M-2 (heavy industrial) for construction of a freight terminal by William J. Dougherty. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #7-5-89. A request for zoning change from A-1/B-3 to M-2 (Heavy Industrial). Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 6. A report from Planning & Zoning Committee re: zoning change to B-2 (community business) for a commercial boat storage warehouse by Earl Boyles. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

REPORT NO. 7. A report from Planning & Zoning Committee re: zoning change to R-1 (single-family) for single-family dwelling by Robert A. Stevens. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE #7-6-89. A request for zoning change from MH-1 (Mobile Home Park) to R-1 (Rural Residential). Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

**Proceedings  
of the  
Board of Supervisors  
of  
Winnebago County  
ADJOURNED SESSION  
COUNTY BOARD MEETING  
Tuesday, August 15, 1989**

Chairman Ralph R. Nielsen called the meeting to order at 6:00 p.m. in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Widmer, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzig, Steber, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson. Excused: O'Brien, Eckrich, Diakoff.

Supervisor J.C. Pawlowski moved and it was seconded to approve the minutes of July 18, 1989. **CARRIED BY VOICE VOTE.**

Supervisor Pete Knigge introduced Mr. Edwin Kiptinness of Nairobi, Kenya, visiting on a business exchange program.

Supervisor John Planalp moved and it was seconded to adopt the agenda. **CARRIED BY VOICE VOTE.**

**COMMUNICATIONS, PETITIONS, ETC.**

Petition for Zoning Amendment from JONES INTERCABLE, INC. re: change from A2 to B1. REFERRED TO PLANNING & ZONING COMMITTEE.

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Petition for Zoning Amendment from ELDON A. SCHULTZ re: change from R-3 to MH-1. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from KENT L. MOLLENKAMP re: change from R-5 and B-3 to M-1 and B-3. REFERRED TO PLANNING & ZONING COMMITTEE.

Letter from East Central Wisconsin Regional Planning Commission dated 8/8/89. PLACED ON FILE.

Notice of Claim from Curt Leffingwell re: damage to vehicle. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

Notice of Claim from Scott Holmes re: missing ring. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

Notice of Claim from Cathleen L. Zerbe re: damage to vehicle. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

Notice of Claim from Irene Hill re: personal injury. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

Notice of Claim from Michael C. Martens re: illegal arrest. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

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

County Executive Paul Stevenson attended a meeting of interested parties on cost-sharing for the UW-Fox Valley Center. He attended UW-O Chancellor Edward Penson's retirement dinner. The E.A.A. Convention was a safe and successful convention. The 1989 County Fair starts August 16th and will be the last one at the Murdock Street location. He announced Winnebago County's 4-H winners at the State Fair. The budget process is underway and he hopes to present no more than a 5% increase to the County Board. NACo Award winners were introduced: Keith Laux and Mary Hanson of the Department of Community Programs for their entry "Community Employment for County Residents Saves County Money" and Charlene Lowe and Chuck Sigurdson of Park View Health Center for their entry "Productive Workers for Area Companies".

#### **APPOINTMENTS**

County Executive Stevenson presented the following appointments which were approved Supervisor Ron Montgomery to Oshkosh Library Board Supervisor Dale Witzke to Omro Tax Increment Finance District No. 7. Chairman Ralph Nielsen presented an appointment which was approved: Supervisor Michael Utech to the East Central Wisconsin Solid Waste Task Force

#### **COMMITTEE REPORTS**

Supervisor Maehl announced a draft comprehensive report on water and sewerage at the new fairgrounds will be completed by the County Planner Dave Schmidt. The fairgrounds will be discussed at the September 5 Special Orders meeting. Discussion held on moving the switchboard back to the Lobby of the Courthouse. Supervisor Planalp moved and it was seconded that the Buildings & Grounds Committee explore moving the switchboard to the Lobby of the Courthouse and

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report back at the September 5 meeting. CARRIED BY VOICE VOTE. Supervisor Owens reported on Transportation for the Elderly and Handicapped Committee. Supervisor Steber reported Jail Nurses and other nurses are being sought.

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

Chairman Nielsen reminded supervisors of the Special Orders of Business meeting to be held September 5, 1989 at 6:00 p.m. Items to be discussed are: Review of Fairgrounds Progress, Update on UW-Fox Valley Center, Information on Airport Proposals, and Emergency Government Report. The September County Board meeting will be held September 12, 1989 at 6:00 p.m.

#### **PUBLIC HEARING**

Mr. Walt Chrapla, 721 Mitchell St., Neenah, WI spoke against Resolutions 212-889 and 221-889.

#### **ZONING REPORTS AND ORDINANCES**

REPORT NO. 1. A report from Planning & Zoning Committee re: zoning change to B-2 for commercial development by Tim Schlafer (Century 21). Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

REPORT NO.2. A report from Planning & Zoning Committee re: zoning change to remove highway business (HB) zoning for the purpose of splitting the property by Eileen O'Donnell. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 8-1-89. A request for zoning change from B-3/H.B (General Business/Highway Business) to B-3 (General Business) from Eileen O'Donnell. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

#### **REPORTS, RESOLUTIONS & ORDINANCES**

##### **RESOLUTION NO. 2 12-889**

**A RESOLUTION AUTHORIZING AND  
PROVIDING FOR THE COUNTY OF  
WINNEBAGO, WISCONSIN TO OBTAIN A  
LETTER OF CREDIT FOR THE PURPOSE**

**SPECIFIED THEREIN. (SNELL ROAD  
LANDFILL — LONG TERM**

**CARE — \$2,444,925.98)**

WHEREAS, the County of Winnebago, Wisconsin (the "County") is presently obligated to provide funding in the amount of Two Million Four Hundred Forty Four Thousand Nine Hundred Twenty Five and .98/100 Dollars (\$2,444,925.98) for long term care for the Winnebago County Snell Road Landfill; and

WHEREAS, these funds are not presently included in the Solid Waste Management Board budget but are to be included in a future Winnebago County General Obligation Bond or Note issue; and

WHEREAS, the Department of Natural Resources requires that the County provide collateral in the form of a letter of credit to provide proof of financial responsibility for long term care for said landfill pending availability of cash, certificates of deposit or U.S. Government securities as proof of financial responsibility.

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

Section 1. For the foregoing purposes the Chairperson and the Clerk of the County are hereby authorized and directed to obtain of letter of credit in favor of the Wisconsin Department of Natural Resources in the amount of Two Million Four Hundred Forty Four Thousand Nine Hundred Twenty Five and .98/100 Dollars (\$2,444,925.98), from the First Wisconsin National Bank of Oshkosh, Oshkosh, Wisconsin, on such terms as they shall determine in their discretion; provided, however, that such letter of credit shall expire no sooner than the date on which Winnebago County transfers cash, certificates of deposit or U.S. Government securities in the amount of \$2,444,925.98 to the First Wisconsin National Bank of Oshkosh pursuant to a Long Term Care Irrevocable Escrow Agreement to provide financial responsibility for long-term care of the Winnebago County Snell Road Landfill except that such Letter of Credit shall not extend beyond 364 days from date or issue even if such transfer has not taken place.

**Section 2.** The Chairperson and the Clerk are further authorized and directed to take such further steps as maybe necessary to obtain such letter of credit, including but not limited to the execution of a reimbursement agreement in connection therewith.

**Section 3.** The officers of the Issuer, attorneys for the Issuer or other agents or employees of the Issuer are hereby authorized to do all acts and things required of them by or as a consequence hereof for the full, punctual and complete performance of all of the provisions hereof.

**Section 4.** All prior resolutions, rules, ordinances or other actions of this Governing Body or any parts thereof in conflict with the provisions or adoption hereof shall be and the same are hereby rescinded insofar as they may so conflict.

**Section 5.** In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof.

Section 6. This Resolution shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by, PERSONNEL & FINANCE COMMITTEE

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Vote required: 2/3rds. Motion by Supervisor King and seconded to adopt. Vote. Ayes -- 42. Nays — 0. Excused: O'Brien, Eckrich, Diakoff. CARRIED.

**RESOLUTION NO. 213-889 DISALLOW CLAIM OF BRIAN KNUTSON**

WHEREAS, your Personnel and Finance Committee has had the claim of Brian Knutson referred to it for attention; and  
WHEREAS, your Committee has investigated the claim and recommends disallow ace of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Brian Knutson dated June 26, 1989 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 King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 2 14-889 DISALLOW CLAIM OF JOHN DOUCHA**

WHEREAS, your Personnel and Finance Committee has had the claim of John Doucha 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 John Doucha dated April 7, 1989, 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 King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 215-889 DISALLOW CLAIM OF ROBERT McROBERTS**

WHEREAS, your Personnel and Finance Committee has had the claim of Robert McRoberts 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 Robert McRoberts dated July 5, 1989, 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 King and seconded to adopt. CARRIED BY VOICE VOTE.

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**RESOLUTION NO. 216-889 DISALLOW CLAIM OF WILLIAM  
WOLFGRAM/SPORTSMAN'S PARK SOFTBALL, INC.**

WHEREAS, your Personnel and Finance Committee has had the claim of William Wolfgram/Sportsman's Park Softball, Inc. 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 William Wolfgram/Sportsman's Park Softball, Inc. dated July 6, 1989, 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

Moved by Supervisor King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 217-889 COMMENDATION TO CECIL A. SMITH**

WHEREAS, Cecil Smith has been employed with Winnebago County, for the past thirty-four years and five months, and during that time has been a most conscientious and devoted County employee; and

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

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

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

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and it ,was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 218-889 COMMENDATION TO RONALD J. REETZ**

WHEREAS, Ronald Reetz has been employed with the Department of Social Services of Winnebago County, for the past thirty-two years and five months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Ronald Reetz 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 it hereby is extended to Ronald Reetz for the fine services he has rendered to Winnebago County.

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

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Submitted by, PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 2 19-889 PROVIDE COUNTY SHARE (\$2,000); COUNTY AID BRIDGE PROJECT — TOWN OF VINLAND**

WHEREAS, the Town of Vinland has requested county aid to replace a culvert on Wooden Shoe Road between CTH “G” and CTH “GG” in the Town of Vinland at a replacement cost of \$4,000; and

WHEREAS, this County Board, by Resolution No. 7 dated January 28, 1958, adopted certain guidelines and restrictions for aiding townships in the construction, improvement or repairing of town bridges located in Winnebago County pursuant to sec. 81.38, Wis. Stats.; and

WHEREAS, your Committee has determined that the request from the Town of Vinland meets the guidelines and restrictions set forth in the resolution hereinabove referred to.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the request from the Town of Vinland for the replacement of a culvert be approved for aid in the amounts set forth as follows:

Town of Vinland’s Share	\$2,000
County’s share	<u>\$2,000</u>
Total Project Cost	<b>\$4,000</b>

BE IT FURTHER RESOLVED, that the County’s share in the amount of \$2,000 be made available from the Highway Department Bridge Maintenance Account (#100-420-56980).

Submitted by,  
HIGHWAY COMMITTEE

Supervisor Robl moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 220-889 PROVIDE FUNDS FOR CITY OF MENASHA STREET ASSESSMENT — MIDWAY ROAD — COUNTY OWNED LANDS ACQUIRED FOR TRI-COUNTY FREEWAY**

WHEREAS, Winnebago County is the owner of a parcel of land which was acquired as part of the land acquisitions for the Tri-County Freeway; and

WHEREAS, a portion of the lands acquired will be used for the Tri County Freeway and the remainder will be excess lands owned by the County which eventually can be sold; and

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WHEREAS, these lands have approximately 599 feet of frontage on Midway Road in the City of Menasha; and  
WHEREAS, the City has assessed Winnebago County as owner of said frontage, for street improvements on Midway Road, a total of \$7,787 which sum has not been included in the 1989 budget; and

WHEREAS, the aforementioned sum is payable by August 31, 1989 if interest thereon is to be avoided.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the sum of \$7,787 be made available from the Contingency Fund to cover the cost of the City of Menasha street assessment for Midway Road improvements on County owned lands as indicated on the attached invoice.

BE IT FURTHER RESOLVED, that appropriate County officials pay said invoice on or before August 31, 1989.

Submitted by,  
HIGHWAY COMMITTEE

Vote required: 2/3rds. Motion by Supervisor Robl and seconded to adopt. Vote: Ayes — 42. Nays — 0. Excused: O'Brien, Eckrich, Diakoff, CARRIED.

**RESOLUTION NO. 221-889  
APPROVE COUNTY INDUSTRIAL**

**DEVELOPMENT PROJECT: PROVIDE FUNDS  
FOR USE IN CONSTRUCTION OF A  
COMMERCIAL BUILDING IN OSHKOSH  
SOUTHWEST INDUSTRIAL PARK (\$100,000)**

WHEREAS, your Industrial Development Board has received a request from the City of Oshkosh for funds in the amount of \$100,000 to be used in the construction of a commercial building in the Oshkosh Southwest Industrial Park; and

WHEREAS, the construction of this building will eventually increase tax base and employment; and

WHEREAS, a copy of the application for funding this project and the proposed agreement are attached hereto and made a part hereof; and

WHEREAS, your Industrial Development Board is requesting that the County Board approve this project for funding and agreement at this time so that construction can begin as soon as possible.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the aforementioned Winnebago County Industrial Development Project be and the same is hereby approved.

BE IT FURTHER RESOLVED, that funds in the sum of \$100,000 be made available for this project from funds budgeted for this purpose.

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BE IT FURTHER RESOLVED, that the County Executive is authorized to execute the agreement between Winnebago County and the City of Oshkosh for this project, a copy of which is attached hereto.

Submitted by, **INDUSTRIAL DEVELOPMENT BOARD**

Supervisor Maehl moved and it was seconded to adopt. Vote: Ayes — 37. Nays 5— Ribble, Laabs, Steber, Metzgi, Cartwright. Excused: O'Brien, Eckrich, Diakoff. CARRIED.

**RESOLUTION NO. 222-889 AMEND COUNTY BOARD RULES RE:  
WINNEBAGO COUNTY EXPOSITION CENTER  
AND SUNNYVIEW COMPLEX**

BE IT RESOLVED) by the Winnebago County Board of Supervisors, that the rules of the County Board insofar as they relate to General Duties of Standing Committees be amended as follows:

**Rule 5.10 Agricultural and University Extension and Education Committee**

The committee shall be comprised of five County Board supervisors and shall be the "Committee on Agriculture and Extension Education" as referred to in sec. 59.87 Wis. Stats. The Committee shall review policy issues relating to the County University Extension program, County Library services, Winnebago county fairgrounds the annual Winnebago County Fair, and advise and recommend appropriate policy goals and legislative action to be taken by the County Board.

The members of this committee shall also be members of the Winnebago County Land Conservation Committee. Two members of this committee shall function as Winnebago County members of the Board of Trustees of the University of Wisconsin-Green Bay and Fox Valley campuses.

**Rule 5.12 Buildings and Grounds Committee**

This committee shall be comprised of five County Board supervisors. Except as hereinafter provided, the committee shall review policy issues relating to Winnebago County buildings, grounds and office equipment, furniture and fixtures in all county owned or leased facilities, including long-range development plans for buildings and office space and advise and recommend appropriate policy goals and legislative action to be taken by the County Board. The Winnebago County Exposition Center and Sunnyview Complex are excepted from the jurisdiction of this committee.

**Rule 5.17 Parks and Recreation Committee**

The Parks Committee shall consist of five members. The County Board, through its Committee on Committees in accordance with Rule 1.114, shall appoint the standing committee.

It shall be responsible for obtaining maintenance, operation and development of the Winnebago County Exposition Center, the Sunnyview Complex and all Winnebago County parks and recreation areas, including boat landings, recreational

travel areas, associated programs and wildlife preservation areas.

It shall recommend to the County Board from time to time for its action, the necessary rules and regulations for ~44 the Winnebago County Exposition Center and all other Winnebago County owned recreational areas.

**(Deleted provisions have been crossed out and new language has been underlined)**

**BE IT FURTHER RESOLVED**, that these amendments are effective as follows:

**Rule 5.10** Effective upon passage and publication

**Rule 5.12** Effective as to the Winnebago County Exposition Center upon passage and publication; effective as to the Sunnyview Complex January 1, 1990.

**Rule 5.17**

Effective upon passage and publication as to planning and budgeting for the Winnebago County Exposition Center; effective upon completion of Winnebago County Exposition Center construction project as to maintenance, operation and development for the Center.

Effective upon passage and publication as to planning and budgeting for the Sunnyview Complex. effective January 1, 1990 as to maintenance, operation and development for the Complex.

Submitted by, AGRICULTURAL AND EXTENSION EDUCATION COMMITTEE

Supervisor Putzer moved and it was seconded to refer to Judiciary & Public Safety Committee.

CARRIED BY VOICE VOTE.

**RESOLUTION NO. 223..889**  
**APPROVE APPLICATIONS FOR FARMLAND**  
**PRESERVATION AGREEMENTS**

WHEREAS, Wisconsin Act 399, Section 307m, allows Farmland Preservation Agreements in urban counties during a three year period (July 1, 1988— June 30, 1991); and

WHEREAS, Winnebago County is considered an urban county, all eligible landowners in townships that have not adopted exclusive agricultural zoning may apply for a Farmland Preservation Agreement through the County Clerk's office; and

WHEREAS, the following landowners have submitted applications for Farmland Preservation Agreements:

Albright, David, 3723 Highway K, Omro

Albright, Marcile I., 3723 Highway K, Omro

Coats, Robert W. & Beverly M., 7964 Highway 21,

R#1, Omro  
Coats, Elwin A. & Carole L. Jr., 880 Maple St.  
Neenah  
Cross, Dorothy, 6930 Cross Road, Winneconne  
Cross, James, 6930 Cross Road, Winneconne  
Davis, Claire W. & Carol A., 8343 Highway 21, Omro  
Gehrke, Ronald W. & Nancy A., 9136 Bell School Road, Omro  
Kallas, David C. & Linda L., 4003 Highway K, Omro  
Knigge, Charles & Theo, 4577 Poygan Avenue, Omro  
Treu, Terry T. 4272-37th Avenue, Berlin and

WHEREAS, s.91.13(4), Wis. stats., provides that the local governing body of jurisdiction (County Board of Supervisors) shall approve or reject Farmland Preservation Agreement applications within 120 days;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the above applications for Farmland Preservation Agreements be approved.

BE IT FURTHER RESOLVED, that the County Clerk shall forward a copy of all approved applications to the Wisconsin Department of Agriculture, Trade and Consumer Protection.

Submitted by, LAND CONSERVATION COMMITTEE

Supervisor Maehl moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

Supervisor J C. Pawlowski moved and it was seconded to adjourn until September 5, 1989. CARRIED BY VOICE VOTE.

Respectfully submitted, Linda Wolfe Winnebago County Clerk

State of Wisconsin  
County of Winnebago SS

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct COPY of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held on August 15, 1989.

Linda Wolfe

Winnebago County Clerk

**Proceedings**  
of the  
**Board of Supervisors**  
of  
**Winnebago County**  
**WORKSHOP SESSION**  
**COUNTY BOARD MEETING**  
**Tuesday, September 5, 1989**

The Winnebago County Board of Supervisors was called to order by the Chairman Ralph R. Nielsen at 6:00 p.m., in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Schaidler, Grundman, Laabs; Witzke, Albright, Luebke, Yanko, Knigge, Owens, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzger, Steber, Lauson, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Diakoff, Eckrich, Bremberger, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson. Excused: O'Brien, Widmer.

**PUBLIC HEARING**

Mr. Gilbert Spanbauer, Supervisor, Town of Oshkosh, spoke on the new fairgrounds and the sewer and water facilities and the impact on the Town of Oshkosh. Mr. Jerry Frey, Supervisor, Town of Oshkosh, spoke against the annexation of the new fairgrounds property to the City of Oshkosh and suggested utilizing the existing sewer facilities. James Noffke, Chairman, Town of Oshkosh, spoke against annexation of the new fairgrounds property. Mr. Jerry Friday, 5913 Fond du Lac Road, Oshkosh, WI endorsed an off-road racetrack at the new fairgrounds.

Supervisor Planalp moved and it was seconded to adopt the agenda.

**UPDATE ON UW-FOX VALLEY CENTER**

Dean Robert Young gave a presentation on proposed remodeling at UW-Fox Valley Center, which will involve 96,000 square feet and \$9.5 million dollars. He explained the contract between the State and Winnebago and Outagamie Counties whereby the state provides the faculty, materials and equipment and the counties provide the buildings and grounds. Cost sharing is 90% paid by State and 10% of the total cost paid by the counties. Goals of the design were to make it last and make it cost-effective. UW-Fox Valley Center has 33 acres of property with an estimated value of \$35,000,000. Supervisor Utech inquired as to the ratio of students vs. staff and students vs. space. Dean Young will obtain answers for him. Supervisor Montgomery asked if child care could be done privately and if a basement had been considered. Dean Young said that hadn't been considered. Ratio of students from area: 50% - Outagamie; 30-40% - Winnebago; 8.5% - Calumet; remainder - other counties.

**REVIEW OF FAIRGROUNDS PROGRESS**

Architect Rod Coenen explained the plans devised by the counties and individuals involved in designing the new fairgrounds. The bid date is September 12, 1989 at 2 P.M. Funding is planned as follows: \$2,500,000 from sale of old fairgrounds (includes interest), less phone service, gas and electric and a construction contingency of approx. \$75,000, leaving \$2.43 million available for the first phase. Alternates are included in the bid documents which can be added or deleted as the funding allows. Non-county funding is anticipated for the milking parlor, animal show ring and grounding for the cattle barns. The Parks Department will do the landscaping and these costs are separate. Utilities for the site were investigated and it was determined the additional load of the fairgrounds would exceed the design capacity of the two wells at Park View Center and the Winnebago Mental Health Institute. Their recommendation is for sewer and water to be provided by the City of Oshkosh, which would involve annexation of the land. Work this fall includes crushed stone in the parking lots and utilities; next spring, the grandstand, expo building, 4 barns and toilet buildings are planned. No fencing is included.

**EMERGENCY GOVERNMENT REPORT**

Ed Misch, Emergency Government Director, and Gregg Cleveland and Stan Tadych of the Local Emergency Planning Committee gave a slide presentation on hazardous materials in the county. They are

working on evacuation plans with area fire departments, law enforcement officials and other municipal and county officials. In case of a disaster, the sirens would be sounded and radio stations would make announcements. There are specially designated routes for hazardous materials to be transported through communities. Area businesses have been cooperative in reporting and assisting with emergency government planning.

### **IMPORTANCE OF WITTMAN REGIONAL AIRPORT TO THE COMMUNITY**

Supervisor Sundquist reported passenger boardings are up 43`70 from 1988 at Wittman Regional Airport. Basler's \$2 million dollar conversion facility will be opened Oct. 1. The new east-west runway will be open soon. Mr. Joseph Reitemeier, Executive Vice-President of the Fond du Lac Chamber of Commerce addressed the board and spoke on the importance of Wittman Regional Airport to the Fond du Lac area. He estimated E.A.A. brings \$9 million dollars to the Fond du Lac community. In a survey on air travel taken, 15 top companies in Fond du Lac expressed a need for flights to Minneapolis and Detroit from Oshkosh. They estimated 2,500-3,0()0 additional tickets would be purchased if flights were available to these cities. Mr. Richard Larson of Forward Wisconsin asked for a commitment from the County Board for the needed improvements at Wittman Field, as it is a great economic development tool for the area.

Supervisor J.C. Pawlowski, moved and it was seconded to adjourn to September 12, 1989 at 6:00 P.M.  
CARRIED BY VOICE VOTE.

Respectfully submitted,  
Linda Wolfe  
Winnebago County Clerk

State of Wisconsin  
County of Winnebago ss

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held on September 5, 1989.

Linda Wolfe  
Winnebago County Clerk

Proceedings  
of the  
Board of Supervisors  
of  
Winnebago County

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
Tuesday, September 12, 1989**

The Winnebago County Board of Supervisors was called to order by the Chairman Ralph R. Nielsen at 6:00 p.m., in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzger, Steber, Lauson, Eckrich, Diakoff, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson. Excused: O'Brien, Bremberger, Widmer.

Supervisor J.C. Pawlowski moved and it was seconded to approve the minutes of August 15, 1989. CARRIED BY VOICE VOTE.

Supervisor John Planalp moved and it was seconded to adopt the agenda. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

Petition for Zoning Amendment from Timothy R. Schlafer, Century 21 Rollie Winter Realtors re: change from R2 to R3 for Child Care Center. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from Louis Herziger re: change from R-1 to A-.2. REFERRED TO PLANNING & ZONING COMMITTEE.

Letter from Department of Health and Social Services dated 9/1/89 was read and placed on file.

Notice of Claim from Susan E. Zielinski re: injury in fall from bicycle, on railroad tracks. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

Notice of Claim from Gerald H. Baken re: false arrest. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

**APPOINTMENT**

County Executive Stevenson presented the following appointment which was approved:  
John E. Hue  
192 Adella Beach Road Neenah, WI 54956  
to the Winnefox Library Board

**COMMITTEE REPORTS**

Supervisor Knigge stated the old fence from the Fairgrounds was donated to the Pickett Community Center. Discussion held on financial report on proceeds from the sale of the old fairgrounds. The Dial Company will be asked to attend a County Board meeting to explain their actions and plans.

Supervisor Wagner reported the switchboard was moved back to the Courthouse Lobby and the operator received 106 requests for information today.

Supervisor Sundquist said the roof at Wittman Regional Airport is now being installed.

Supervisor Goff reported 3 changes in the Wis. Counties Assn. resolutions to be voted on at the WCA Convention next week: Resolution #20 -Governmental Relations Committee opposes. Resolution #15-amend last paragraph to add "public providers" after private sector providers and Resolution #30 - Governmental Relations recommends passage. Supervisor Orrin King

has been designated as the voting delegate. Vote on recommendations by Governmental Relations

**COUNTY BOARD CHAIRMENS REPORT**

Chairman Nielsen reminded supervisors of the Special Orders of Business meeting to be held October 5, 1989 at 6:00 p.m.

**PUBLIC HEARING**

Attorney Roger Clark, representing Town of Oshkosh, spoke against Resolution 232-9~19, stating it would be detrimental to the township. Mr. Gilbert Spanbauer, Supervisor, Town of Oshkosh, opposed Resolution 232-9S9 and suggested checking into the sewer and water being provided from Park View Health Center. Tim Casey, Executive Director of the Oshkosh Chamber and Chamco recommended approval of Resolution 232-989. Diane Cappozzo, 160 S. Macy St., Fond du Lac, Director of Public Health Nursing in Fond du Lac, WI, Dolores Bahr, 1.744 Oregon Street, Oshkosh, WI, Susan Gussert, 1637 Jackson, Oshkosh, WI, AIDS Service Coordinator for Winnebago County, Gary Seamen, 325 Cloak St., Fond du Lac, WI and Executive Director of Synergy, Debra. Larson, 4608 Larsen Road, Oshkosh, WI and Yvonne Frank, 2R2 W. 16th, Oshkosh, WI urged support of Resolution No, 233-989.

**ZONING REPORTS AND ORDINANCES**

REPORT NO., 1. A report from Planning & Zoning Committee re: zoning change to 11-ito allow an office for service to local cable TV subscribers. Motion by Supervisors Owens and seconded to accept CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO 9-1-89. A request from Jones Intercable, line, for change from A-2 to B-i. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 2 A report from Planning & Zoning Committee re: zoning change to MH-i to allow expansion of existing mobile home park. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 9-2-89. A request for zoning change from R-3 to MR-i from Eldon Schultz. Motion by Supervisor Owens and seconded to adopt. CARRIED BY **voice, VOTES**

**REPORTS, RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 224-989**

**DISALLOW CLAIM OF CATHLEEN L ZERBE**

WHEREAS, your Personnel and Finance Committee has had the claim of Cathleen L. Zerbe 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 Cathleen L. Zerbe dated August 10, 1989, 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 King and. seconded to adopt Resolutions 224-989, 225-989, 226-989 and. 227-989. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 225-989 DISALLOW CLAIM OF IRENE HILL**

WHEREAS, your Personnel and Finance Committee has had the claim of Irene Hill 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 Irene Hill dated June 15, 1989, be and the same hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Adjourned Session (151)

**RESOLUTION NO. 226-989 DISALLOW CLAIM OF CURT LEFFINGWELL**

WHEREAS, your Personnel and Finance Committee has had the claim of Curt Leffingwell 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 Curt Leffingwell dated August 10, 1989, he 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

**RESOLUTION NO. 227-989 DISALLOW CLAIM OF MICHAEL C. MARTENS**

WHEREAS, your Personnel and Finance Committee has had the claim of Michael C. Martens 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 Michael C. Martens dated July 20, 1989, he 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

**RESOLUTION NO. 228-989 APPROVE APPLICATION FOR FARMLAND PRESERVATION AGREEMENT**

WHEREAS, Wisconsin Act 399, Section S07m, allows Farmland Preservation Agreements in urban counties during a three year period (July 1, 1988— June 30, 1991); and

WHEREAS, Winnebago County is considered an urban county, all eligible landowners in townships that have not adopted exclusive agricultural zoning may apply for a Farmland Preservation Agreement through the County Clerk's office; and

WHEREAS, the following landowners have submitted applications for Farmland Preservation Agreement:

Ross, Harvey & Rene, Highway 21, Ormro

and

WHEREAS, s. 91.13(4), Wis. Stats., provides that the local governing body of jurisdiction (County Board of Supervisors) shall approve or reject Farmland Preservation Agreement applications within 120 days;

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the above applications for Farmland Preservation Agreements be approved.

BE IT FURTHER RESOLVED, that the County Clerk shall forward a copy of all approved applications to the Wisconsin Department of Agriculture, Trade and Consumer Protection.

Submitted by,

LAND CONSERVATION COMMITTEE

Moved by Supervisor Maehl and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 229-989 RESOLUTION RATIFYING ACTION OF THE SECRETARY OF TRANSPORTATION, WISCONSIN DEPARTMENT OF TRANSPORTATION IN ACCEPTING GRANT OFFER AND EXECUTING GRANT AGREEMENT, WITTMAN REGIONAL AIRPORT, OSHKOSH, WISCONSIN, AIP 8..55-0061--08**

BE IT RESOLVED BY the Board of Supervisors of the County of Winnebago as follows:

SECTION I that the County of Winnebago, as Sponsor, ratifies the action of the Secretary of Transportation in entering into a Grant Agreement for the purpose of obtaining federal aid in the development of the Wittman Regional Airport, Oshkosh, Wisconsin. said Agreement being as set forth hereinbelow.

SECTION II. That the Board of Supervisors does hereby ratify and affirm the Agency Agreement between the Secretary of Transportation, and the County of Winnebago, Wisconsin dated August 1, 1988 in accordance with Section 14.32 and Section 114.33, Wisconsin Statutes, affecting this project.

SECTION III. That a copy of the Grant Agreement is attached hereto and made a part hereof.

SECTION IV. That the County of Winnebago does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Application for Federal Assistance executed January 27, 1989 the assurance made as required by Title 49 CFR, 101 Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in the Federally Assisted Programs of the Department of Transportation, Subsection 21.7 (a) (1) and the Assurance required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 on behalf of the County of Winnebago, Wisconsin, and does hereby ratify the action of the Secretary of Transportation in accepting said offer on August 18, 1989 and by such acceptance, the County agrees to all terms and conditions thereof.

Submitted by,  
AIRPORT COMMITTEE

Supervisor Sundquist moved and it was seconded to adopt. CARRIED BY VOICE VOTE

**RESOLUTION NO. 230-989 ACCEPT TITLE TO PARCEL OF LAND FOR PARKING PURPOSES; RELEASE PERPETUAL EASEMENT — BOOM BAY BOAT LANDING**

WHEREAS, Winnebago County is the owner of the Boom Bay Boat Landing located in the Town of Wolf River; and

WHEREAS, the County, in order to provide public parking, did in 1971 obtain an easement from the owners of property adjoining the boat landing; and

WHEREAS, the public parking presently available is inadequate; and

WHEREAS, the County is now able to acquire a 2 acre parcel of land to be used for public parking at the Boom Bay Boat Landing in exchange for the County release of the easement it presently has on the property adjoining the said boat landing.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County Clerk lie and she hereby is authorized to execute a quit claim deed on behalf of Winnebago County releasing that certain grant of perpetual parking rights and privileges contained in the Agreement between Winnebago County and Austin A. Wheaton and Loretta M. Wheaton dated November 21, 1971 and recorded February 9, 1972 in the Winnebago County Registry at 4:56 PM. in Vol. 1332 of Records, p.29, for. #417269, in consideration of and upon the following terms and conditions:

1. That Winnebago County receive fee simple title to that certain two (2) acre parcel of land described as Lot 1 of the Certified Survey Map recorded in the Winnebago County Registry on August 30th, 1989. at 10:26 PM. and filed in Vol 1 of Certified Survey Map on page 2017, Doc. 728851.

2. That, Winnebago County receive a perpetual easement for roadway use on that certain private road identified as OutJot ~1 (containing 1 .503 acres of land) on the aforementioned certified survey map.

Submitted by, PARKS AND RECREATION COMMITTEE

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

**RESOLUTION NO. 231-989 COMMENDATION TO SHIRLEY R. FLATH**

WHEREAS, Shirley Flath has been employed with Winnebago County, for the past twenty-seven years and three months, and during that time has been a most conscientious and devoted County employee; and

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

NOW, THERE FOR, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation he and it hereby is extended to Shirley Flath for the fine services she has rendered to Winnebago County

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

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 232-989 AUTHORIZE PETITION FOR ANNEXATION OF SUNNYVIEW COMPLEX PROPERTY AND COMMUNITY PARK PROPERTY TO CITY OF OSHKOSH**

**BE IT RESOLVED** by the Winnebago county Board of Supervisors that the County Executive, the County Board Chairperson and the County Clerk be and they hereby are authorized to file a petition for direct annexation by unanimous approval and other appropriate forms relating thereto pursuant to sec. 66.021, subsections (2) and (12), Stats., with the City of Oshkosh, to annex thereto the Winnebago County owned Sunnyview Complex and Community Park presently located in the Town of Oshkosh, Winnebago County, Wisconsin.

Submitted by,  
SPECIAL BUILDING COMMITTEE FOR WINNEBAGO COUNTY  
FAIRGROUNDS AND EXPOSITION CENTER

Motion by Supervisor Machi and seconded to adopt. Supervisor Laabs moved to refer to Special Building Committee. LOST BY VOICE VOTE

Machine vote requested. Vote: Ayes — 15: J.C. Pawlowski, Schaidler, Laabs, Albright, Luehke, Owens, Cartwright, Christofferson, Steber, Broas, Gose, Albrecht, King, Putzer, Troxell. Nays — 27: Kollath, Flaviri, Gavinski, Ribble, W.C Pawlowski, Eckrich, Grundman, Witzke, Diakoff, Yanko, Knigge, Maehl, Hartmann, Wollerman, Metzgi, Lauson, Goff, Planalp. Wagner, Salomon, Sundquist, Schwartz, Montgomery, Robi, L'tech, Nieiseri, Lawson. Excused: Bremberger, O'Brien, Widmer. LOST.

Vote on Resolution: Ayes — 28: Kollath, Flavin, Gavinski, W.C- Pawlowski, Schaidier, Grundman, Witzke, Luebke, Knigge, Maehl, Cartwright, Hartmann, Wollerman, Metzgi, Lauson, Broas, Goff, Planalp, Salomon, Sundquist, Albrrecht, Schartz, Montgomery, King, Robl, Utech, Nielsen, Lawson. Nays 14: J.C. Pawlowaki, Ribble, Eckrich, Laabs, Albright, Diakoff, Yanko, Owens, Christofferson, Steber, Gose, Wagner, Putzer, Troxell. Excused Bremberger, O'Brien, Widmer. CARRIED.

**RESOLUTION NO. 233-989 AUTHORIZE ACCE PTANCE OF HIV/ARC/AIIS CASE MANAGEMENT FUNDS (\$23,100)**

WHEREAS, the Wisconsin Division of Health has offered to Winnebago County Public health a total of solutions be utilized for salary and fringe benefits costs of a nurse or medical social worker to provide case management and life care services to persons having HIV infection /ARC/AIDS and residing in Winnebago, Waupaca, Waushara, Marquette, Green Lake, Fond du Lac, Calumet, and Sheboygan Counties, and

WHEREAS, Winnebago County Public Health desire to ensure such services are available to reduce progression of the disease and prevent further transmission to others, and

WHEREAS, the health officers and their respective committees of jurisdiction support the establishment of case management and life care services in Winnebago County.

NOW, THERE FORE, BE ITRESOJAVED that the Winnebago County board of Supervisors authorize the County Executive to execute an agreement with the Wisconsin Division of Health.

BE IT FURTHER RESOLVED that the Public Health Department is authorized to employ a public health nurse or medical social worker to provide the services effective September 12, 1989 through June 30, 1990.

Submitted by,  
HEALTH COMMITTEE  
and  
PERSONNEL & FINANCE COMM ITTEE

Supervisor Steber moved arid it was seconded to adopt. Two-thirds vote required. Supervisor Diakoff moved to amend to adding: "that the position be in the table of organization until it is no longer funded by the state." Motion withdrawn. Vote: Ayes — 39. Nays — 2— Montgomery, Eckrich. Excused: Bremberger, O'Brien, Widrner, Planalp. CARRJED.

Supervisor J.C. Pawlowski, moved and it was seconded to adjourn until October 3, 1.989. CARRIED BY VOICE VOTE.

Adjourned Session (151)  
Respectfully submitted, Linda Wolfe  
Winnebago County Clerk

State of Wisconsin  
County of Winnebago

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held on September 12, 1989.

Linda Wolfe  
Winnebago County Clerk

**Proceedings  
of the  
Board of Supervisors  
of  
Winnebago County  
WORKSHOP SESSION  
COUNTY BOARD MEETING  
Tuesday, October 3, 1989**

Chairman Ralph R. Nielsen called the meeting to order at 6:00 P.M. in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Schaidler, Grundman, Laabs, Albright, Luebke, Yanko, Knigge, Owens, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzig, Steber, Lauson, Eckrich, Diakoff, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Trowell, Nielsen, Lawson, Widmer, O'Brien. Excused: Bremberger, Witzke. Supervisor J.C. Pawlowski moved and it was seconded to approve the minutes of September 5 and 12, 1989. CARRIED BY VOICE VOTE.

Chairman Nielsen asked to include Terry Gant and Tom Avery with a report on the Valley Queen on the agenda. Supervisor John Planalp moved and it was seconded to adopt the agenda as amended. CARRIED BY VOICE VOTE.

**COUNTY EXECUTIVE'S REPORT**

County Executive Paul Stevenson reported he spoke to the Oshkosh Leadership Committee. He appointed Doris Martin as a Department Head in charge of the Child Support Agency. He proclaimed October as Alcohol Awareness Month. There is a shortfall of \$200,000 in the 1989 Social Services budget for the institutional care for children. He presented a Certificate of Achievement for Excellence in Financial Reporting to Finance Director Delore LaMarche.

**COMMITTEE REPORTS**

Supervisor Sundquist reported boardings are up at Wittman Regional Airport by 41% over last year.

**COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Nielsen reminded supervisors that resolutions should be submitted to the Corporation Counsel no later than Noon on the Thursday prior to County Board meetings. He also invited supervisors to attend the American Legion County Government Day luncheon at the Legion on the Lake at Noon on Tuesday, Oct. 24. Tickets are \$3.50 and available from the County Clerk.

**PUBLIC HEARING**

Mrs. Pat Retzlaff, 3764 Jackson Drive Road, Oshkosh, WI opposed Resolution 236-1089 regarding brain injured persons. Mr. Tom Makofski, 1236 Meadowview Drive, Menasha, WI also spoke against Resolution 236-1089.

**REPORT FROM DIAL COMPANY, INC.**

Mr. Charles Gabaldon of the Dial Company reported that Roundy's has taken title to the old fairgrounds property. The contract allowed Dial to assign title to a third party which was done because of the time constraints and availability of funds through Roundy's. Dial will be repurchasing the property from Roundy's and serving as the developer. Dial has been working with the county and City of Oshkosh and will be getting the lot division approved this month. The grandstand will be demolished this week. Some of the

land and the property south of Murdock will be sold as outlots. The architect's drawing have a festive fairgrounds theme. He predicted it will take 8-9 months to build the Pic N' Save store. Dial's in-house construction firm, Diacom, will bid out the construction of the store.

#### **REPORT FROM COUNTY LOBBYIST**

Ms. Gail Humphreys gave a report on her educational background and work experience. As the County Lobbyist, she works closely with Governmental Relations Committee to provide information on pending legislation. She also works with the County Executive and Department Heads to provide information and promote legislation of interest to them. She has a good working relationship with our area legislators and has received great support from them. She is working to get Winnebago County people appointed to state boards and commissions. She will prepare a report on the new commissions boards created by the Governor's budget. She is available to all county board members for information and assistance.

#### **D.A.R.E. PROGRAM**

Sheriff Lee Burton discussed the Drug Awareness Resistance Education program presently being taught in area schools to help children resist pressure to experience drugs and alcohol. Officers Cheryl Ceelen and John Zuehlsdorf of the Sheriff's Department have been teaching in the Omro, Winneconne and rural Oshkosh schools in the 5th and 6th grades. They hope to promote the program countywide. The Oshkosh Police Department is involved with the Oshkosh schools. The program has been well received by students, teachers and parents. County Board members were invited to attend the classes or a graduation program.

#### **FUTURE OF THE VALLEY QUEEN**

Terry Gant, operator of the Valley Queen excursion boat, reported incurring a loss of \$115,000 including depreciation last year. He stated the boat is for sale and could be moved out of the area by November 1st. An alternative to keeping it in Oshkosh would be a federal block grant available through the Wis. Department of Development. Requirements of the grant are: 1) It would retain jobs; 2) Must be outside city limits (boat would be moved to Eddie's Marina near Hwy. 41); 3) Matching private investment pool arranged. Mr. Tom Avery spoke on the grant and stated \$300,000 in private investment matching funds would have to be committed before the application for a \$300,000 grant could be made. The grant is available only if regular financing sources cannot be obtained. The county would be the pass-through and would not have to repay the grant. The money repaid could be kept by the county for the industrial development loan fund. Supervisor Knigge moved and it was seconded to refer this proposal to the Industrial Development Board. CARRIED BY VOICE VOTE.

### **REPORTS, RESOLUTIONS & ORDINANCES**

#### **RESOLUTION NO. 236-1089**

#### **ADVISE STATE LEGISLATORS THAT WINNEBAGO COUNTY REJECTS FINANCIAL**

#### **RESPONSIBILITY FOR SERVICES TO CERTAIN BRAIN INJURED PERSONS**

WHEREAS, the State of Wisconsin has mandated that County Department of Community Programs' provide services to individuals with brain injuries; and

WHEREAS, the State of Wisconsin has appropriated absolutely no funding to counties for this purpose; and

WHEREAS, brain injuries can be prevented or mitigated through the preventative measure of motorists using seat belts and motorcyclists wearing helmets.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Winnebago County have no financial responsibility for anyone involved in an accident who suffers a brain injury due to failure to wear a helmet or seat belts.

BE IT FURTHER RESOLVED that a copy of this resolution be furnished to State legislators representing Winnebago County.

Submitted by,

Motion by Supervisor Montgomery to amend as follows: end of 4th paragraph add: "and that the State of Wisconsin assume financial responsibility for persons who fall into this category", and end of last paragraph "and to Senator Charles Chvala". Motion seconded and CARRIED BY VOICE VOTE. Supervisor Utech moved and it was seconded to refer to Community Programs Board. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 222-889**  
**AMEND COUNTY BOARD RULES RE:**  
**WINNEBAGO COUNTY EXPOSITION CENTER**  
**AND SUNNY VIEW COMPLEX**

BE IT RESOLVED by the Winnebago County Board of Supervisors, that the rules of the County Board insofar as they relate to General Duties of Standing Committees be amended as follows:

**RULE 5.10** Agricultural and University Extension and Education Committee

The committee shall be comprised of five County Board Supervisors and shall be the "Committee on Agriculture and Extension Education" as referred to in sec. 59.87 Wis. Stats. The Committee shall review policy issues relating to the County University Extension Program, County Library services, and Winnebago County Fairgrounds the annual Winnebago County Fair, and advise and recommend appropriate policy goals and legislative action to be taken by the County Board.

The members of this committee shall also be members of the Winnebago County Land Conservation Committee. Two members of this committee shall function as Winnebago County members of the Board of Trustees of the University of Wisconsin Fox Valley campus.

**Rule 5.12 Building and Grounds Committee**

This committee shall be comprised of five County Board supervisors. The. Except as hereinafter provided, the committee shall review policy issues relating to Winnebago County buildings, grounds and office equipment, furniture and fixtures in all county owned or leased facilities, including long-range development plans for buildings and office space and advise and recommend appropriate policy goals and legislative action to be taken by the County Board. ~ Winnebago County Exposition Center and Sunnyview Complex are excepted from the jurisdiction of this committee.

**Rule 5.17 Parks and Recreation Committee**

The Parks Committee shall consist of five members. The County Board, through its Committee on Committees in accordance with Rule 1.114, shall appoint the standing committee.

It shall be responsible for obtaining maintenance, operation and development of the Winnebago County Exposition Center, the Sunnyview Complex and all Winnebago County parks and recreation areas, including boat landings, recreational travel areas, associated programs and wildlife preservation areas.

It shall recommend to the County Board from time to time for its action, the necessary rules and regulations for-all~ the Winnebago County Exposition Center and all other Winnebago County owned recreational areas.

(Deleted provisions have been crossed out and new language has been underlined)

BE IT FURTHER RESOLVED, that these amendments are effective as follows:

**Rule 5.10 Effective** upon passage and publication

**Rule 5.12** Effective as to the Winnebago County Exposition Center upon passage and publication; effective as to the Sunnyview Complex January 1, 1990.

**Rule 5.17** Effective upon passage and publication as to planning and budgeting for the Winnebago County Exposition Center; effective upon completion of Winnebago County Exposition Center construction project as to maintenance, operation and development for the Center effective upon passage and publication as to planning and budgeting for the Sunnyview Complex; effective January 1, 1990 as to maintenance, operation and development for the Complex.

Submitted by, AGRICULTURAL AND EXTENSION EDUCATION COMMITTEE

Vote Requirement for Passage: 3/4th of Members Present

Moved by Supervisor Maehl and seconded to adopt. Supervisor Planalp moved and it was seconded to table the resolution. Motion to table CARRIED BY VOICE VOTE.

**RESOLUTION NO. 234-1089  
COMMENDATION TO HARVEY RADTKE**

WHEREAS, Harvey Radtke, a long time member of the East Wisconsin Counties Railroad Consortium, representing Dodge County but concerned with the services to all counties within the consortium; and

WHEREAS, Harvey Radtke recently resigned from East Wisconsin Counties Railroad Consortium, it is highly appropriate for the Winnebago County Board of Supervisors to acknowledge the many years of dedicated service provided by Harvey Radtke.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that sincere appreciation and commendation be and it is hereby extended to Harvey Radtke for services he rendered to all counties represented in the East Wisconsin Counties Railroad Consortium.

BE IT FURTHER RESOLVED that the County Clerk send a copy of this Resolution to Harvey Radtke.

ROBERT L. GRUNDMAN  
KENNETH B. ROBL  
EAST WISCONSIN COUNTIES  
RAILROAD CONSORTIUM

It was moved by Supervisor Grundman and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 235-1089  
WINNEBAGO COUNTY ELECTS NOT TO PARTICIPATE IN PSYCHIATRIC AND AODA  
INPATIENT REVIEW SYSTEM (PAIRS)**

WHEREAS, the State of Wisconsin requires County Board action regarding participation to the Psychiatric and AODA Inpatient Review (PAIRS); and

WHEREAS, staff of the Department of Community Programs has reviewed the advantages and disadvantages of participation; and

WHEREAS, there is no advantage which is apparent at this time for County participation; and

WHEREAS, there are disadvantages in potential increased costs and alienation with inpatient providers.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that Winnebago County not participate in the Psychiatric and AODA Inpatient Review Systems (PAIRS) at this time.

BE IT FURTHER RESOLVED, that should there be a clear advantage to County participation in the future that approval for such participation be obtained at that time.

Submitted by,  
COMMUNITY PROGRAMS BOARD

Moved by Supervisor Schwartz and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 237-1089  
ACCEPT \$30,000 GRANT FOR LANDFILL  
GAS-ELECTRICAL GENERATION PROJECT**

WHEREAS, grant funds are available through the Wisconsin Energy Bureau of the Wisconsin Department of Administration for Waste to Energy programs; and

WHEREAS, the Winnebago County Landfill Gas Electrical Generation Project meets the requirements for grant funds; and

WHEREAS, the Solid Waste Manager has received approval of the Solid Waste Management Board to apply for such grant funds; and

WHEREAS, Winnebago County has been offered a grant in the amount of Thirty Thousand dollars (\$30,000).

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors does hereby authorize the filing of a grant application and acceptance and use of grant funds in the amount of Thirty Thousand dollars (\$30,000) to be made available from the Wisconsin Energy Bureau of the State Department of Administration for the Winnebago County Waste to Energy Program known as the Landfill Gas-Electrical Generation Project.

BE IT FURTHER RESOLVED, that the County Executive be and hereby is authorized to accept this award on behalf of Winnebago County.

Submitted by, SOLID WASTE MANAGEMENT BOARD

Moved by Supervisor Grundman and seconded to adopt. Two-thirds vote required. Vote: Ayes — 42.  
Nays

— 0. Excused - 3 - Schwartz, Witzke and Bremberger. CARRIED.

**RESOLUTION NO. 238-1089**  
**REQUEST AUTHORITY TO APPLY FOR**  
**STATE FUNDS FOR BRIDGE CONSTRUCTION**  
**ON LARSEN BYPASS TRAIL.**

WHEREAS, Winnebago County is interested in developing the Bypass trail around the Community of Larsen; and

WHEREAS, two bridges will be required to span very large drainage ditches which will cross the trail; and

WHEREAS, money is available through the Department of Natural Resources Snowmobile Aids Program for new bridge construction and bridge rehabilitation; and

WHEREAS, in order to participate in this program, it is necessary that the County Board authorize the submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive be and he hereby is authorized to make application on behalf of Winnebago County with the Department of Natural Resources, pursuant to sec. 23.09(26). Wis. Stats. for any financial aid that may be available for bridge projects.

Submitted by, PARKS AND RECREATION COMMITTEE

Supervisor Lauson moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 239-1089**  
**DISALLOW CLAIM OF GERALD H. BAKEN**

WHEREAS, your Personnel and Finance Committee has had the claim of GERALD H. BAKEN 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 GERALD H. BAKEN dated August 21, 1989, 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 King and Seconded to adopt Resolutions No. 239-1089 and 240-1089.  
CARRIED BY VOICE VOTE.

**RESOLUTION NO. 240-1089**  
**DISALLOW CLAIM OF SUSAN E. ZIELINSKI**

WHEREAS, your Personnel and Finance Committee has had the claim of Susan E. Zielinski referred to it for attention; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Susan E. Zielinski dated September 5, 1989, 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

Supervisor J.C. Pawlowski moved and it was seconded to adjourn until October 23, 1989 at 6:00 P.M.  
CARRIED BY VOICE VOTE.

Respectfully submitted, Linda Wolfe  
Winnebago County Clerk

State of Wisconsin)  
County of Winnebago)SS

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their Workshop meeting held October 3, 1989.

Linda Wolfe  
Winnebago County Clerk

**Proceedings**  
 of the  
**Board of Supervisors**  
 of  
**Winnebago County**  
**ANNUAL SESSION**  
**COUNTY BOARD MEETING**  
**Monday, October 23, 1989**

Chairman Ralph R. Nielsen called the meeting to order at 6:00 P.M. in the Supervisor's Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: Kollath, J. C. Pawlowski, Flavin, Gavinski, Ribble, W. C. Pawlowski, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Metzger, Steber, Lauson, Eckrich, Diakoff, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Troxell, Nielsen, Lawson, Bremberger. Excused: O'Brien, Widmer, Putzer.

Supervisor J. C. Pawlowski moved and it was seconded to approve the minutes of October 3, 1989. CARRIED BY VOICE VOTE.

Supervisor John Planalp moved and it was seconded to adopt the agenda and to include Amendatory Ordinances 2, 3, 4 and 5. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

Petition for Zoning Amendment from Winagamie, Inc. re: change from P-1 to R-2 for single family homes. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from Donald Gehrt re: change from A-2 to R-2. REFERRED TO PLANNING & ZONING COMMITTEE.

Thank you note from Dorothy and Alfred Luebke dated October 3, 1989 was read and placed on file.

Notice of Claim from Todd M. Fellner re: damage to vehicle from loose gravel and tar. REFERRED TO PERSONNEL & FINANCE COMMITTEE.

**APPOINTMENT**

County Executive Stevenson presented the following appointment which was approved:

Gerald L. Engeldinger

to another one-year term as Corporation Counsel

effective January 1, 1990

Carried by unanimous voice vote.

**COMMITTEE REPORTS**

Supervisor Flavin commended the administration and employees of Park View Health Center for their efforts in providing a budget reduction of \$1.6 million dollars. He announced they plan to reduce expenditures further in 1990 by utilizing a private vendor for the laundry work.

**PUBLIC HEARING**

A large crowd attended the meeting to speak on various items. Those speaking against Amendment (8) which would delete funding for in-house laundry services at Park View Health Center were: Pat Adamski, 1925 Simpson St., Oshkosh, Barbara Rothe, 2003 Winchester Avenue, Oshkosh, Jean Lipke, 228 Plummer Avenue, Neenah, and Paul Behnke, 350 S. Westfield, Oshkosh.

Speaking against Amendment (7) - Include Race Track Project on list of Improvement Projects and Bonding for 1990 were: Jim Witkowski, 5170 Juniper Lane, Oshkosh, Dave Kilsdig, 1352 Tamarack Trail, Oshkosh, Walt Pollex, 5260 Juniper Lane, Oshkosh, Ken Pochojka, 24 Juniper Lane, Oshkosh, Bernadette

Netzer, 770 E. Sunnyview Road, Oshkosh, and Russell Leitz, 4518 Jackson Drive Road, Oshkosh. Those in favor of a race track were: Mitch Heimlich, 132 State Street, Neenah,

Those opposing Amendment (1) — Delete Funding for Bridgetending Operation: Donna Berndt, 6737 Van Dyne Road, Oshkosh, Sally Luchinski, 1926 Vinland Road, Oshkosh, Lincoln Foster, 230 N. 6th St., Winneconne, Bill Hughes, 45S 9th St., Oshkosh, and Greg Spring, 1121 Winnebago, Oshkosh.

Persons speaking in favor of the UW-Fox Valley Center building project listed in Amendment (2) were Maureen Thorfinnsan, representing the League of Women Voters, Stephanie Zick, 1024 Mason St., Oshkosh, Harry Paulson, 9442 County Hwy. W, Larsen, Clifford Ford Lee, 632 Hanson, Neenah, Darlene Miller, 1121 Greenwood Drive, Menasha, and Larry Lewis, Principal of Neenah High School, Neenah.

Sheriff Lee Burton spoke in opposition to Resolution 241-1089 and asked the Board to table it until more information is received. Attorney Bill Manske, delegate of the Winnebago County Bar Assn., stated his association passed a unanimous resolution that they do not like the Courthouse telephone system and its electronic answering feature. He urged the Board to consider alternatives.

Mr. Walt Chrapla addressed the Board on a number of items in the 1990 budget: outside legal services costs, the new computer system, capital improvements at the highway garage, riding mower at the fairgrounds, UW Fox Valley Center, and suggested simplifying and summarizing the budget book. Mr. Roy Gross, 1099 Congress St., Neenah, urged the County Board to thoroughly review the budget, including the airport. He was against county funding for the Valley Queen and spending more than \$2.8 million on the fairgrounds. Mrs. Keith Durkee, Sr. recommended cutting the budget and not spending funds on pet projects.

#### ZONING REPORTS AND ORDINANCES

REPORT NO. 1. A report from Planning & Zoning Committee re: zoning change to 13-3 for a health and racquet facility. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-1-89. A request from Kent L. Mollenkamp for change from R-5 and B-3 to B-3. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 2. A report from Planning & Zoning Committee re: zoning change to R-3 to operate a child care facility. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 2. A request to amend the Zoning Ordinance and Zoning Map of the Town of Rushford in accordance with the petition of Robert and Marion Lewis to change property from Ag 2 District to Ag 1 District. Motion by Supervisor Knigge and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 3. A request to amend the Zoning Ordinance and Zoning Map of the Town of Rushford in accordance with the petition of Wilbur E. Lewis to change property from Ag 2 District to Ag 1 District. Motion by Supervisor Knigge and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 4. A request to amend the Zoning Ordinance and Zoning Map of the Town of Rushford in accordance with the petition of Francis and Jeffrey Schuster to change property from Ag 2 District to Ag 1 District. Motion by Supervisor Knigge and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 5. A request to amend the Zoning Ordinance and Zoning Map of the Town of Rushford in accordance with the petition of Wilbur Wick to change property to Ag 1 and Ag 2 as noted. Motion by Supervisor Knigge and seconded to adopt. CARRIED BY VOICE VOTE.

#### REPORTS, RESOLUTIONS & ORDINANCES

##### RESOLUTION NO. 241-1089

#### OPPOSE WIS. LEGISLATIVE RESOLUTIONS SJR 34 and AJR 25 AND AMENDMENTS RELATING TO REDIRECTION OF FINES AND FOREFEITURES FROM COMMON SCHOOL FUND TO CRIMINAL JUSTICE PROGRAMS

WHEREAS, SJR 34 and AJR 25 are Wisconsin legislative resolutions to amend the Wisconsin constitution; and

WHEREAS, these resolutions would redirect funds generated by fines and forfeitures that now go into the Common School Fund and send these monies to criminal justice programs; and

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WHEREAS, the Common School Fund provides counties with low-cost "Trust Fund Loans" which will be substantially reduced if these legislative resolutions as amended are passed; and

WHEREAS, your Governmental Relations Committee is recommending that Winnebago County oppose SJR 34 and AJR 25 resolutions and amendments thereto for the foregoing reason.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors does hereby oppose passage of Wisconsin legislative resolutions SJR 34 and AJR 25 and proposed amendments thereto for the reason that passage of such resolutions will be harmful to Wisconsin counties.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Wisconsin Counties Association and to the members of the Wisconsin Legislature elected by citizens of Winnebago County.

Submitted by, GOVERNMENTAL RELATIONS COMMITTEE

Motion by Supervisor Goff and seconded to adopt. Supervisor Planalp moved to refer to Governmental Relations Committee. MOTION TO REFER CARRIED BY VOICE VOTE.

**RESOLUTION NO. 242-1089 OPPOSE SENATE BILL 300 -  
SOLID WASTE RECYCLING**

WHEREAS, Senate Bill 300 (SB300) establishes a comprehensive statewide mandatory program for recycling; and

WHEREAS, in order to enhance a successful recycling program, SB300 prohibits incinerating of all solid waste; and

WHEREAS, it is nationally recognized by the U.S. Environmental Protection Agency that a comprehensive solid waste management program should consider an integrated approach to solid waste management which utilizes waste reduction, recycling, incineration (waste-to energy), and landfilling; and

WHEREAS, in addition, SB300 mandates community recycling programs but provides for exemptions if local markets are or become infeasible; and

WHEREAS, in order to enhance the success of community recycling programs, Winnebago County recommends that SB 300 should be amended to require the State to be "the buyer of last resort" of recyclable materials.

NOW, THEREFORE, BE IT RESOLVED, that although SB300 does contain provisions which merit further consideration, the Winnebago County Board of Supervisors opposes SB 300 because it should permit incineration (waste-to-energy) as an alternative method of solid waste management, and that the State should be "the buyer of last resort" of recyclable materials.

BE IT FURTHER RESOLVED, that the Winnebago County Clerk forward a copy of this resolution to state Senate majority leader, Joseph Strohi, and to the Wisconsin Legislative representatives elected by the citizens of Winnebago County.

Submitted by,

SOLID WASTE MANAGEMENT BOARD

Supervisor Grundman moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 243-1089  
AUTHORIZE APPLICATION FOR WIS.  
DEVELOPMENT FUND  
GRANT: VALLEY QUEEN II (\$350,000)**

WHEREAS, Federal monies are available under the Wisconsin Development Fund economic development program, administered by the State of Wisconsin, Department of Development, for the purposes of economic development; and

WHEREAS, after public meeting and due consideration, the Winnebago County Industrial Development Board has recommended that an application be submitted to the State of Wisconsin for the Valley Queen II financing project in the amount of \$350,000; and

WHEREAS, it is necessary for the County Board to approve the preparation and filing of an application for the County to receive funds from this program; and

WHEREAS, the County Board of Winnebago County has reviewed the need for the proposed project and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Winnebago County does approve



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**Tuesday, October 24, 1989**

Chairman Ralph Nielsen called the County Board to order at 8:30 A.M., followed by the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call showed full board present with the exception of the following excused supervisors: Utech and Putzer.

**PUBLIC HEARING**

Mr. and Mrs. Tom Makofski, 1236 Meadowview Drive, Menasha, spoke in favor of funding for the developmentally disabled and brain injured.

\* \* \* \* \*

County Executive Stevenson continued with his 1990 budget presentation. He was excused to welcome the students from area schools for the American Legion's County Government Day.

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**RESOLUTION NO. 246-1089 AUTHORIZE APPLICATION FOR WISCONSIN DEVELOPMENT FUND GRANT: VALLEY QUEEN II (\$350,000)**

WHEREAS, Federal monies are available under the Wisconsin Development Fund economic development program, administered by the State of Wisconsin, Department of Development, for the purposes of economic development; and

WHEREAS, after public meeting and due consideration, the Winnebago County Industrial Development Board has recommended that an application be submitted to the State of Wisconsin for the Valley Queen II financing project in the amount of \$350,000; and

WHEREAS, it is necessary for the County Board to approve the preparation and filing of an application in order for the County application to be considered by the State; and

WHEREAS, the County Board of Winnebago County has reviewed the need for the proposed project and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Winnebago County does approve and authorize appropriate County officials to prepare and file an application for a Wisconsin Development Fund Grant in the amount of \$350,000 for the economic benefit of assisting the Valley Queen II business operation in Winnebago County.

BE IT FURTHER RESOLVED, that the County Executive is hereby authorized to sign the aforementioned application on behalf of Winnebago County.

Submitted by,

**INDUSTRIAL DEVELOPMENT BOARD**

Supervisor Maehl moved and it was seconded to adopt this resolution. Vote: Ayes — 31 — O'Brien, Flavin, W. C. Pawlowski, Grundman, Albright, Yanko, Widmer, Broas, Planalp, Sundquist, Schwartz, Robl, Troxell, Kollath, Luebke, Knigge, Maehl, Goff, Bremberger, Montgomery, Nielsen, J. C. Pawlowski, Schaidler, Witzke, Owens, Cartwright, Lauson, Gose, Albrecht, King, Lawson. Nays — 12 — Hartmann, Metzger, Gavin-ski, Eckrich, Laabs, Wollerman, Steber, Wagner, Ribble, Diakoff, Christofferson, Salomon. Excused — 2 — Utech and Putzer. CARRIED.

\* \* \* \* \*

Mr. Stevenson resumed his budget presentation. He announced the Fox Valley Water Quality Planning Agency will be closing on January 1, 1990.

Motion by Supervisor J. C. Pawlowski to adjourn until 1:15 P.M. CARRIED.

\* \* \* \* \*

**AFTERNOON SESSION**

Chairman Nielsen called the County Board to order at 1:15 P.M. Roll call showed full board present with the exception of Supervisor Putzer. The students visiting for County Government Day presented a mock resolution asking "Should the Drinking Age be Lowered to Age 18?" The students voted and it carried by voice vote. The County Board voted as follows: Ayes — 17 — O'Brien, W. C. Pawlowski, Aibright,

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Yanko, Widmer, Sundquist, Robi, Kollath, Steber, Wagner, Montgomery, J. C. Pawlowski, Diakoff, Cartwright, Lauson, Gose, Lawson. Nays — 23 — Flavin, Grundman, Hartmann, Metzgi, Planalp, Schwartz. Troxell, Gavinski, Eckrich, Laabs, Luebke, Maehl, Wollerman, Goff, Bremberger, Nielsen, Ribble, Schaidler, Witzke, Owens, Christofferson, Salomon, Albrecht. Abstain — 1 — Knigge. Excused — 4 — Broas, Utech, King and Putzer. LOST. Supervisor Knigge commended the American Legion for the fine job they did and for bringing the students.

County Executive Stevenson continued reviewing the 1990 Budget with the County Board. He concluded at 2 P.M.

\* \* \* \* \*

**RESOLUTION NO. 245-1089 ADOPT 1990 ANNUAL BUDGET**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the 1990 Annual County Budget, a copy of which is incorporated herein by reference, be and same is hereby adopted.

Submitted by,

PERSONNEL & FINANCE COMMITTEE

Moved by Supervisor King and seconded to adopt.

\* \* \* \* \*

Amendments to Resolution No. 245-1089 were then presented.

**AMENDMENT (1)**

**DELETE FUNDING FOR  
BRIDGETENDING OPERATION**

WHEREAS, bridgetending operations performed by the Winnebago County Highway Department on four bridges within the City of Oshkosh and one bridge within the Village of Winneconne are optional activities of the Highway Department; and

WHEREAS, the County Highway Commissioner has determined that the increasing complexity and problems associated with the administration of the bridgetending program are such that it is not in the best interests of Winnebago County to continue such operations as a Winnebago County function; and,

WHEREAS, the discontinuation of County bridge-tending operations will allow the State Department of Transportation to pursue other subcontracting options including privatization; and

WHEREAS, it is desirable for Winnebago County to encourage the privatization of governmental activities and services whenever possible.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that Resolution 245-1089 be and hereby is amended to provide for the deletion of \$180,600 within the expenditure portion of budget of the Highway Department for the purpose of bridgetending operations; and,

BE IT FURTHER RESOLVED, that the revenue portion of the Highway Department budget be adjusted accordingly; and,

BE IT FURTHER RESOLVED, that the Table of Organization of the Winnebago County Highway Department be adjusted to reflect the deletion of all bridge-tender positions.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and it was seconded to adopt. Vote: Ayes — 4 — Grundman, Goff, Montgomery, Nielsen. Nays — 39. Abstain — 1 — King. Excused — 1 — Putzer. LOST.

**AMENDMENT (2)**

**CAPITAL IMPROVEMENT PROJECTS AND BONDING TO BE ADDED TO 1990 BUDGET**

WHEREAS, it appears that Winnebago County will be required to issue general obligation notes or bonds in 1990 to replace interim financing of long term closure costs at the Snell Road Landfill (\$1,200,000) and Phase II of the Landfill Electrical Generation Project (\$3,700,000); and

WHEREAS, now is the appropriate time to determine which capital improvement projects should be in-

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cluded in the 1990 annual budget and in what expenditure amounts.

NOW, THEREFORE, BE IT RESOLVED. by the Winnebago County Board of Supervisors that Resolution 245-1089 be amended to include the following capital improvement projects and expenditure amounts in the 1990 annual budget:

AIRPORT:

Remodeling Terminal	\$350,000
DNR Hanger	<u>100,000</u>

EMERGENCY GOVERNMENT:

Building (3/5)	60,000
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SHERIFF:

Building (2/5) ...	\$ 40,000
E911 Equipment . . . .	<u>475,000</u>
	515,000

PLANNING: Aerial Photos	400,000
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INFORMATION SERVICES:

Microwave Tower	335,500
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UW-FOX VALLEY CENTER: Building	4,750,000
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MAINTENANCE: Building	<u>89,500</u>
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**TOTAL \$6,600,000**

BE IT FURTHER RESOLVED, that the following sums be included in the 1990 annual budget as a revenue source from the 1990 issuance of Winnebago County general obligation bonds or notes:

Capital Improvement Projects as hereinbefore listed	\$ 6,600,000
Refinancing for Long term closure — Snell Road Landfill	1,200,000
Refinancing Phase II Electrical Generation Project — Snell Road Landfill	<u>3,700,000</u>
TOTAL	\$11,500,000

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor King and seconded to adopt.

Airport — DNR Hangar — Supervisor Sundquist moved and it was seconded that the Airport DNR Hangar funding be changed from \$100,000 to \$150,000. Supervisor Sundquist withdrew his motion.

Supervisor Owens moved and it was seconded to include \$150,000 for the DNR Hangar at the airport in the 1990 budget on the tax levy. Vote: Ayes — 31. Nays — 12- Yanko, Metzsig, Broas, Kollath, Luebke, Knigge, J. C. Pawlowski, Ribble, Witzke, Diakoff, Cartwright, Salomon. Excused — 2 — Robl and Putzer. CARRIED.

Supervisor Sundquist moved and it was seconded to withdraw the \$100,000 for the DNR Hangar from Amendment (2). CARRIED BY VOICE VOTE.

**Airport — Remodeling Terminal** — It was moved by Supervisor Sundquist and seconded to include \$350,000 for terminal remodeling at the Airport in the 1990 budget. Vote: Ayes — 16 — O'Brien, Aibright, Yanko, Widmer, Sundquist, Troxell, Maehl, Wollerman, Goff, Montgomery, Utech, Nielsen, Witzke, Owens, King, Lawson. Nays — 27 — Flavin, W. C. Pawlowski, Grundman, Hartmann, Metzsig, Broas, Planalp, Schwartz, Kollath, Gavinski, Eckrich, Laabs, Luebke, Knigge, Steber, Wagner, Bremberger, J. C. Pawlowski, Ribble, Schaidler, Diakoff, Cartwright, Christofferson, Lauson, Gose, Salomon, Albrecht. Excused — 2 — Putzer and Robl. LOST.

Building for Emergency Government and Sheriff — Supervisor Planalp moved and it was seconded to include funding of \$100,000 for a building for Emergency Government and the Sheriff. Vote: Ayes — 37. Nays — 6 — Flavin, Yanko, Broas, Laabs, Luebke, Cartwright. Excused — 2 — Putzer and Robl. CARRIED.

**E911 Equipment** — Supervisor Planalp moved and it was seconded to include \$475,000 for E911

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Equipment in the 1990 Budget. Vote: Ayes — 41. Nays — 2 — Broas, Luebke. Excused — 2 — Putzer and Robl. CARRIED.

Planning — Aerial Photos — Supervisor Owens moved and it was seconded to include \$400,000 in the 1990 Budget for aerial photos for the Planning Department. Vote: Ayes — 18 — O'Brien W. C. Pawlowski, Grundman, Widmer, Metzger, Planalp, Sundquist, Laabs, Maehl, Utech, J. C. Pawlowski, Schaidler, Witzke, Diakoff, Owens, Christofferson, Gose, Albrecht. Nays — 25 — Flavin, Albright, Yanko, Hartmann, Broas, Schwartz, Troxell, Kollath, Gavinski, Eckrich, Luebke, Knigge, Wollerman, Steber, Goff, Wagner, Bremberger, Montgomery, Nielsen, Ribble, Cartwright, Lauson, Salomon, King, Lawson. Excused — 2 — Putzer and Robl. LOST.

Information Services — Microwave Tower — Supervisor King moved and it was seconded to include a microwave tower for \$335,500. Ayes — 5 — Flavin, W. C. Pawlowski, J. C. Pawlowski, Witzke, Gose. Nays — 38. Excused — 2 — Putzer and Robl. LOST.

UW-Fox Valley Center — Building Project — Supervisor Maehl moved and it was seconded to include \$4,750,000 for the UW-Fox Valley Center building project. Vote: Ayes — 38. Nays — 5 — Yanko, Widmer, Ribble, Diakoff, Salomon. Excused — 2 — Putzer and Robl. CARRIED.

Maintenance Building — Supervisor Eckrich moved and it was seconded to include \$89,500 for a maintenance building. Vote: Ayes — 11 — Flavin, W. C. Pawlowski, Grundman, Gavinski, Eckrich, Maehl, Steber, Ribble, Witzke, Gose, King. Nays — 30. Abstain — 1 — Montgomery. Excused — 3 — Putzer, Robl and Wagner. LOST.

Supervisor Utech moved and it was seconded to change page 2 of Amendment (2) to state "Capital Improvement Projects as hereinbefore listed — \$5,225,000", to include E911 equipment and UW-Fox Valley Center projects in the bond issue. Vote: Ayes — 41. Nays — 1 — Steber. Excused — 3 — Putzer, Robl and Wagner. CARRIED.

AMENDMENT (7)  
INCLUDE RACE TRACK PROJECT ON LIST OF  
IMPROVEMENT PROJECTS AND BONDING  
FOR 1990 (\$689,123)

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the following project be included in the list of Winnebago County capital improvement projects and expenditures for 1990 and included in the 1990 Annual Budget as a revenue source from 1990 issuance of Winnebago County general obligation bonds or notes:

PARKS: Race Track Construction at Site of new Winnebago County  
Fairgrounds and Exposition  
Center not to exceed . . . \$689,123  
Submitted by,  
PARKS AND RECREATION  
COMMITTEE

Supervisor Lawson moved and it was seconded to include Amendment (7) in the bond issue. Vote: Ayes — 18 — O'Brien, Flavin, W. C. Pawlowski, Grundman, Hartmann, Broas, Troxell, Gavinski, Knigge, Wollerman, Utech, Witzke, Cartwright, Christofferson, Lauson, Gose, Salomon, King. Nays — 24 — Albright, Yanko, Widmer, Metzger, Planalp, Sundquist, Schwartz, Kollath, Eckrich, Laabs, Luebke, Maehl, Steber, Goff, Bremberger, Montgomery, Nielsen, J. C. Pawlowski, Ribble, Schaidler, Diakoff, Owens, Albrecht, Lawson. Excused — 3 — Putzer, Robl and Wagner. LOST.

AMENDMENT (2) — Supervisor Knigge moved and it was seconded to adopt Amendment (2) as amended. Vote: Ayes — 38. Nays — 2 — Planalp, Salomon. Abstain — 1 — Ribble. Excused — 4 — Putzer, Robl, Flavin and Wagner. CARRIED.

Supervisor J. C. Pawlowski moved to adjourn to October 25, 1989 at 8:30 A.M. CARRIED BY VOICE VOTE.

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Chairman Nielsen called the meeting to order at 8:30 A.M. He led the Pledge of Allegiance followed by an invocation by Supervisor Wagner. Roll call showed all present except Utech and Putzer.

**AMENDMENT (3)**  
**DELETIONS AND ADDITIONS TO**  
**CAPITAL OUTLAY**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that Resolution 245-1089 be amended to provide for the deletions and additions to Capital Outlay as indicated on the attachment hereto.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and it was seconded to adopt Amendment (3).

Sheriff-Detective — Canon Zaphot — Supervisor

Diakoff moved and it was seconded to include the Canon Zaphot for \$899. Vote: Ayes — 32. Nays — 10 — Hartmann, Eckrich, Luebke, Knigge, Wagner, Montgomery, Nielsen, Ribble, Albrecht, King. Excused — 3 — Putzer, Utech and Schaidler. CARRIED.

**Sheriff-911** — Computer Terminal — Supervisor Eckrich moved and it was seconded to include \$3,000 for the computer terminal in the 1990 Budget. Supervisor Bremberger moved and it was seconded to amend that motion to state that \$3,000 be included in the 1990 Budget and earmarked for the Sheriff's 911 Computer terminal. BREMBERGER AMENDMENT CARRIED BY VOICE VOTE.

Vote on Eckrich Motion as Amended: Ayes — 18 — O'Brien, Flavin, W. C. Pawlowski, Grundman, Aibright, Planalp, Sundquist, Eckrich, Maehl, Wollerman, Steber, Bremberger, Witzke, Owens, Christofferson, Lauson, Gose, Lawson. Nays — 25 — Yanko, Widmer, Hartmann, Metzger, Broas, Schwartz, Robl, Troxell, Kollath, Gavinski, Laabs, Luebke, Knigge, Goff, Wagner, Montgomery, Utech, Nielsen, J. C. Pawlowski, Ribble, Diakoff, Cartwright, Salomon, Albrecht, King. Excused — 2 — Putzer and Schaidler. LOST.

**Veterans** — 2 Microfiche Readers & 2 Lateral Files — Supervisor Gose moved and it was seconded to include 2 microfiche readers and 2 lateral files for the Veterans Office. Vote: Ayes — 15 — O'Brien, Flavin, W. C. Pawlowski, Grundman, Widmer, Kollath, Maehl, Wollerman, Wagner, J. C. Pawlowski, Witzke, Diakoff, Owens, Lauson, Gose. Nays — 27 — Aibright, Yanko, Hartmann, Metzger, Broas, Planalp, Sundquist, Schwartz, Robl, Gavinski, Eckrich, Laabs, Luebke, Knigge, Steber, Goff, Bremberger, Montgomery, Utech, Nielsen, Ribble, Cartwright, Christofferson, Salomon, Albrecht, King, Lawson. Abstain — 1 — Troxell. Excused — 2 — Putzer and Schaidler. LOST.

**Maintenance — Courtroom Security/Cameras** — Supervisor Eckrich moved and it was seconded to keep the courtroom security/cameras for \$15,000 in the budget. Vote: Ayes — 10 — W. C. Pawlowski, Albright, Widmer, Eckrich, Maehl, Montgomery, Witzke, Diakoff, Owens, Lauson. Nays — 29. Abstain — 1 — Gose. Excused — 5 — O'Brien, Robl, J. C. Pawlowski, Schaidler, Putzer. LOST.

**Prevention — AODA Films** — Supervisor Schwartz moved and it was seconded to include \$2,500 for AODA films in the budget. Vote: Ayes — 26. Nays — 15 — Yanko, Widmer, Robl, Troxell, Gavinski, Eckrich, Laabs, Wollerman, Bremberger, Montgomery, Nielsen, Ribble, Gose, Salomon, Albrecht. Excused — 4 — O'Brien, J. C. Pawlowski, Putzer, Schaidler. CARRIED.

**Planning — Aerial Photos** — Supervisor Diakoff moved and it was seconded to include \$120,000 for aerial photos in the budget. Vote: Ayes — 35. Nays — 5 — Broas, Luebke, Goff, Nielsen, Lawson. Excused — 5 — O'Brien, J. C. Pawlowski, Schaidler, Lauson, Putzer. CARRIED.

**AMENDMENT (3) AS AMENDED**

Vote: Ayes — 41. Nays — 1 — O'Brien. Abstain — 1 — Gose. Excused — 2 — Schaidler, Putzer. CARRIED.

**AMENDMENT (4)**

**DELETE NEW POSITIONS AND MODIFY INCREASE IN HOURS**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that Resolution 245-1089 be amended to provide for the deletion of the following new positions and associated costs:

Department!	Net Levy
<b>Position Title</b>	<b>1990 Cost Impact</b>
<b>County Executive</b>	
ADMINISTRATIVE	

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ASSISTANT (position proposed to begin 7-1-90)	\$12,773	\$12,773
Parks		
EXPOSITION SITE MAINTENANCE & OPERATIONS SUPER INTENDENT (position proposed to begin 7-1-90)	18,176	18,176
Sheriff (2) POLICE OFFICERS (\$28,744 each)	57,488	57,488
<b>Social Services</b>		
CLERK RECEPTIONIST	16,962	3,690

BE IT FURTHER RESOLVED, that the following proposed increases in work hours and associated costs for part-time positions be deleted as follows:

<b>Social Services</b>		
PROGRAM SUPERVISOR/IN-SERVICE TRAINING COORDINATOR (7.5 hours per week)	8,401	8,401
SUPPORT SERVICES SUPERVISOR/FOSTER		

	CARE RECRUITER	
(9+ hours per week)	7,552	<u>7,552</u>
TOTAL	\$108,080	

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and it was seconded to adopt.

**Sheriff** — (2) Police Officers — Supervisor Planalp moved to include the two Police Officers in the 1990 Budget for \$57,488. Vote: Ayes — 27 — O'Brien, Flavin, W. C. Pawlowski, Grundman, Aibright, Widmer, Hartmann, Planalp, Sundquist, Robi, Troxell, Gavinski, Laabs, Knigge, Maehl, Wollerman, Goff, Wagner, Bremberger, Utech, J. C. Pawlowski, Ribble, Witzke, Diakoff, Owens, Gose, Lawson. Nays — 15 — Yanko, Metzsig, Schwartz, Kollath, Eckrich, Luebke, Steber, Montgomery, Nielsen, Cartwright, Christofferson, Lauson, Salomon, Albrecht, King. Excused — 3 — Broas, Schaidler, Putzer. CARRIED.

**Social Services — Clerk/Receptionist** — Supervisor Laabs moved and it was seconded to include the Clerk-Receptionist for \$16,962 in the budget. Vote: Ayes — 30. Nays — 12 — Albright, Robl, Eckrich, Goff, Montgomery, Utech, Nielsen, RAbble, Lauson, Salomon, Albrecht, Lawson. Excused — 3 — Broas, Schaidler, Putzer. CARRIED.

**Social Services — Program Supervisor/In-Service Training Coordinator** — Supervisor Laabs moved and it was seconded to include \$8,401 for the Program Supervisor/In-Service Training Coordinator in the budget. Vote: Ayes — 21 — Flavin, W. C. Pawlowski, Albright, Metzsig, Broas, Planaip. Schwartz, Troxell, Kollath, Gavinski, Laabs, Maehl, Wollerman, Steber, Wagner, Owens, Cartwright, Christofferson, Gose, King, J. C. Pawlowski. Nays — 22 — O'Brien, Grundman, Yanko, Widmer, Hartmann, Sundquist, Robi, Eckrich, Luebke, Knigge, Goff, Bremberger, Montgomery, Utech, Nielsen, Ribble, Witzke, Diakoff, Lauson, Salomon, Albrecht, Lawson. Excused — 2 — Schaidler and Putzer. LOST.

**Social Services — Support Services Supervisor/Foster Care Recruiter** — Supervisor Laabs moved to include this position for \$7,552 in the budget. Vote: Ayes — 23 — O'Brien, Flavin, W. C. Pawlowski, Albright, Metzsig, Planalp, Schwartz, Troxell, Kollath, Gavinski, Laabs, Machi, Wollerman, Steber, Wagner, Bremberger, Montgomery, J. C. Pawlowski, Owens, Cartwright, Christofferson, Lauson, Gose. Nays — 20 — Grundman, Yanko, Widmer, Hartmann, Broas, Sundquist, Rob!, Eckrich, Luebke, Knigge, Goff, Utech, Nielsen, Ribble, Witzke, Diakoff. Salomon, Albrecht, King, Lawson. Excused — 2 — Schaidler and Putzer. CARRIED.

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**AMENDMENT (4) AS AMENDED**

Vote: Ayes — 33. Nays — 9 — Albright, Broas, Rob!, Kollath, Montgomery, Nielsen, J. C. Pawlowski, Witzke, Salomon. Abstain — 1 — Ribble. Excused — 2 — Schaidler and Putzer. CARRIED.

**AMENDMENT (5)****RETAIN FOUR (4) NEW POLICE OFFICER POSITIONS IN SHERIFF'S DEPARTMENT  
1990 BUDGET**

WHEREAS, one of the most growing concerns in our nation is the fight for better crime and drug law enforcement, not only on the national and state levels, but here in Winnebago County; and

FURTHER, that how best this County Board can address these concerns and indicate to the voters how each supervisor shares them; and

ALSO, that this action is to correct a deletion from, not an addition to, patrol officers in the County Patrol Division; and

ALSO, to overcome serious overtime, resulting in economic and enforcement problems;

THEREFORE, the following resolution is being presented separate from the Personnel & Finance report.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 245-1089 be amended to retain the four (4) police officer positions requested in the budget to bring the Patrol Division back to 1983 status be included in the 1990 Winnebago County Budget.

Submitted by, JUDICIARY AND PUBLIC SAFETY COMMITTEE

**AMENDMENT (6)****ADD EQUIPMENT (LIVER PROBE) TO CORONER'S 1990 BUDGET (\$400)**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that Resolution 245-1089 be amended to add new equipment (liver probe) to capital outlay in the Coroner's Budget at a cost of \$400.

Submitted by, JUDICIARY AND PUBLIC SAFETY COMMITTEE

Supervisor Planalp moved and it was seconded to adopt. Vote: Ayes — 42. Nay — 1 — Knigge. Excused — 2 — Schaidler and Putzer. CARRIED.

**AMENDMENT (8)****DELETE FUNDING FOR IN-HOUSE LAUNDRY SERVICES AT PARK VIEW HEALTH  
CENTER**

WHEREAS, the Administrator of Park View Health Center has researched the possibility of subcontracting all laundry services to a commercial provider; and

WHEREAS, the results of that research indicates that such subcontracting could save Winnebago County a considerable amount of money annually; and

WHEREAS, the Park View Health Center Committee has reviewed the research results and endorses the idea of subcontracting laundry operations; and

WHEREAS, funding for the replacement of several pieces of laundry equipment has already been deleted from the 1990 Budget.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that Resolution 245-1089 be and hereby is amended to provide for the deletion of \$70,000 from the amount originally designated within the budget of Park View Health Center for the provision of in-house laundry services; and

BE IT FURTHER RESOLVED, that the Table of Organization of Park View Health Center be adjusted to reflect the deletion of all positions associated with the Park View in-house laundry operation and entitled Laundry Supervisors, Laundry Worker, and Linen Aide.

Submitted by, **PARK VIEW HEALTH CENTER COMMITTEE**

It was moved by Supervisor Flavin and seconded to adopt Amendment (8). Personnel Director William Wagner told the supervisors the Park View laundry workers would be placed in jobs with the county if this passes. Vote: Ayes — 27 — Flavin. Grundman. Albright. Hartmann, Metzsig, Broas, Planalp, Sundquist, Schwartz, Troxell, Kollath, Gavinski, Eckrich, Laabs, Luebke, Knigge, Goff, Bremberger, Montgomery,

Nielsen, Ribble, Diakoff, Owens, Christofferson, Salomon, King, Lawson. Nays — 16— O'Brien, W. C. Pawlowski, Yanko, Widmer, Robl, Machi, Wollerman, Steber, Wagner, Utech, J. C. Pawlowski, Witzke, Cartwright, Lauson, Gose, Albrecht. Excused — 2 — Schaidler and Putzer. CARRIED.

**AMENDMENT (9)**

**DELETE FUNDING FOR INCREASE IN  
COMPENSATION FOR COUNTY SUPERVISORS**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the sum of \$70,000 included on page 1 of the 1990 Annual Budget for the County Board as an increase in salaries and benefits for County Board Supervisors be deleted. Submitted by,

JACQUELYN WAGNER  
County Board Supervisor

Supervisor Utech moved and it was seconded to reduce the amount to \$45,000. CARRIED BY VOICE VOTE. Supervisor Eckrich moved that the proposal to increase the supervisors' salaries by \$100 per month be eliminated and the Finance Director be instructed to remove the correct amount from the 1990 Budget. Vote: Ayes — 42. Nays — 1 — Hartmann. Excused — 2 — Schaidler and Putzer. CARRIED.

**AMENDMENT (10)**

**DELETE ADMINISTRATIVE ASSISTANT  
POSITION FOR COUNTY EXECUTIVE'S OFFICE (\$47,160)**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Administrative Assistant position in the County Executive's Office and the funding therefor (\$47,160) be deleted from the proposed 1990 Annual Budget.

Submitted by,  
JACQUELYN WAGNER  
County Board Supervisor

Supervisor Wagner moved and it was seconded to adopt Amendment (10). Vote: Ayes — 31. Nays — 9 — O'Brien, Flavin, Sundquist, Kollath, Maehl, Wollerman, Steber, Montgomery, Utech. Abstain — 1 — King. Excused — 4 — J. C. Pawlowski, Schaidler, Lauson, Putzer. CARRIED.

**AMENDMENT (11)**

**INCREASE COUNTY FUNDING FOR WINNEFOX LIBRARY SYSTEM TO FULL FUNDING  
(\$93,268)**

WHEREAS, the Agriculture and Extension Education Committee is on record as having approved "Fair-Share" funding of county library services; and

WHEREAS, "Fair-Share" funding of libraries is considered a "Contract" based on library usage already received throughout the county; and

WHEREAS, the Fair-Share formula is based on actual usage (card holders are counted in the rural areas and materials actually checked out are counted in Oshkosh) with no more than a 1% differential; and

WHEREAS, \$93,268 not provided for in the County Executive's Budget could result in the municipalities with libraries having to assume the rural area shortfall in funding.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 245-1089 be and hereby is amended to increase county funding for the Winnefox Library System in the amount of \$93,268 to accomplish fair share field funding for county library services.

Submitted by,  
ALBERTA GOFF  
County Board Supervisor

Supervisor Goff moved and it was seconded to adopt. Vote: Ayes — 22 — O'Brien, Flavin, Grundman, Hartmann, Broas, Sundquist, Schwartz, Robl, Kollath, Gavin-ski, Maehl, Wollerman, Goff, Bremberger, Montgomery, J. C. Pawlowski, Witzke, Cartwright, Lauson, Gose, King, Lawson. Nays — 21 — W. C. Pawlowski, Albright, Yanko, Widmer, Metzgi, Planalp, Troxell, Eckrich, Laabs, Luebke, Knigge, Steber, Wagner, Utech, Nielsen, Ribble, Diakoff, Owens, Christofferson, Salomon, Albrecht. Excused — 2—

**AMENDMENT (12)**  
**DELETE FUNDING FOR CAPITAL OUTLAY AND**  
**COMPUTER SOFTWARE IN INFORMATION**  
**SERVICES DEPARTMENT (\$448,305 NET)**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the following be deleted from the Information Services Department Budget as indicated on pages 69 & 70 of the 1990 Annual Budget:

Capital Outlay	. . .	. \$426,900
Computer Software		<u>149,700</u>
		\$576,600
Less: Interfund Charges		
(Revenues)		. <u>128,295</u>
Net		<u>\$448,305</u>

Submitted by,

BRENDON F. RIBBLE  
County Board Supervisor

It was moved by Supervisor Ribble and seconded to adopt Amendment (12).

Supervisor Ribble then moved to amend the amount to \$384,506. Supervisor Yanko moved and it was seconded to reduce the amount of \$384,506 by 20% or \$76,900. Vote on Yanko Amendment: Ayes — 21 — W. C. Pawlowski, Albright, Yanko, Widmer, Planalp, Sundquist, Rob!, Kollath, Gavinski, Laabs, Luebke, Wollerman, Steber, Wagner, Montgomery, Ribble, Cartwright, Christofferson. Gose, Salomon. Albrecht. Nays — 21 — **O 'Brien, Flavin, Grundman, Hartmann, Metzig, Broas**, Schwartz, Troxell, Eckrich, Knigge, Maehl, Goff, Bremberger, Utech, Nielsen, J. C. Pawlowski, Witzke, Diakoff, Owens, Lauson. King. Excused — 3 — Schaidler, Putzer and Lawson. LOST.

Vote on Amendment (12): Ayes — 15 — W. C. Pawlowski, Aibrigh, Robi, Gavinski, Laabs, Wollerman, Steber, Wagner, Bremberger, J. C. Pawlowski, Ribble, Diakoff, Christofferson, Salomon, Albrecht. Nays — 27— O'Brien, Flavin, Grundman, Yanko, Widmer, Hartmann, Metzig, Broas, Planaipe, Sundquist, Schwartz, Troxell, Kollath, Eckrich, Luebke, Knigge, Maehl, Goff, Montgomery, Utech, Nielsen, Witzke, Owens, Cart-wright, Lauson, Gose, King. Excused — 3 — Schaidler, Putzer and Lawson. LOST.

**AMENDMENT (13)**  
**INCREASE FUNDING FOR BRAIN INJURED**  
**(\$25,000)**

WHEREAS, the County's current appropriation to aid Brain Injured persons is inadequate to serve present and potential needs; and

WHEREAS, a staff estimate places the true need to be between \$300,000 and \$500,000, but budgetary reality dictates that figure is infeasible; and

WHEREAS, it remains a fact that additional funding is needed and now is the appropriate time to make such an appropriation.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that Resolution 245-1089 be amended to the following:

COMMUNITY PROGRAMS:

Brain-Injured Services	
Vocational Services	\$15,000
Case Management	<u>10,000</u>
TOTAL	\$25,000

Submitted by,

RON J. MONTGOMERY

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                          County Board Supervisor

Supervisor Montgomery moved and it was seconded to adopt. Vote: Ayes — 28 — O'Brien, Flavin, W. C. Pawlowski, Albright, Widmer, Sundquist, Schwartz, Robl, Kollath, Gavinski, Maehl, Wollerman, Steber, Goff, Wagner, Bremberger, Montgomery, Utech, **J. C. Pawlowski**, Ribble, Witzke, Diakoff, Cartwright, Christofferson. Lauson, Gose, Albrecht, King. Nays — 14— Grundman, Yanko, Hartmann, Metzsig, Broas, Planalp, Troxell, Eckrich, Laabs, Luebke, Knigge, Nielsen, Owens, Salomon. Excused — 3 — Schaidler, Putzer and Lawson. CARRIED.

**AMENDMENT (14)**

**INCLUDE FUNDING IN 1990 COUNTY TAX LEVY FOR PLANNING DEPARTMENT AERIAL PHOTOS (\$400,000)**

BE IT RESOLVED, that the sum of \$400,000 be placed in 1990 County Budget to provide funding for the Planning Department aerial photography project as indicated on page 21 of the Winnebago County Five Year Capital Improvement Program.

Submitted by,  
**CAROL OWENS**  
County Board Supervisor

Supervisor Owens withdrew this amendment.

**AMENDMENT (15)**

**DELETE \$80,000 FROM AIRPORT BUDGET FOR ENGINEERING AND PLANNING SERVICES**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that \$80,000 included in the 1990 Airport Annual Budget at page 371 for contract services:

Engineering and Planning be and same is hereby deleted.

Submitted by,  
**DAVID W. ALBRECHT**  
County Board Supervisor

Supervisor Albrecht moved and it was seconded to adopt. Supervisor Sundquist moved and it was seconded to amend to \$75,000. Vote on Sundquist Amendment: Ayes — 20 — O'Brien, Flavin, W. C. Pawlowski, Albright, Planalp, Sundquist, Schwartz, Robi, Kollath, Knigge, Maehl, Wollerman, Goff, Montgomery, Utech, Nielsen, J. C. Pawlowski, Witzke, Albrecht, King. Nays — 22— Grundman, Yanko, Widmer, Hartmann, Metzsig, Broas, Troxell, Gavinski, Eckrich, Laabs, Luebke, Steber, Wagner, Bremberger, Ribble, Diakoff, Owens, Cartwright, Christofferson, Lauson, Gose, Salomon. Excused — 3 — Schaidler, Putzer and Lawson. LOST.

Vote on Amendment (15). Ayes — 39. Nays — 3 — O'Brien, Maehl, Wollerman. Excused — 3 Schaidler, Putzer and Lawson. CARRIED.

**AMENDMENT (16)**

**DELETE \$15,000 FROM AIRPORT BUDGET FOR A PICKUP TRUCK**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the sum of \$15,000 included in the 1990 Airport Annual Budget at page 387 for a Pickup Truck be and the same is hereby deleted.

Submitted by,  
**DAVID W. ALBRECHT**  
County Board Supervisor

It was moved by Supervisor Albrecht and seconded to adopt. Vote: Ayes — 27 — W. C. Pawlowski, Grundman, Yanko, Widmer, Hartmann, Broas, Planalp, Robl, Troxell, Gavinski, Eckrich, Laabs, Luebke, Knigge, Steber, Wagner, Bremberger, Nielsen, J. C. Pawlowski, Ribble, Diakoff, Owens, Cartwright, Christofferson, Gose, Salomon, Albrecht. Nays — 16 — O'Brien, Flavin, Albright, Metzsig, Sundquist, Schwartz, Kollath, Maehl, Wollerman, Goff, Montgomery, Utech, Witzke, Lauson, King, Lawson. Excused — 2 — Schaidler and Putzer. CARRIED.

## AMENDMENT (17)

**REDUCE AIRPORT BUDGET  
FOR SIGNAGE TO \$5,000**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the \$10,000 funding included in the 1990 Airport Annual Budget for Signage at page 387 be reduced to \$5,000.

Submitted by,

**DAVID W. ALBRECHT**

County Board Supervisor

Supervisor Albrecht withdrew this amendment.

## AMENDMENT (18)

**REDUCE CORPORATION COUNSEL BUDGET FOR CONTRACT SERVICES**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the \$63,500 funding in the 1990 Corporation Counsel Annual Budget at page 13 for contract services be reduced to \$30,000.

Submitted by,

**JEANETTE DIAKOFF**

County Board Supervisor

Supervisor Diakoff moved and it was seconded to **adopt. Vote: Ayes** — 27 — Albright, W. C. Pawlowski, Flavin, Yanko, Widmer, Hartmann, Metzger, Broas, Planalp, Rob!, Troxell, Gavinski, Laabs, Luebke, Knigge, Wollerman, Steber, Wagner, Bremberger, Nielsen, Ribble, Diakoff, Owens, Christofferson, Gose, Salomon, Albrecht. Nays — 16 — O'Brien, Grundman, Sundquist, Schwartz, Kollath, Eckrich, Maehl, Goff, Montgomery, Utech, J. C. Pawlowski, Witzke, Cartwright, Lauson, King, Lawson. Excused — 2 — Schaidler and Putzer. **CARRIED.**

## AMENDMENT (19)

**APPORTION INDUSTRIAL DEVELOPMENT  
BOARD PER CAPITA DISTRIBUTIONS  
TO USERS OF FUNDS**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the per capita distribution in the Industrial Development 1990 Annual Budget at page 4 in the amount of \$68,025 be made a part of the apportionment charge and the users of that money (municipalities) be charged for the use.

Submitted by,

**JEANETTE DIAKOFF**

**KENNETH WIDMER**

**EUGENE F. YANKO**

County Board Supervisors

Motion by Supervisor Diakoff to adopt. Vote: Ayes — 11 — Albright, Yanko, Widmer, Laabs, Steber, Ribble, Diakoff, Owens, Christofferson, Salomon, Albrecht. Nays — 30. Excused — 3 — Utech, Schaidler and Putzer. **LOST.**

Supervisor J. C. Pawlowski moved and it was seconded to adjourn for lunch. Vote: Ayes — 21. Nays — 20. **CARRIED.**

\* \* \* \* \*

## AFTERNOON SESSION

Chairman Nielsen called the meeting to order at 1:30 P.M. Roll call showed all present except Supervisors Putzer, Utech, Knigge, Schaidler.

## AMENDMENT (20)

**INDICATE ADDITIONAL COUNTY TAX RATE  
INFORMATION IN BUDGET SUMMARY**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County tax rate as shown in the Budget Summary indicate the increase in tax rate payable in Winnebago County municipalities which

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are not exempt from the county library tax levy.

Submitted by,  
JEANETTE DIAKOFF  
KENNETH WIDMER  
EUGENE F. YANKO  
County Board Supervisors

Supervisor Diakoff moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**AMENDMENT (21)**

**CREATE COUNTY AUDITOR POSITION**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County Table of Organization be amended to include the new position of County Auditor; that the sum of \$50,000 be placed in the 1990 Annual Budget to cover salary and fringe benefits for this new position; that the said County Auditor shall be accountable to the Winnebago County Board and shall assist in the preparation of the annual Winnebago County Budget including expenses and revenues.

Submitted by,  
JEANETTE DIAKOFF  
KENNETH WIDMER  
EUGENE F. YANKO  
County Board Supervisors

Supervisor Diakoff moved and it was seconded to adopt. Supervisor Yanko moved to amend and it was seconded as follows: delete "and shall assist in the preparation of the annual Winnebago County Budget including expenses and revenues." CARRIED BY VOICE VOTE.

Vote on Amendment (21) as amended: Ayes — 30. Nays — 9 — Metzgi, Schwartz, Troxell, Kollath, Eckrich, Wollerman, Goff, J. C. Pawlowski, Lawson. Excused — 6 — Widmer, Knigge, Bremberger, Utech, Schaidler, Putzer. CARRIED.

**AMENDMENT (22)**

**INCREASE AIRPORT BUDGET TO REFLECT REVENUE LOSS**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the sum of \$30,000 be added to the Airport Budget to replace anticipated rental and landing fee revenues which will not be received because the Airport Terminal Remodeling Project was deleted from the 1990 Annual Budget.

Submitted by,  
PAUL SUNDQUIST  
County Board Supervisor

It was moved by Supervisor Sundquist and seconded to adopt. Vote: Ayes — 14 — O'Brien, Planalp, Sundquist, Troxell, Maehl, Wollerman, Goff, Montgomery, Nielsen, Witzke, Christofferson, Lauson, King, Lawson. Nays — 26 — Flavin, W. C. Pawlowski, Grundman, Al-bright, Yanko, Widmer, Hartmann, Metzgi, Broas. Schwartz, Robl, Kollath, Gavinski, Eckrich, Laabs, Luebke, Steber, Wagner, J. C. Pawlowski, Ribble, Diakoff, Owens, Cartwright, Gose, Salomon, Albrecht. Excused — 5 — Putzer, Utech, Knigge, Schaidler, Bremberger. LOST.

**AMENDMENT (23)**

**ADD FUNDS TO BUDGET FOR PLANNING**

**AND DEVELOPMENT OF A RACETRACK.**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the sum of \$25,000 be added to the 1990 Annual Budget for planning and development of a racetrack at the new Winnebago County Fairgrounds and Exposition Center.

Submitted by,  
DAVID KOLLATH  
County Board Supervisor

Supervisor Kollath moved and it was seconded to adopt. Supervisor Albright suggested traffic st~di?s in the Town of Oshkosh be done. Vote on Amendment Ayes — 20 — O'Brien, Flavin, Grundman, Hartma-

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in, Broas, Troxell, Kollath, Eckrich, Maehl, Wolle:ri~tn, Goff, Wagner, J. C. Pawlowski, Witzke, Cartwright, Christofferson, Lauson, Gose, Salomon, King. Nays — 19 — W. C. Pawlowski, Albright, Yanko, Metzgi, PLanalp, Sundquist, Schwartz, Robi. Gavinski, Laabs, Luebke, Steber, Montgomery, Nielsen, Ribble, Diakoff, Owens, Albrecht, Lawson. Excused — 6 — Widmer, Knigge, Bremberger, Utech, Schaidler, Putzer. CARRIED.

**RESOLUTION NO. 247-1089**  
**LIMIT ON WINNEBAGO COUNTY PURCHASE**  
**OF VEHICLES FOR DEPARTMENT HEADS**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that for future annual county budget purposes Winnebago County shall not purchase any department head a vehicle if there is a vehicle available through a county fleet of vehicles for use by the department head.

Submitted by, JACQUELYN WAGNER  
County Board Supervisor

Supervisor Wagner moved and it was seconded to adopt. Supervisor Wagner moved to amend to allow the Personnel and Finance Committee bring in a policy on purchase of vehicles for county use by January, 1990. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 248-1089**  
**COUNTY MILEAGE ALLOWANCE TO REMAIN AT**  
**20 CENTS PER MILE**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the present mileage reimbursement for travel made on behalf of Winnebago County shall remain at 20¢ per mile.

Submitted by, JACQUELYN WAGNER  
County Board Supervisor

Supervisor Wagner moved and it was seconded to refer to Personnel and Finance Committee. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 249-1089**  
**DEPARTMENT HEADS TO PROVIDE BUILDINGS AND GROUNDS COMMITTEE WITH AN**  
**INVENTORY AND JUSTIFICATION FOR FUTURE EQUIPMENT AND MERCHANDISE**  
**PURCHASES**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that all Winnebago County department heads shall provide the Buildings and Grounds Committee a complete inventory of office equipment, appliances, furniture and the like in their respective departments as soon as possible.

BE IT FURTHER RESOLVED, that the Buildings and Grounds Committee be provided a Statement of Justification for Purchase prior to any purchase of new equipment, appliance or furniture by any department head.

Submitted by, JACQUELYN WAGNER  
County Board Supervisor

Supervisor Wagner moved and it was seconded to adopt. Supervisor Broas moved to amend to delete "as soon as possible" and insert "by January 1, 1990" in the first paragraph. CARRIED BY VOICE VOTE. Vote on Resolution 249-1089 as amended: CARRIED BY VOICE VOTE.

\* \* \* \* \*

Supervisor Planalp asked what was planned for the switchboard for next year. A report on the switchboard will be given at the October 30, 1989 meeting.

Del LaMarche stated the preliminary increase in the tax rate with the changes and additions made during the budget session is \$17,980,352.

Discussion was held on the budget session and suggestions for improvements. Supervisors expressed a desire to have separate resolutions for capital outlay and personnel matters. They also wished to have a different budget book format which would be simplified and less confusing.

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The Personnel & Finance Committee was commended for the fine job they did in reviewing the budget. Supervisor Kollath moved and it was seconded to adjourn until October 30, 1989. CARRIED BY VOICE VOTE.

Respectfully submitted, Linda Wolfe Winnebago County Clerk

State of Wisconsin  
County of Winnebago

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for its Annual Budget Session held October 23-25, 1989.

Linda Wolfe

Winnebago County Clerk

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
Monday, October 30, 1989**

Chairman Ralph R. Nielsen called the meeting to order at 6:00 P.M. in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: Kollath, J. C. Pawlowski, Flavin, Gavinski, Ribble, W. C. Pawlowski, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Steber, Lauson, Eckrich, Diakoff, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson, O'Brien, Bremberger, Widmer. Excused: Metzsig.

Supervisor J. C. Pawlowski moved and it was seconded to dispense of the minutes of October 23-25, 1989.

**CARRIED BY VOICE VOTE.**

Supervisor John Planalp moved and it was seconded to amend the agenda to include Resolution 255-1089 and adopt the agenda as amended. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

Petition from approximately 150 county citizens requesting the restriction of vehicular racing at the Fairgrounds was received and placed on file.

Notice of Claim from Randy N. Coenen re: false arrest. Referred to Personnel and Finance Committee.

**APPOINTMENT**

County Executive Stevenson presented the following appointment which was approved:

Supervisor James Flavin  
to the City of Menasha Tax Incremental District  
No. 3

**COMMITTEE REPORTS**

Supervisor Eckrich distributed a new newsletter from the Tn-County Ice Arena called "TCIA Icebreaker" to the supervisors.

**COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Nielsen announced the Personnel and Finance Committee meeting scheduled for Tuesday, October 31, 1989 has been cancelled.

**PUBLIC HEARING**

There were no comments from the public.

## COUNTY EXECUTIVE'S REPORT

County Executive Stevenson read his veto message to the board and explained his reasons for vetoing Resolution 249-1089.

## REPORTS, RESOLUTIONS &amp; ORDINANCES

## RESOLUTION NO. 245-1089

## ADOPT 1990 ANNUAL BUDGET

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the 1990 Annual County Budget, a copy of which is incorporated herein by reference, be and same is hereby adopted.

Submitted by,

## PERSONNEL &amp; FINANCE COMMITTEE

Motion by Supervisor King and seconded to adopt. Corrections were made and noted as follows: County Executive Budget — All Funds — change Coroner's 1990 Adopted Budget figure to \$62,105 and Emergency Government to \$170,576. Page 1 of Capital Outlays: All Funds — By Department (Revised) — Dept. 141: PLANNING — Tektronic graphics tube should be \$3,395, and the total changed to \$123,395. Supervisor Broas announced the Restitution Coordinator was not included in the 1990 Budget. The Social Services Department will submit it for approval at the next County Board meeting. Supervisor King noted under the Table of Organization of Classified Positions — Community Programs — Clinical Services — Team Case Manager should be 4 instead of 3, and delete Intake Worker — 1.

Vote on Resolution 245-1089 as amended: Ayes — 36. Nays — 7 — Eckrich, Laabs, Wagner, Ribble, Diakoff, Owens, and Putzer. Abstain — 1 — Gose. Excused — 1 — Metzger. CARRIED.

## RESOLUTION NO. 250-1089

## AUTHORIZE THE PREPARATION OF THE 1990 APPLICATION AND THE COUNTY'S MATCHING SHARE REGARDING SPECIALIZED TRANSPORTATION SERVICES

**TO THE ELDERLY AND HANDICAPPED**

WHEREAS, Section 85.21 of the Wisconsin Statutes authorizes the Wisconsin Department of Transportation to make grants to the counties of Wisconsin for the purpose of assisting them in providing specialized transportation services to the elderly and the handicapped; and

WHEREAS, each grant must be matched with a local share of not less than 20% of the amount of the grant; and

WHEREAS, this body considers that the provision of specialized transportation services would improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the handicapped.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Winnebago County on this 30th day of October, 1989, authorizes the Winnebago County Department of Community Programs and Committee on Aging to prepare and submit to the Wisconsin Department of Transportation an application for assistance (anticipated to be \$116,235) during 1990 under Section 85.21 of the Wisconsin Statutes, in conformance with the requirements issued by that Department and also authorizes the obligation of county funds in the amount of \$23,247 in order to provide the required local match.

BE IT FURTHER RESOLVED, that funds budgeted for this purpose, and included in the 1990 Budget, be and the same are hereby made available to cover Winnebago County's share of this project.

BE IT FURTHER RESOLVED, that the Winnebago County Board of Supervisors authorize Unified Board and Commission on Aging to execute a state aid contract with the Wisconsin Department of Transportation under Section 85.21 of the Wisconsin Statutes on behalf of Winnebago County.

Submitted by,

## COMMITTEE ON AGING

and

## DEPARTMENT OF COMMUNITY PROGRAMS

Supervisor Schwartz moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

## RESOLUTION NO. 251-1089

Adjourned Session (October 30, 1989)

AUTHORIZE PARTICIPATION IN RECREATION  
BOATING FACILITIES GRANT PROGRAM

WHEREAS, funds may be available in 1989-1990 through the Department of Natural Resources, Recreation Boating Facilities Program, for the renovation/development of boat launch sites; and

WHEREAS, it is necessary for the County Board to authorize the submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive be and hereby is authorized to make application on behalf of Winnebago County with the Department of Natural Resources, Recreation Boating Facilities Program, for funds for renovation/development of boat launch sites.

Submitted by,

PARKS & RECREATION COMMITTEE

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

RESOLUTION NO. 252-1089

ADOPT 1988 **OVERALL** ECONOMIC  
DEVELOPMENT PROGRAM ANNUAL REPORT

WHEREAS, the East Central Wisconsin Regional Planning Commission has prepared an Overall Economic Development Program (OEDP) which analyzes the economy of the region and sets forth certain strategies to encourage economic development; and

WHEREAS, the Winnebago County Board of Supervisors has previously adopted the Overall Economic Development Program to enable designation of the region as an Economic Development District; and

WHEREAS, this program required annual updating to maintain a current perspective on the economic development issues of the county and the region; and

WHEREAS, the annual update maintains eligibility for Economic Development Administration funding of economic development projects and supports local development projects for other federal and state programs; and

WHEREAS, the County and its municipalities have participated in the Overall Economic Development Program planning process.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors hereby adopts the Overall Economic Development Program 1988 Annual Report prepared by the East Central Wisconsin Regional Planning Commission, a copy of which was submitted to each County Board Member prior to this date.

Submitted by,

INDUSTRIAL DEVELOPMENT BOARD

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

**RESOLUTION NO. 253-1089**

**COUNTY LOGO OR SHERIFF'S DEPARTMENT EMBLEM TO APPEAR ON CERTAIN  
COUNTY OWNED VEHICLES**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that all Winnebago County owned vehicles shall have the Winnebago County logo conspicuously displayed thereon; that all Sheriff's Department one-on-one vehicles shall have the Winnebago County Sheriff's Department emblem conspicuously displayed thereon.

Submitted by, CAROLE BROAS

County Board Supervisor

Moved by Supervisor Broas and seconded to amend the resolution to end at the semi-colon. CARRIED BY VOICE VOTE. Supervisor Broas amended it further to add "with the exception of the Sheriff's Department cars" after "county-owned vehicles." CARRIED BY VOICE VOTE. Supervisor Owens moved to amend and it was seconded to change "shall" to "may." CARRIED BY VOICE VOTE.

Vote on Resolution 235-1089 as amended — CARRIED BY VOICE VOTE.

**RESOLUTION NO. 254-1089  
PROVIDE ADDITIONAL FUNDS FOR  
SANITARY SEWER ASSESSMENT —BLACK WOLF BOAT LANDING (\$3,700)**

BE IT RESOLVED, by the Winnebago County Board of Supervisors that the additional sum of \$3,700 be made available from the Contingency Fund to cover one half of the Town of Black Wolf Sanitary District sewer assessment for the sanitary sewer service to the residential life estate tenancy held by Mrs. Michael Nagy on county owned lands at the Black Wolf Boat Landing.

Submitted by, PARKS AND RECREATION COMMITTEE

Vote Requirement for Passage: 2/3rds

Motion by Supervisor Lauson and seconded to adopt. Vote: Ayes — 43. Nays — 1 — Planaip. Excused — 1 — Metzgi. CARRIED.

**RESOLUTION NO. 255-1089  
INCLUDE BUILDINGS AND GROUNDS  
COMMITTEE IN PLANNING FOR AND USE OF  
NEW COUNTY UTILITY BUILDING**

WHEREAS, the 1990 Budget includes construction of a utility building for use by the Sheriff's Department and Emergency Government; and

WHEREAS, the County Maintenance Department has need for additional storage space and is interested in utilizing a portion of the aforementioned building; and

WHEREAS, it is appropriate that plans for and construction of any new county utility building be coordinated with the Buildings and Grounds Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Buildings and Grounds Committee be consulted and included in any plans for and construction of a new county utility building for use by the Sheriff's Department, Emergency Government and the County Maintenance Department.

Submitted by,  
EUGENE F. YANKO  
County Board Supervisor

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

**RESOLUTION NO. 249-1089  
DEPARTMENT HEADS TO PROVIDE BUILDINGS AND GROUNDS COMMITTEE WITH AN  
INVENTORY AND JUSTIFICATION FOR FUTURE EQUIPMENT AND MERCHANDISE  
PURCHASES**

Supervisor Maehl moved and it was seconded to reconsider Resolution 249-1089 which had been vetoed by County Executive Paul Stevenson. CARRIED BY VOICE VOTE.

**COUNTY EXECUTIVE'S VETO MESSAGE**

My main objections to this resolution are that it is unnecessary in that there are sufficient reviews of such purchases already being made and that it will conflict with my duties of administering the 1990 Winnebago County Budget.

This resolution requires Department Heads to prepare and submit to Buildings and Grounds Committee an inventory of equipment, appliances and furniture in their offices.

The County Finance Director indicated to the County Board that his office maintains an inventory of all fixed assets and equipment assets which originally cost \$150 or more. A copy of that inventory will be made available to the Buildings and Grounds Committee upon request. I do not believe that it is necessary to have Winnebago County Department Heads prepare another inventory. It would be unnecessary duplication without any specific benefit to the County.

Resolution 249-1089 also requires Department Heads to provide the Buildings and Grounds Committee with justification for future equipment and merchandise purchases.

Equipment, appliances and furniture are capital outlay items. The funding for or purchase of capital

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outlay items presently requires review and approval by the committee of jurisdiction, the County Executive, the Personnel and Finance Committee, the County Board and the County Purchasing Director.

Justification for such purchases is made to the County Executive by Department Heads at the time funds are considered for placement in the proposed annual county budget. The County Executive also reviews and approves the actual purchase of capital outlay items immediately prior to purchase by the County Purchasing Director.

Significant changes in the policies relating to capital outlay items have been included by the County Board in the 1990 Budget. No changes or substitutions in capital outlay items may occur without approval of the Personnel and Finance Committee, pursuant to its rules, or by resolution of the County Board.

I believe the additional requirement for a purchase justification review and approval by the Buildings and Grounds Committee will result in unnecessary delays in the purchase of capital outlay items and will interfere with the orderly purchasing procedures which are presently in place. It is my responsibility as County Executive to assure the citizens of Winnebago County that there is sufficient justification for the actual purchase of budgeted or approved capital outlay items.

Therefore, pursuant to sec. 59.031(6) Wis. Stats., I respectfully return Resolution 249-1089 to the Winnebago County Board of Supervisors and request that the foregoing objections be entered at large in the Winnebago County Board proceedings. Your vote to sustain my objections will be appreciated.

Paul W. Stevenson  
Winnebago County Executive

Vote on Resolution 249-1089: Ayes — 8 — Yanko, Broas, Gavinski, Wagner, Schaidler, Diakoff, Albrecht, Putzer. Nays — 34. Abstentions — 2 — Owens and Eckrich. Excused — 1 — Metzsig. VETO SUSTAINED.

\* \* \* \* \*

Supervisor Montgomery requested a report on the separation of powers between the executive and legislative branch of county government. Mr. Engeldinger was asked for an interpretation of the statutes on who is in charge when the County Executive is absent or incapacitated.

\* \* \* \* \*

Supervisor Bremberger moved and it was seconded to adjourn until November 21, 1989 at 6:00 P.M. Motion carried.

Respectfully submitted, Linda Wolfe  
Winnebago County Clerk

State of Wisconsin  
County of Winnebago

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held October 30, 1989.

Linda Wolfe  
Winnebago County Clerk

**Proceedings  
of the  
Board of  
Supervisors  
of  
Winnebago County**  
**ADJOURNED SESSION**  
**COUNTY BOARD MEETING**  
**Tuesday, November 21, 1989**

The Winnebago County Board of Supervisors was called to order by the Chairman Ralph R. Nielsen at 6:00 p.m., in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: Kollath, J.C. Pawlowski, Flavin, Gavinski, Ribble, W.C. Pawlowski, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Steber, Lauson, Eckrich, Diakoff, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson, Bremberger. Excused: O'Brien, Metzger, Widmer.

Supervisor J.C. Pawlowski moved and it was seconded to approve the minutes of October 23-25 and October 30, 1989. CARRIED BY VOICE VOTE. Supervisor Planalp noted that on page 193 a report on switchboard was requested. Chairman Nielsen suggested the report be made at the January 2, 1990 Special Order of Business meeting.

Supervisor John Planalp moved and it was seconded to adopt the agenda. CARRIED BY VOICE VOTE. Supervisor King moved and it was seconded to Resolution 272-1189 to the agenda. CARRIED BY VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

A note from the family of Julia M. Flavin was read and placed on file. A letter from Harvey A. Radtke thanking the County Board for its commendation was read and placed on file.

Petition for Zoning Amendment from Diana Schettl re: change from R-1 to remove floodplain designation. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from Bernie Miller re: change from A-1 to R-1 for residential single family dwelling. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from Bohn Farms, Inc. re: change from R-1 to R-2 for residential lots. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from William J. Bukur re: change from B-2 to R-1 for construction of single-family dwelling(s). REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from Austin Wheaton re: change from B-2 to R-1 for single family residence. REFERRED TO PLANNING & ZONING COMMITTEE.

**COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Nielsen extended the sympathy of the County Board to Supervisor James Flavin on the recent loss of his wife. The County Board Christmas Party will be held on December 18, 1989 at 6:00 P.M. at the Winro Golf & Supper Club in Omro. Invitations will be sent out after Thanksgiving. A special Orders

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of Business meeting will be held on Tuesday, January 2, 1990. Former County Board members will be invited to celebrate the 150th anniversary of Winnebago County. Supervisors were requested to contact Chairman Nielsen for any items to be placed on the agenda for the Special Orders meeting.

### COMMITTEE REPORTS

Supervisor Wagner reported the Buildings & Grounds Committee received the inventory of the county's equipment. They are going to meet with County Executive Stevenson to discuss it with him.

### PUBLIC HEARING

Mr. Walt Chrapla, 721 Mitchell Street, Neenah, WI spoke against Resolution 257-1189 regarding the landfill and the expenses involved:

### ZONING REPORTS AND ORDINANCES

REPORT NO. 1. A report from Planning & Zoning Committee re: zoning change to R-2 for single-family subdivision. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-1-89. A request from Winagamie, Inc. for change from P-1 to R-2. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 2. A report from Planning & Zoning Committee re: zoning change to R-2 for single-family subdivision development. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 9-2-89. A request for zoning change from A-2 to R-2 from Donald Gehrt. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

### REPORTS, RESOLUTIONS & ORDINANCES

#### RESOLUTION NO. 256-1189

#### Authorize Borrowing of \$5,225,000;

#### Provide for Issuance and Sale of General

#### Obligation Bonds, Series 1990 A Therefor

WHEREAS, the County Board hereby finds and determines that it is necessary, desirable and in the best interest of Winnebago County, Wisconsin (the "County") to raise funds for the purpose of paying a portion of the cost of purchasing and installing enhanced emergency telecommunications equipment for the Sheriff's Department and constructing and equipping a building for use by the University of Wisconsin Fox Valley Center (the "Project"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the County Board hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1) (b) of the Wisconsin Statutes; and,

WHEREAS, counties are authorized by the provisions of Section 67.04(2) of the Wisconsin Statutes to borrow money and to issue general obligation bonds for such public purposes.

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

**Section 1. Authorization of the Bonds.** For the purpose of paying a portion of the cost of the Project, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of FIVE MILLION TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$5,225,000) from a purchaser to be determined by competitive sale (the "Purchaser").

**Section 2. Sale of the Bonds.** To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation bonds aggregating the principal amount of FIVE MILLION TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$5,225,000) (the "Bonds").

**Section 3. Sale Date and Price of the Bonds.** The County shall offer the Bonds for public sale on January 16, 1990 at a price of not less than One Hundred Percent (100%) of the principal amount thereof, plus accrued interest to the date of delivery.

**Section 4. Notice of Sale.** The Finance Director is hereby authorized and directed to cause a notice of sale,

in substantially the form attached hereto as **Exhibit A** and incorporated herein by this reference, to be published at least once in either the Oshkosh Northwestern, the official newspaper of the County or in **The Bond Buyer**, a financial newspaper published in New York, New York prior to the date set for the sale of the Bonds.

**Section 5. Official Notice of Sale.** The Finance Director (in consultation with the County's financial advisor, First Wisconsin National Bank of Milwaukee) shall also cause an Official Notice of Sale to be prepared and distributed in substantially the form attached hereto as **Exhibit B** and incorporated herein by this reference and may prepare or cause to be prepared and distributed an Official Statement or other form of offering circular.

**Section 6. Arbitrage Covenant.** The County shall not take any action with respect to the Bond Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Bonds (the "Closing"), would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (the "Regulations").

The Bond Proceeds maybe temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Bonds remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Bonds, whether such moneys were derived from the Bond Proceeds or from any other source, will not be used or invested in a manner which would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or Regulations.

The County Clerk, or other officer of the County charged with responsibility for issuing the Bonds, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Bond Proceeds and the facts and estimates on which such expectations are based, all as of the closing.

**Section 7. Additional Tax Covenants Including Rebate; Qualified Tax-Exempt Obligation Status.** The County hereby further **covenants and** agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Bonds) to assure that the Bonds are obligations described in Section 103(1) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds, shall provide an appropriate certificate of the County for inclusion in the transcript of proceedings as of the closing, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Bonds will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes.

The County does not anticipate that it will qualify for the small issuer exemption from the rebate requirements of the Code. Accordingly, the County hereby covenants and agrees that there shall be paid from time to time all amounts to be rebated to the United States pursuant to Section 148(4) of the Code and any applicable income tax regulations proposed or promulgated thereunder. This covenant and agreement shall survive payment in full or defeasance of the Bonds. In order to fulfill such covenant and agreement, the County is hereby authorized to employ independent accountants, consultants or attorneys to assist in determining the rebate amounts.

The County hereby covenants that it is a governmental unit with general taxing powers and that the Bonds are not "private activity bonds" as defined in Section 141 of the Code.

The County hereby designates the Bonds to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b) (3) of the Code and in support of such designation, the County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide an appropriate certificate of the County as of the closing.

**Section 8. Award of the Bonds.** Following receipt of bids for the Bonds, the County shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor whose proposal results in the lowest true interest cost to the County; and to levy a direct annual irrepealable tax to pay the principal of and interest on the Bonds as the same becomes due as required by law.

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**Section 9. Conflicting Resolutions; Severability; Effective Date.** All prior resolutions, rules or other actions of the County 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 this 21st day of November, 1989.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

EXHIBIT A  
NOTICE OF SALE  
\$5,225,000

WINNEBAGO COUNTY, WISCONSIN  
GENERAL OBLIGATION BONDS,  
SERIES 1990 A

DATED FEBRUARY 1, 1990

SEALED BIDS will be received until 11:00 a.m. (Central Time) on January 16, 1990

The Bonds will be dated February 1, 1990 and will mature serially on April 1 of each year, in the years and principal amounts as follows:

Year	Principal Amount	Year	Principal Amount
1991	\$ 50,000	1996	\$610,000
1992	520,000	1997	650,000
1993	500,000	1998	690,000
1994	530,000	1999	835,000
1995	570,000	2000	270,000

Interest is payable commencing on October 1, 1990 and semi-annually thereafter on April 1 and October 1 of each year.

The Bonds will be issued in book-entry form only. The Bonds when issued, will be registered in the name of CEDE & Co., as nominee for The Depository Trust Company, New York, New York, who will act as the securities depository of the Bonds.

The Bonds maturing on April 1, 1997 and thereafter are callable on April 1, 1996 and thereafter in the manner provided in the Official Notice of Sale.

The Bonds shall be designated "qualified tax-exempt obligations".

The Bonds are being issued for the purpose of paying a portion of the cost of purchasing and installing enhanced emergency telecommunications equipment for the Sheriff's Department and constructing and equipping a building for use by the University of Wisconsin Fox Valley Center.

The approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin and the transcript of proceedings will be furnished to the Purchaser without cost. Additional information including the Official Notice of Sale and the Preliminary Official Statement may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202, Attention: David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned. Delore R. LaMarche, Finance Director, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, WI 54903, (414) 235-2500.

**Registration.** The Bonds will be issued as fully-registered bonds without coupons and, when issued, will be registered only in the name of CEDE & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository of the Bonds. A single Bond certificate for each maturity will be issued to DTC and immobilized in its custody. Individual purchases may be made in book-entry form only pursuant to the rules and procedures established between DTC and its participants, in the principal amount of \$5,000 and integral multiples thereof. Individual purchasers will not receive certificates evidencing their ownership of the Bonds purchased. The successful bidder shall be required to deposit the Bond certificates with DTC as a condition to delivery of the Bonds. The County will make

payments of principal and interest on the Bonds to DTC or its nominee as registered owner of the Bonds in next-day funds. Transfer of those payments to participants of DTC will be the responsibility of DTC; transfer of the payments to beneficial owners by DTC participants will be the responsibility of such participants and other nominees of beneficial owners all as required by DTC rules and procedures. No assurance can be given by the County that DTC, its participants and other nominees of beneficial owners will make prompt transfer of the payments as required by DTC rules and procedures. The County assumes no liability for failures of DTC, its participants or other nominees to promptly transfer payments to beneficial owners of the Bonds.

**Depository.** In the event that the securities depository relationship with DTC for the Bonds is terminated and the County does not appoint a successor depository, the County will prepare, authenticate and deliver, at its expense, fully-registered certificate Bonds in the denominations of \$5,000 or any integral multiple thereof in the aggregate principal amount of Bonds of the same maturities and with the same interest rate or rates then outstanding to the beneficial owners of the Bonds.

**Authority and Security.** The Bonds shall be issued pursuant to Chapter 67, Wisconsin Statutes and resolution adopted by the County Board. The Bonds are general obligations of the County. The principal of and interest on the Bonds will be payable from ad valorem taxes, which may be levied without limitation as to rate or amount upon all of the taxable property located in the County. The Bonds shall be issued for the purpose of paying a portion of the cost of purchasing and installing enhanced emergency telecommunications equipment for the Sheriff's Department and constructing and equipping a building for use by the University of Wisconsin Fox Valley Center.

**Qualified Tax-Exempt.** The County has designated the Bonds to be "qualified tax exempt obligations" pursuant to the provisions of Section 265(b) (3) of the Internal Revenue Code of 1986, as amended, and in support of such designation, the Finance Director or other officer of the County charged with the responsibility for issuing the Bonds, shall provide an appropriate certificate of the County as of the date of delivery and payment for the Bonds.

**Bid Specifications.** Bids will be received on an interest rate basis in integral multiples of One-Twentieth (1/20) or One-Eighth (1/8) of One Percent (1%). Any number of rates may be bid but the difference between the highest and lowest rate bid shall not exceed Two Percent (2%). All Bonds of the same maturity shall bear the same interest rate. No bid for less than One Hundred Percent (100%) of the principal amount of the Bonds plus accrued interest to the date of delivery will be considered. The Bonds will be awarded on the basis of the lowest true interest cost to the County.

**Good Faith Deposit.** Each bid shall be accompanied by a certified check or cashier's check payable to the Finance Director in the amount of FIFTY-TWO THOUSAND TWO HUNDRED FIFTY DOLLARS (\$52,250). The check of the successful bidder shall constitute a good faith deposit and shall be retained by the County to insure performance of the requirements of the sale by the successful bidder. In the event the successful bidder shall fail to comply with the terms of its bid, the check will be forfeited as full and complete liquidated damages. Upon delivery of the Bonds, the check will be applied to the purchase price of the Bonds or returned to the Purchaser, but no interest shall be allowed thereon. After the award is made to the successful bidder, the checks of the unsuccessful bidders will be returned forthwith.

**Form of Bonds; Delivery.** The Bonds shall be delivered in typewritten form, one Bond per maturity, to The Depository Trust Company, securities depository of the Bonds for the establishment of book-entry accounts at the direction of the successful bidder within approximately forty-five (45) days after the award. Payment at the time of delivery must be made in federal or other immediately available funds. In the event delivery is not made within forty-five (45) days after the date of the sale of the Bonds, the successful bidder may, prior to tender of the Bonds, at its option, be relieved of its obligation under the contract to purchase the Bonds and its good faith check shall be returned, but no interest shall be allowed thereon.

**Legal Opinion.** The successful bidder will be furnished without cost, the unqualified approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin. A copy of said legal opinion shall be affixed to the Bonds. A transcript of the proceedings relative to the issuance of the Bonds (including a No-litigation Certificate) shall be furnished to the successful bidder without cost. CUSIP numbers will be included on the typewritten Bonds.

**Purchaser's Certificate.** Simultaneously with or before delivery of the Bonds, the successful bidder shall furnish to the County a certificate, made on the best knowledge, information and belief of the

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successful bidder, acceptable to bond counsel, stating the initial reoffering prices to the public of each maturity of the Bonds and further stating that a substantial amount of each maturity of the Bonds was sold to the public or final purchasers thereof (not including bond houses and brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at or below such initial reoffering prices.

**Irregularities.** The County reserves the right to reject any and all bids and to waive any and all irregularities.

**Information.** Copies of the Official Statement and additional information may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202; Attention: David L. DeYoung, Assistant Vice President (414) 765-4171 or the undersigned. Delore R. LaMarche, Finance Director, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, WI 54903, (414) 235-2500.

EXHIBIT B  
**OFFICIAL NOTICE OF SALE**  
**\$5,225,000**  
**WINNEBAGO COUNTY, WISCONSIN**  
**GENERAL OBLIGATION BONDS**  
**SERIES 1990 A**  
**DATED FEBRUARY 1, 1990**

**Date, Time, Place.** Sealed bids will be received by the Finance Director, Winnebago County, Wisconsin for all but no part of its \$5,225,000 Winnebago County General Obligation Bonds, Series 1990 A, in the office of the County Executive, Room 165, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin 54903 until 11:00 a.m. (Central Time) on January 16, 1990 at which time the bids will be publicly opened and read. The bids should be directed to the Finance Director and plainly marked "Bid for Series 1990 A Bonds". A meeting of the County Board will be held on said date for the purpose of taking action on such bids as may be received.

**Details of the Bonds.** The Bonds will be dated February 1, 1990 and will mature serially on April 1 of each year, in the years and principal amounts as follows:

<b>Year Principal Amount</b>		<b>Year Principal Amount</b>	
1991	\$ 50,000	1996	\$610,000
1992	520,000	1997	650,000
1993	500,000	1998	690,000
1994	530,000	1999	835,000
1995	570,000	2000	270,000

Interest on said Bonds will be payable commencing on October 1, 1990 and semi-annually thereafter on April 1 and October 1 of each year.

**Optional Redemption.** At the option of the County, the Bonds maturing on April 1, 1997 and thereafter shall be subject to redemption prior to maturity on April 1, 1996 or on any interest payment date thereafter. Said Bonds shall be redeemable as a whole or in part, in inverse order of maturity and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Motion by Supervisor King and seconded to adopt. Supervisor Diakoff moved and it was seconded to amend after "telecommunications equipment" to add "\$475,000" and after "equipping a building" to add "\$4,750,000" in the first paragraph. AMENDMENT CARRIED BY VOICE VOTE. Vote on Resolution: Ayes—41. Abstention—1—Ribble. Excused: Widmer, O'Brien, Metzger. CARRIED

**RESOLUTION NO. 257-1189 AUTHORIZE BORROWING OF \$3,900,000;  
PROVIDE FOR ISSUANCE AND SALE OF  
GENERAL OBLIGATION PROMISSORY  
NOTES, SERIES 1990 B THEREFOR**

WHEREAS, the County Board hereby finds and determines that it is necessary, desirable and in the best interest of Winnebago County, Wisconsin (the "County") to raise funds for the purpose of paying the cost of funding an escrow account to finance closure and long term care costs for the County's Snell Road and Sunnyview solid waste landfill sites (the "Project"), and there are insufficient funds on hand to pay said

costs;

WHEREAS, the County Board hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1) (b) of the Wisconsin Statutes; and,

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes.

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

**Section 1. Authorization of the Notes.** For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of THREE MILLION NINE HUNDRED THOUSAND DOLLARS (\$3,900,000) from a purchaser to be determined by competitive sale (the "Purchaser").

**Section 2. Sale of the Notes.** To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation promissory notes aggregating the principal amount of THREE MILLION NINE HUNDRED THOUSAND DOLLARS (\$3,900,000) (the "Notes").

**Section 3. Sale Date and Price of the Notes.** The County shall offer the Notes for public sale on January 16 1990 at a price of not less than One Hundred Percent (100%) of the principal amount thereof, plus accrued interest to the date of delivery.

**Section 4. Notice of Sale.** The Finance Director is hereby authorized and directed to cause a notice of sale, in substantially the form attached hereto as **Exhibit A** and incorporated herein by this reference, to be published at least once in either the Oshkosh Northwestern, the official newspaper of the County or in **The Bond Buyer**, a financial newspaper published in New York, New York prior to the date set for the sale of the Notes.

**Section 5. Official Notice of Sale.** The Finance Director (in consultation with the County's financial advisor, First Wisconsin National Bank of Milwaukee) shall also cause an official notice of sale to be prepared and distributed in substantially the form attached here as **Exhibit B** and incorporated herein by this reference and may prepare or cause to be prepared and distributed an Official Statement or other form of offering circular.

**Section 6. Arbitrage Covenant.** The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (the "Regulations").

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or Regulations.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the closing.

**Section 7. Additional Tax Covenants Including Rebate; Qualified Tax-Exempt Obligation Status.** The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. 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 for inclusion in the transcript of proceedings as of the closing, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code,

the interest on which is excluded from gross income for federal income tax purposes.

The County does not anticipate that it will qualify for the small issuer exemption from the rebate requirements of the Code. Accordingly, the County hereby covenants and agrees that there shall be paid from time to time all amounts to be rebated to the United States pursuant to Section 148(f) of the Code and any applicable income tax regulations proposed or promulgated thereunder. This covenant and agreement shall survive payment in full or defeasance of the Notes. In order to fulfill such covenant and agreement, the County is hereby authorized to employ independent accountants, consultants or attorneys to assist in determining the rebate amounts.

The County hereby covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

The County hereby designates the Notes to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b) (3) of the Code and in support of such designation, the County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County as of the closing.

**Section 8. Award of the Notes.** Following receipt of bids for the Notes, the County shall consider taking further action to provide the details of the Notes; to award the Notes to the lowest responsible bidder therefor whose proposal results in the lowest true interest cost to the County; and to levy a direct annual irrevocable tax to pay the principal of the interest on the Notes as the same becomes due as required by law.

**Section 9. Conflicting Resolutions; Severability; Effective Date.** All prior resolutions, rules or other actions of the County 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 this 21st day of November, 1989.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

EXHIBIT A  
NOTICE OF SALE  
\$3,900,000

WINNEBAGO COUNTY, WISCONSIN  
GENERAL OBLIGATION PROMISSORY  
NOTES, SERIES 1990 B  
DATED FEBRUARY 1, 1990

SEALED BIDS will be received until 11:00 a.m.  
(Central Time) on  
January 16, 1990

The Notes will be dated February 1, 1990 and will mature serially on August 1 of each year, in the years and principal amounts as follows:

Year	Principal Amount	Year	Principal Amount
1993	\$700,000	1996	\$825,000
1994	725,000	1997	875,000
1995	775,000		

Interest is payable commencing on August 1, 1990 and semi-annually thereafter on February 1 and August 1 of each year.

The Notes will be issued in book-entry form only. The Notes when issued, will be registered in the name CEDE & Co., as nominee for The Depository Trust Company, New York, New York, who will act as the securities depository of the Notes.

The Notes maturing on August 1, 1996 and thereafter are callable on August 1, 1995 and thereafter in the manner provided in the Official Notice of Sale.

The Notes shall be designated "qualified tax-exempt obligations".

The Notes are being issued for the purpose of paying the cost of funding an escrow account to finance closure and long term care costs for the County's Snell Road and Sunnyview solid waste landfill sites.

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The approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin and the transcript of proceedings will be furnished to the Purchaser without cost. Additional information including the Official Notice of Sale and the Preliminary Official Statement may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202, Attention: David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned. Delore R. LaMarche, Finance Director, Winnebago County Courthouse, 415 Jackson Street. Oshkosh, WI 54903, (414) 235-2500.

**EXHIBIT B**  
**OFFICIAL NOTICE OF SALE**  
**\$3,900,000**  
**WINNEBAGO COUNTY, WISCONSIN**  
**GENERAL OBLIGATION PROMISSORY**  
**NOTES, SERIES 1990 B**  
**DATED FEBRUARY 1, 1990**

**Date, Time, Place.** Sealed bids will be received by the Finance Director, Winnebago County, Wisconsin for all but no part of its \$3,900,000 Winnebago County General Obligation Promissory Notes, Series 1990 B, in the office of the County Executive, Room 165, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin 54903 until 11:00 a.m. (Central Time) on

January 16, 1990

at which time the bids will be publicly opened and read. The bids should be directed to the Finance Director and plainly marked "Bid for Series 1990 B Notes". A meeting of the County Board will be held on said date for the purpose of taking action on such bids as may be received.

**Details of the Notes.** The Notes will be dated February 1, 1990 and will mature serially on August 1 of each year, in the years and principal amounts as follows:

<b>Year</b>	<b>Principal Amount</b>
1993	\$700,000
1994	725,000
1995	775,000
1996	825,000
1997	875,000

Interest on said Notes will be payable commencing on August 1, 1990 and semi-annually thereafter on February 1 and August 1 of each year.

**Optional Redemption.** At the option of the County, the Notes maturing on August 1, 1996 and thereafter shall be subject to redemption prior to maturity on August 1, 1995 or on any interest payment date thereafter. Said Notes shall be redeemable as a whole or in part, in inverse order of maturity and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

**Registration.** The Notes will be issued as fully-registered notes without coupons and, when issued, will be registered only in the name of CEDE & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository of the Notes. A single Note certificate for each maturity will be issued to DTC and immobilized in its custody. Individual purchases may be made in book-entry form only pursuant to the rules and procedures established between DTC and its participants, in the principal amount of \$5,000 and integral multiples thereof. Individual purchasers will not receive certificates evidencing their ownership of the Notes purchased. The successful bidder shall be required to deposit the Note certificates with DTC as a condition to delivery of the Notes. The County will make payments of principal and interest on the Notes to DTC or its nominee as registered owner of the Notes in next-day funds. Transfer of those payments to participants of DTC will be the responsibility of DTC; transfer of the payments to beneficial owners by DTC participants will be the responsibility of such participants and other nominees of beneficial owners all as required by DTC rules and procedures. No assurance can be given by the County that DTC, its participants and other nominees of beneficial owners will make prompt transfer of the payments as required by DTC rules and procedures. The County assumes no liability for failures of DTC, its participants or other nominees to promptly transfer payments to beneficial owners of the Notes.

Depository. In the event that the securities depository relationship with DTC for the Notes is

terminated and the County does not appoint a successor depository, the County will prepare, authenticate and deliver, at its expense, fully-registered certificate Notes in the denominations of \$5,000 or any integral multiple thereof in the aggregate principal amount of Notes of the same maturities and with the same interest rate or rates then outstanding to the beneficial owners of the Notes.

**Authority and Security.** The Notes shall be issued pursuant to Section 67.12(12), Wisconsin Statutes and resolutions adopted by the County Board. The Notes are general obligations of the County. The principal of and interest on the Notes will be payable from ad valorem taxes, which may be levied without limitation as to rate or amount upon all of the taxable property located in the County. The Notes shall be issued for the purpose of paying the cost of funding an escrow account to finance closure and long term care costs for the County's Snell Road and Sunnyview solid waste landfill sites.

**Qualified Tax-Exempt.** The County has designated the Notes to be "qualified tax exempt obligations" pursuant to the provisions of Section 265(b) (3) of the Internal Revenue Code of 1986, as amended, and in support of such designation, the Finance Director or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County as of the date of delivery and payment for the Notes.

**Bid Specifications.** Bids will be received on an interest rate basis in integral multiples of One-Twentieth (1/20) or One-Eighth (1/8) of One Percent (1%). Any number of rates may be bid but the difference between the highest and lowest rate bid shall not exceed Two Percent (2%). All Notes of the same maturity shall bear the same interest rate. No bid for less than One Hundred Percent (100%) of the principal amount of the Notes plus accrued interest to the date of delivery will be considered. The Notes will be awarded on the basis of the lowest true interest cost to the County.

**Good Faith Deposit.** Each bid shall be accompanied by a certified check or cashier's check payable to the Finance Director in the amount of THIRTY—NINE THOUSAND DOLLARS (\$39,000). The check of the successful bidder shall constitute a good faith deposit and shall be retained by the County to insure performance of the requirements of the sale by the successful bidder. In the event the successful bidder shall fail to comply with the terms of its bid, the check will be forfeited as full and complete liquidated damages. Upon delivery of the Notes, the check will be applied to the purchase price of the Notes or returned to the Purchaser, but no interest shall be allowed thereon. After the award is made to the successful bidder, the checks of the unsuccessful bidders will be returned forthwith.

**Form of Notes; Delivery.** The Notes shall be delivered in typewritten form, one Note per maturity, to The Depository Trust Company, securities depository of the Notes for the establishment of book-entry accounts at the direction of the successful bidder within approximately forty-five (45) days after the award. Payment at the time of delivery must be made in federal or other immediately available funds. In the event delivery is not made within forty-five (45) days after the date of the sale of the Notes, the successful bidder may, prior to tender of the Notes, at its option, be relieved of its obligation under the contract to purchase the Notes and its good faith check shall be returned, but no interest shall be allowed thereon.

**Legal Opinion.** The successful bidder will be furnished without cost, the unqualified approving legal opinion of Quarles & Brady of Milwaukee, Wisconsin. A copy of said legal opinion shall be affixed to the Notes. A transcript of the proceedings relative to the issuance of the Notes (including a No-litigation Certificate) shall be furnished to the successful bidder without cost. CUSIP numbers will be included on the typewritten Notes.

**Purchaser's Certificate.** Simultaneously with or before delivery of the Notes, the successful bidder shall furnish to the County a certificate, made on the best knowledge, information and belief of the successful bidder, acceptable to bond counsel, stating the initial reoffering prices to the public of each maturity of the Notes and further stating that a substantial amount of each maturity of the Notes was sold to the public or final purchasers thereof (not including bond houses and brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at or below such initial reoffering prices.

**Irregularities.** The County reserves the right to reject any and all bids and to waive any and all irregularities.

**Information.** Copies of the Official Statement and additional information may be obtained by addressing inquiries to: First Wisconsin National Bank of Milwaukee, 777 East Wisconsin Avenue, 11th Floor, Milwaukee, Wisconsin 53202; Attention; David L. DeYoung, Assistant Vice President, (414) 765-4171 or the undersigned. Delore R. LaMarche, Finance Director, Winnebago County Courthouse, 415

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Jackson Street, Oshkosh, WI 54903, (414) 235-2500.

It was moved by Supervisor King and seconded to adopt. Vote: Ayes—41. Nays—1—Christofferson.  
Excused: Widmer, O'Brien, Metzsig. CARRIED.

**RESOLUTION NO. 258-1189**  
**AUTHORIZE COUNTY TREASURER TO PAY**  
**SPECIAL ASSESSMENTS ALONG WITH REAL**  
**PROPERTY TAXES AT TIME OF SETTLEMENT WITH MUNICIPAL TREASURERS**

WHEREAS, Sec. 74.29 Wis. Stats. provides that a county may, by resolution adopted by the County Board, direct the County Treasurer to pay in full to the proper treasurer **all special assessments and special charges** included in the tax roll which have not been previously paid to, or retained by, the proper treasurer; and

WHEREAS, the Winnebago County Treasurer has not been authorized by the County Board pursuant to Sec. 74.29 to pay such special assessments to the proper treasurer on or before the settlement date at which the Winnebago County Treasurer pays the real property taxes and special taxes to the proper treasurers; and

WHEREAS, Winnebago County currently collects delinquent special assessments for the various Winnebago County municipalities but is unable to retain the delinquency interest thereon because the County Treasurer has not been authorized to pay such special assessments pursuant to Sec. 74.29 Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Treasurer is hereby authorized and directed to pay in full to the proper treasurers in Winnebago County all special assessments included in the tax role which have not previously been paid to, or retained by, the proper treasurers in Winnebago County.

BE IT FURTHER RESOLVED that the provisions of this resolution shall be effective January 1, 1990.

Submitted by, PERSONNEL & FINANCE COMMITTEE

Vote Requirement for Passage: 2/3rds

Motion by Supervisor King and seconded to adopt. Vote: Ayes—42. Nays—0. Excused: Widmer, O'Brien, Metzsig. CARRIED.

**RESOLUTION NO. 259-1189**  
**TRANSFER OF FUNDS TO FAIRGROUNDS**  
**CONSTRUCTION ACCOUNT (\$60,600)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the balance of funds in the 1989 **Fairgrounds Capital Outlay Account #100-740-58150** (carried over from 1988 Fairgrounds Capital Outlay Account) in the amount of \$60,600 for capital improvements at the old Fairgrounds site be transferred to the **Fairgrounds General Construction Account #410-941-58350** for improvements/construction at the new Fairgrounds site.

Submitted by,

JOINT FAIRGROUNDS COMMITTEE Vote Requirement for Passage: 2/3rds

Moved by Supervisor Maehl and seconded to adopt. Supervisor Planalp moved and it was seconded to amend by adding "for a milking parlor and fencing" after "improvements/construction" on the last line. Motion withdrawn. Vote: Ayes—41. Nays—1—Putzer. Excused: Widmer, O'Brien, Metzsig. CARRIED.

**RESOLUTION: NO. 260-1189**  
**MORATORIUM ON ANSWERING FEATURE OF**  
**COUNTY TELEPHONE SYSTEM**

BE IT RESOLVED by the Winnebago County Board of Supervisors that there be a moratorium on the use of the answering feature of Winnebago County's telephone system for ninety (90) days or until the County Buildings and Grounds Committee presents a telephone policy that is adopted by the County Board.

Submitted by,

JOHN PLANALP  
COUNTY BOARD SUPERVISOR  
DISTRICT #31

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Moved by Supervisor Planalp and seconded to adopt. Supervisor Sundquist moved and it was seconded to amend to state "that the moratorium be only during business hours". Vote on Amendment:

Ayes—20—Grundman, Albright, Broas, Sundquist, Kollath, Gavinski, Eckrich, Luebke, Maehl, Wollerman, Wagner, Montgomery, Utech, Nielsen, Schaidler, Owens, Christofferson, Salomon, King, Putzer. Nays—22—Flavin, W. C. Pawlowski, Yanko, Hartmann, Planaip, Schwartz, Robl, Troxell, Laabs, Knigge, Steber, Goff, Bremberger, J.C. Pawlowski, Ribble, Witzke, Diakoff, Cartwright, Lauson, Gose, Albrecht, Lawson. Excused: Widmer, O'Brien, Metzsig. AMENDMENT LOST. Supervisor Diakoff moved to refer to Buildings and Grounds Committee which will report back to the County Board. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 261-1189**  
**CHANGE THE EFFECTIVE DATE OF 1990 PAY**  
**INCREASE FOR DISTRICT ATTORNEY**

WHEREAS, Resolution 13-588 provided for salary adjustments for all elected County department heads to occur on January 1, 1990; and

WHEREAS, with the State takeover of a portion of pay responsibilities for the position of District Attorney effective January 1, 1990, the rate of pay for the position in 1990 may not exceed the rate of pay in effect as of December 31, 1989; and

WHEREAS, the intent of Resolution 13-588 was to provide for a salary increase of \$1,000 for the position of District Attorney for the second year of the term.

NOW THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the effective date of the planned salary adjustment for the position of District Attorney be changed from January 1, 1990 to December 31, 1989; and

BE IT FURTHER RESOLVED, that the cost of this action be covered by funds within the District Attorney's budget.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE  
Motion by Supervisor King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 262-1189**  
**Authority to Execute 1989-1990 Labor Agreement with Highway Department**  
**Employees, Local 1903**

WHEREAS, in accordance with SS 111.70(4)(cm) 6. and 7., an impartial arbitrator has selected the final offer of the Union as the terms of settlement for the 1989-1990 collective bargaining agreement between Winnebago County and the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME, AFL-CIO; and

WHEREAS, it is now incumbent upon the County to implement such arbitrator's award by ratification of the 1989-1990 agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are, authorized to execute a two-year agreement on behalf of Winnebago County with the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME, AFL-CIO for the years 1989 and 1990, effective January 1, 1989, which agreement will provide the following major changes from the previous agreement:

1. **ARTICLE 13, VACATIONS.** Revise the vacation entitlement for a fourth week of vacation after 12 years of service rather than after 14 years of service.

2. **ARTICLE 27, DURATION.** Provide for the automatic extension of the current agreement beyond the expiration date until a successor agreement can be implemented.

3. **ARTICLE 30, GENERAL PROVISIONS.**

Increase the annual tool allowance for mechanics to \$140 from the previous level of \$125.

4. **APPENDIX A, WAGES.** Provides across-the-board pay increases for all positions as follows:

\$.30 per hour effective 1-1-89; \$.10 per hour effective 7-1-89; 3% (average of \$.31 per hour) effective

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1-1-90; 1% (average of \$.11 per hour) effective 7-1-90.

In addition to the above, minor changes will also be made to the articles covering recognition, union bulletin board, job posting, holidays, hours of work, duration, and general provisions.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of this Resolution shall be made available from funds budgeted for this purpose.

Submitted by,

PERSONNEL AND FINANCE COMMITTEE

It was moved by Supervisor King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 263-1189 COMMENDATION TO AUDREY M. MATEYKA**

WHEREAS, Audrey Mateyka has been employed with Park View Health Center of Winnebago County, for the past twenty-two years and four months, and during that time has been a most conscientious and devoted County employee; and

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

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

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

Submitted by,

PERSONNEL AND FINANCE COMMITTEE

It was moved by Supervisor King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 264-1189 DISALLOW CLAIM OF TODD M. FELLNER**

WHEREAS, your Personnel and Finance Committee has had the claim of Todd M. Fellner 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 Todd M. Fellner dated September 24, 1989, 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 King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 265-1189 MEASLES VACCINE**

WHEREAS, measles is now considered to be epidemic in unvaccinated and under vaccinated populations in neighboring states, and

WHEREAS, a large portion of the Wisconsin population is likewise unvaccinated due to having been too old when vaccine was introduced or having been given vaccine in infancy which later proved to be ineffective, or are in that five percent of population given the vaccine which failed to build up immunity following first administration, and

WHEREAS, Chapter 143 and Section 141.05 Wisconsin Statutes place legal responsibility for failure to prevent preventable diseases on the County Health Officer and the County, and

WHEREAS, despite the Academy of Pediatrics recommendation that a dose of vaccine or a second dose of vaccine is necessary for those not vaccinated or not adequately vaccinated, the State of Wisconsin has thus far not moved to give vaccine and/or appropriate guidelines for vaccine to counties, thus leaving counties highly liable for violations of Chapter 143 and Section 141.05.

THEREFORE BE IT RESOLVED, that the Winnebago County Board urges the State Division of Health to immediately provide necessary vaccine and guidance, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent immediately to Governor Tommy

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Thompson DHSS Secretary Pat Goodrich DOH Administrator George Mac Kenzie DOH Assistant  
Administrator Bill Schmidt Representative Judy Robson State Senator Rodney Moen  
Submitted by,

HEALTH COMMITTEE

It was moved by Supervisor Steber and seconded to adopt. Supervisor Utech suggested sending a copy of the resolution to all Winnebago County legislators. Vote on resolution: CARRIED BY VOICE VOTE.

**RESOLUTION NO. 266-1189**  
**AUTHORIZE EXECUTION OF AGREEMENT**  
**BETWEEN WINNEBAGO COUNTY AND**  
**BASLER FLIGHT SERVICE, ET AL:**  
**WITTMAN REGIONAL AIRPORT**

BE IT RESOLVED, by the Winnebago County Board of Supervisors that appropriate Winnebago County officials be and they hereby are authorized to execute the agreement between Winnebago County and Warren L. Basler, Patricia Basler, Basler Flight Service, Inc. and Basler Turbo Conversions, Inc., a copy of which is attached hereto, relating to Basler's access to Wittman Regional Airport from their newly constructed off-airport operations.

Submitted by,  
AVIATION COMMITTEE

Motion by Supervisor Sundquist and seconded to adopt. Vote: Ayes—41. Nays— 1—Cartwright.  
Excused: Widmer, O'Brien, Metzgi. CARRIED.

**RESOLUTION NO. 267-1189**  
**AUTHORIZE EXECUTION OF AGREEMENT**  
**BETWEEN WINNEBAGO COUNTY AND**  
**MIDWAY AIRLINES—1987, INC.— WITTMAN REGIONAL AIRPORT**

BE IT RESOLVED by the Winnebago County Board of Supervisors that appropriate Winnebago County officials be and they hereby are authorized to execute the agreement between Winnebago County and Midway Airlines—1987, Inc., a copy of which is attached hereto, relating to landing fees, rentals and charges for its operations at Wittman Regional Airport.

Submitted by,  
AVIATION COMMITTEE

It was moved by Supervisor Sundquist and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 268-1189**  
**AUTHORIZED EXECUTION OF AGREEMENT**  
**BETWEEN WINNEBAGO COUNTY AND**  
**AIR WISCONSIN, INC.: WITTMAN**  
**REGIONAL AIRPORT**

BE IT RESOLVED by the Winnebago County Board of Supervisors that appropriate Winnebago County officials be and they hereby are authorized to execute the agreement between Winnebago County and Air Wisconsin, Inc., a copy of which is attached hereto, relating to landing fees, rentals and charges for its operations at Wittman Regional Airport.

Submitted by,  
AVIATION COMMITTEE

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

**RESOLUTION NO. 269-1189**  
**DESIGNATE PERSONNEL & FINANCE**  
**COMMITTEE TO DETERMINE POSTAL**  
**SERVICE DELAY FOR UNTIMELY**

**PROPERTY TAX PAYMENTS**

WHEREAS, pursuant to Sec. 74.69(1) the County Treasurer makes the initial determination whether a payment received through the mail for general property tax, special assessments, special charges or taxes is timely made; and

WHEREAS, the law has established that a mailed payment is timely made if postmarked before midnight of the last day prescribed for payment and is received by the proper official not more than 5 days after the last day prescribed for such payment; and

WHEREAS, on occasion a dispute may arise between the County Treasurer and a person as to whether the mailed payment was timely made under Sec. 74.69 Wis. Stats; and

WHEREAS, Sec. 74.69 (3) enables a person required to pay a delinquency penalty or interest because of late payment to request a County Board determination that such payment was timely under Sec. 74.69 (1) Wis. Stats. and that any alleged untimeliness was due to postal service delay or error; and

WHEREAS, Sec. 74.69 (3)(d) enables the County Board to delegate the authority to make such determination to a County Board Committee; and

WHEREAS, your Personnel and Finance Committee is recommending that such authority be delegated to the Personnel and Finance Committee which is the Committee of Jurisdiction for the County Treasurer and matters relating to the settlement and collections of property taxes including delinquencies, and for the sale of tax deeded properties.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Personnel and Finance Committee is hereby designated the County Committee to review citizen requests for a determination relating to untimely property tax or other payments under Sees. 74.11 and 74.12 Wis. Stats. and which are alleged to be untimely due to postal service delay or error pursuant to the provisions of Sec. 74.69 Wis. Stats.

Submitted by, PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 270-1189****DESIGNATED PARKS & RECREATION****COMMITTEE AS COMMITTEE OF****JURISDICTION FOR WINNEBAGO COUNTY FAIRGROUNDS AND EXPOSITION SITE**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the Parks and Recreation Committee be designated as the Committee of Jurisdiction for the Winnebago County Fairgrounds and Exposition Site, to include responsibility for maintenance and operation of said facility as well as to recommend to the County Board from time to time for its action the necessary rules and regulations relating to the rental and other use of such facility.

BE IT FURTHER RESOLVED that this resolution shall take effect December 1, 1989.

Submitted by,

**PARKS AND RECREATION COMMITTEE**

Vote Requirement for Passage: 3/4ths of Members Present

Supervisor Lauson moved and it was seconded to adopt. Supervisor Bremberger moved to refer to Judiciary and Public Safety Committee. AMENDMENT LOST. Supervisor Diakoff moved to amend last paragraph to add: "and until the rules are officially changed in April, 1990". Vote: Ayes—41. Nays—i—Owens. Excused: Widmer, O'Brien, Metzsig. CARRIED.

**RESOLUTION NO. 271-1189****ACCEPT TITLE TO WAUKAU CREEK****PROPERTY FROM WISCONSIN****DEPARTMENT OF NATURAL RESOURCES**

BE IT RESOLVED by the Winnebago County Board of Supervisors that Winnebago County does hereby accept title from the Wisconsin Department of Natural Resources to the approximate 26 acre parcel of land located in the Village of Waukau, town of Rushford, Winnebago County, Wisconsin as described in the deed from Walter and Frances Rung to the Wisconsin Department of Natural Resources, dated September 2, 1958, a copy of which is attached hereto, for \$1.00 and other good and valuable consideration



Proceedings  
of the  
Board of  
Supervisors  
of  
Winnebago County

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
Tuesday, December 19, 1989**

Chairman Ralph R. Nielsen called the meeting to order at 6:00 P.M. in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll call: Kollath, J. C. Pawlowski, Flavin, Gavinski, Ribble, W. C. Pawlowski, Schaidler, Grundman, Laabs, Witzke, Albright, Luebke, Yanko, Knigge, Owens, Maehl, Cartwright, Hartmann, Wollerman, Christofferson, Steber, Lauson, Eckrich, Diakoff, Broas, Goff, Gose, Planalp, Wagner, Salomon, Sundquist, Albrecht, Schwartz, Montgomery, King, Robl, Utech, Putzer, Troxell, Nielsen, Lawson, Bremberger, Widmer, Metzsig. Excused: O'Brien.

Supervisor J. C. Pawlowski moved and it was seconded to approve the minutes of November 21, 1989. CARRIED BY VOICE VOTE.

Supervisor John Planalp moved and it was seconded to adopt the agenda. CARRIED BY VOICE VOTE. Supervisor King moved and it was seconded to add Resolutions 292-1289 and 293-1289 to the agenda. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

— A letter from Congressman Thomas Petrire: the Oil Pollution Liability and Compensation Act of 1989 was read and placed on file. A commendation to Arden Gohlke, Marlene Konsek and Ray Schroeder from the Winnefox Library system was read and placed on file.

Petitions for the restriction of vehicular racing at the fairgrounds with 33 names was received and placed on file with the other petitions.

Petition for Zoning Amendment from Frank J. Dombrowski, Jr. re: change from A-2 to B-2 for fast food or office building. REFERRED TO PLANNING & ZONING COMMITTEE.

Petition for Zoning Amendment from Leo J. Krueger re: change from R-1 to B-3 for highway business. REFERRED TO PLANNING & ZONING COMMITTEE.

**COMMITTEE REPORTS**

Supervisor Planalp asked that the letter from the Clerk of Courts be considered a report from Judiciary and Public Safety Committee. Supervisor Sundquist reported the restaurant at the airport is closed. There are some people interested in opening a restaurant and snack bar, but nothing is definite. Supervisor Knigge reported the milkhouse project at the new fairgrounds will cost \$15,300. To date, \$7,500 has been pledged in donations towards it.

**APPOINTMENT**

County Executive Stevenson's appointment of Mr. Vernon Anderson, 311 Division Street, Winneconne, WI to the Veterans Service Commission was presented. Supervisor J.C. Pawlowski moved to approve and it was seconded. CARRIED BY VOICE VOTE.

**PUBLIC HEARING**

Mr. Richard Carlson, attorney for Jeffrey A. Ujazdowski, asked the board to support Amendatory Ordinance No. 7. Mr. Walt Chrapla, 721 Mitchell Street, Neenah, WI spoke against Resolution 280-1289. Mr. Robert Grundman, 2904 Highway 150, Neenah, WI and Sandy Erdmann, 4455 W. Breezewood Lane, Neenah spoke against Amendatory Ordinance No. 7.

**ZONING REPORTS AND ORDINANCES**

REPORT NO. 1. A report from Planning & Zoning Committee re: zoning change to remove Floodplain designation. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-1-89. A request from Ronald J. & Diana L. Schettl to remove floodplain designation. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.2. A report from Planning & Zoning Committee re: zoning changes to R-1 for single-family dwelling. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 12-2-89. A request for zoning changes from A-I to R-1 from Bernie Miller (for George Brennand). Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.3. A report from Planning & Zoning Committee re: zoning changes to R-2 for single-family subdivision. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 12-3-89. A request for zoning changes from R-1 to R-2 from Bohn Farms. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

- REPORT NO.4. A report from Planning & Zoning Committee re: zoning changes from B-2 to R-1 for single-family dwelling. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 12-4-89. A request for zoning change from B-2 to R-1 from William J. Bukur. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.5. A report from Planning & Zoning Committee re: zoning changes from B-2 to R-1 for single-family dwelling. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 12-5-89. A request for zoning change from B-2 to R-1 by Wheaton's Resort. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION: Approve amendment to Town of Utica Zoning Ordinance (adopted by Town of Utica on November 27, 1989). Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 7 - Motion by Supervisor Grundman and seconded to disapprove. After discussion, Supervisor Grundman revised his motion to approve. Vote: Ayes - 36. Nays -7 -Grundman, Broas, Luebke, Montgomery, J.C. Pawlowski, Ribble, Witzke. Excused -2- O'Brien, Albright. CARRIED.

**WINNEBAGO COUNTY GEOGRAPHIC INFORMATION SYSTEM UPDATE**

David Schmidt, County Planner, gave a report on land record modernization using geographic information system software. He showed videotape on the subject, and explained that a cooperative effort by all municipalities in Winnebago County to share commonly used land records is underway. The Land Records Committee is studying various methods of sharing records via computerization. A consultant will be hired to assist with the study. Hardware and software will be needed in the future for the program. Mr. Schmidt answered questions of supervisors.

**TELEPHONE SYSTEM UPDATE**

David Henneman, Information Systems Director, and Nancy Lambert, Telecommunications Coordinator, gave a presentation on the AT & T System 75 telephone system and voice messaging (Audix). A videotape was shown explaining Audix. They will meet with the Winnebago County Bar Association to discuss any concerns about the new system. Additional training classes will be held for current employees and new employees who will have electronic sets. They will be trained on their first day of work.

**REPORTS, RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 280-1289**

**TRANSFER FUNDS TO CONSTRUCT AN ADDITIONAL LANE ON POBEREZNY ROAD  
(\$70,000)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the sum of \$70,000 be transferred from Undesignated Surplus Account #100-000-39000 to a Highway Department Construction Account to be established for the project to construct an additional lane on Poberezny Road from Waukau Road south to STH 26.

Submitted by,  
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Two-Thirds vote required. Vote: Ayes - 33. Nays - 7 -Hartmann. Metzger, Eckrich, Steber, Wagner, Cartwright, Christofferson. Abstain - 1 - Ribble. Excused - 4 - O'Brien, Broas, Wollerman, Utech. CARRIED. Supervisor Diakoff suggested seeking state aids from various state agencies and our state legislators.

**RESOLUTION NO. 273-1289**

**TRANSFER FUNDS TO SOCIAL SERVICES  
DEPARTMENT BUDGET TO COVER  
UNDERBUDGETED INSTITUTIONAL  
CARE EXPENSES: \$164,154.**

WHEREAS, Winnebago County under Wisconsin's Children's Code, Chapter 48 of State Statutes, is responsible for payment of child institutional care; and

WHEREAS, the Social Services Department is the designated County agent to make such institutional care payments; and

WHEREAS, the increased numbers of children requiring such care in 1989 will cause a 1989 Department deficit.

NOW, THEREFORE, BE IT RESOLVED that \$164,154 be transferred as hereafter provided to the Department of Social Services budget solely to cover institutional care expenses underbudgeted for 1989.

BE IT FURTHER RESOLVED, that the source of such funding be as follows:

\$50,000 from Contingency Fund  
Account #100-999-59960  
114,154 from Undesignated Surplus Account #100-000-39000 \$164,154

Submitted by,  
SOCIAL SERVICES BOARD

It was moved by Supervisor Laabs and seconded to adopt. Two-Thirds vote required. Vote: Ayes - 40. Nays -1 -Widmer. Excused - 4 -Broas, O'Brien, Eckrich, Wollerman. CARRIED.

**RESOLUTION NO. 274-1289**

**TRANSFER FUNDS FOR PURCHASE OF MODULAR OFFICE UNITS TO BE USED IN  
SHERIFF'S DEPARTMENT - SUPPORT  
SERVICES DIVISION: (\$4,000)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the sum of \$4,000 be transferred from the Sheriff's Patrol Division Capital Outlay Account #100-312-58150 to the Sheriff's Administrative Capital Outlay Account #100-311-58150 and, together with \$3,000 presently in the Sheriff's

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Administrative Capital Outlay Account, be used for the purchase of modular office units for installation in the Sheriff's Department Support Services Division.

Submitted by, JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Planalp and seconded to adopt. Two-thirds vote required. Vote: Ayes - 41. Nays - 0. Excused - 4 - Broas, Eckrich, Wollerman, O'Brien. CARRIED.

**RESOLUTION NO. 275-1289**

**TRANSFER FUNDS FOR PURCHASE OF EMERGENCY GOVERNMENT RADIO COMMUNICATIONS EQUIPMENT (\$32,577)**

**BE IT RESOLVED** by the Winnebago County Board of Supervisors that the sum of \$32,577 be transferred from Emergency Government-Ambulance Subsidy Account #100-350-56980 to Emergency Government-Capital Outlay Account #100-340-58150 to be used for the purchase of Emergency Government radio communications equipment.

Submitted by,

JUDICIARY & PUBLIC SAFETY COMMITTEE

Moved by Supervisor Planalp and seconded to adopt. Two-thirds vote required. Vote: Ayes - 41. Nays - 0. Excused - 4 - Broas, Eckrich, Wollerman, O'Brien. CARRIED.

**RESOLUTION NO. 276-1289**

**AUTHORIZE EXECUTION OF EXTENDED WINNE-FOND LAKE CONSORTIUM AGREEMENT -2- YEAR TERM.**

**BE IT RESOLVED** by the Winnebago County Board of Supervisors that appropriate Winnebago County officials be and they hereby are authorized to execute the Winne-Fond Lake Consortium Agreement which extends the term of the current agreement to June 30, 1992, in the form which is attached hereto and made a part hereof.

Submitted by, WINNE-FOND LAKE POLICY BOARD MEMBERS

Nancy Albright

Ralph Nielsen

Eugene Troxell

Moved by Supervisor Troxell and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 277-1289**

**SUPPORT POSITION OF STATE**

**SENATOR MICHAEL ELLIS**

WHEREAS, State Senator Michael Ellis has denounced the vote by the University of Wisconsin - Madison faculty calling for the ouster of the ROTC Program from that campus; and

WHEREAS, in his denouncement Senator Ellis said "Taxpayers who shell out hundreds of thousands of dollars for higher education don't want the University to be the flagship nationally for the Gay community", and

WHEREAS, that as he stated, "it's one thing to say let's do no harm to Gays but another to praise homosexual behavior", when confronted by Chancellor Shalala's statement that she "could not be prouder" of the vote therefore believing that a majority of Winnebago County citizens disagree with the faculty vote.

NOW, THEREFORE, **BE IT RESOLVED** by the Winnebago County Board of Supervisors that a copy of this resolution be sent to Senator Ellis so that he might use it to buttress his communications with members of the University of Wisconsin Board of Regents concerning this subject.

Submitted by, John Planalp District #31

Motion by Supervisor Planalp and seconded to adopt. Vote: Ayes - 27 - Flavin, Grundman, Yanko, Hartmann, Metzgi, Planalp, Sundquist, Troxell,

Gavinski, Laabs, Luebke, Maehl, Steber, Wagner, Bremberger, Montgomery, Utech, Nielsen, J.C. Pawlowski, Ribble, Witzke, Diakoff, Owens, Christofferson, Salomon, Albrecht, Putzer. Nays -14 -W.C. Pawlowski, Albright, Widmer, Schwartz, Robl, Kollath, Knigge, Goff, Schaidler, Cartwright, Lauson, Gose, King, Lawson. Excused - 3 - Broas, Eckrich, Wollerman. CARRIED.

**RESOLUTION NO. 278-1289**

**SUPPORT THE DISTRIBUTION OF DRUG BILL TREATMENT FUNDS AND OTHER NEW COMMUNITY AID FUNDS ACCORDING TO THE COMMUNITY AIDS FORMULA**

WHEREAS, AB 12, the Education Prevention and Treatment part of the Drug Bill, contains \$8 million for AODA treatment; and

WHEREAS, there is movement to use one half of the funds to address the Equity Issue and allocate only \$4 million according to the Community Aids formula; and

WHEREAS, Winnebago County has always been willing to levy local property taxes to enhance social services and community programs and as a result receives 100% of the allocated entitlements under the Community Aids formula and would be penalized if the money is diverted to counties receiving less than 100%; and

WHEREAS, the Winnebago County local property tax portion of social services and community programs for 1990 is \$5.5 million and has increased much more than inflation over the years.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board directs our Legislative Liaison to work for the allocation of AODA funds in the Drug Bill according to the formula specified in AB 12.

BE IT FURTHER RESOLVED that Winnebago County supports any action to resolve the Equity Issue in separate legislation.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Wisconsin legislative members representing Winnebago County, Governor Tommy Thompson, the Executive Director of the Wisconsin Counties Association and the Legislative Liaison for Winnebago County.

Submitted by, GOVERNMENT RELATIONS COMMITTEE

It was moved by Supervisor Goff and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 279-1289**

**CHANGES IN COUNTY ROAD SYSTEM: "AP" AND "P" -TOWN OF MENASHA**

WHEREAS, the Department of Transportation is constructing STH 441 for the good and in the interest of the traveling public; and

WHEREAS, a portion of "AP" is being relocated to conform with the construction on STH 441.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the following described removal and addition to the county road system be approved by adoption of this resolution:

1. To be removed from the County Road System and revert to a local highway, that portion of "AP" described as follows:

The portion of existing Midway Road from the intersection with County highway "P" easterly to the intersection of Earl Street for a length of approximately 1537 feet.

2. To be added to the County Road System the following described relocated portion of "AP":

From the intersection of County Highway "P" beginning at a point 588 feet north of existing Midway Road, then easterly and southerly to the intersection of existing County Highway "AP" and Earl Street for a length of approximately 1698 feet.

BE IT FURTHER RESOLVED that the above removal and addition to be effective January 1, 1990.

Submitted by,

HIGHWAY COMMITTEE

It was moved by Supervisor Robl and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 281-1289

**AUTHORIZE SALE OF LAND TO WISCONSIN DEPARTMENT OF TRANSPORTATION FOR  
HIGHWAY 44 INTERCHANGE**

WHEREAS, Winnebago County is owner of approximately 11.433 acres of land which adjoins STH 44 and USH 41 in the vicinity of Wittman Field Airport and which is under the jurisdiction of the Aviation Committee; and

WHEREAS, this County Board did adopt Resolution 66-988 which authorized the sale of approximately 9.703 acres of said land to Aviation Plaza, Inc. for use in the project known as Wal-Mart Shopping Center, Oshkosh, Wisconsin; and

WHEREAS, the remainder of said 11.433 acre parcel, to wit, 1.730 acres, has been reserved for sale to the Wisconsin Department of Transportation for construction of a new STH 44/USH 41 interchange; and

WHEREAS, the State Department of Transportation has requested Winnebago County conveyance of said 1.730 acre parcel so it can let contracts for construction of the new interchange; and

WHEREAS, the per acre selling price for said parcel is \$2,400 which was established by appraisal.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that, for the sum of \$4,200, appropriate County officials be and they hereby are authorized to execute a deed from Winnebago County to the Wisconsin Department of Transportation conveying title to the 1.730 acre parcel for use in State of Wisconsin construction of the new STH 44/USH 41 interchange.

BE IT FURTHER RESOLVED that the proceeds from the sale of this land shall be distributed in accordance with Federal and State regulations because the land was purchased with Federal and State aids.

Submitted by,

AVIATION COMMITTEE

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

RESOLUTION NO. 282-1289

**RESOLUTION PETITIONING THE  
SECRETARY OF TRANSPORTATION FOR  
AIRPORT IMPROVEMENT AID**

WHEREAS, the said Winnebago County, hereinafter referred to as the Sponsor, being a Municipal Body Corporate of the State of Wisconsin, is authorized by law (sec. 114.11, Wis. Stats.) to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, the sponsor desires to develop or improve Wittman Regional Airport, Oshkosh, Wisconsin,

“PETITION FOR AIRPORT PROJECT”

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Chapter 11.433(2) as amended, and a summary of the hearing is transmitted with this petition, and

THEREFORE, BE IT RESOLVED, by the Sponsor that a petition for Federal and State Aid in the following form is hereby approved:

The petitioner, desiring to sponsor an airport development project with Federal and State Aid, in accordance with the applicable State and Federal laws, respectfully represents and states:

1. That the airport which it is desired to develop should generally conform to the requirements for a transport type airport as defined by the Federal Aviation Administration.
2. The character, extent and kind of improvements desired under the project are as follows: complete perimeter road network, expand and reconstruct north general aviation ramp area, purchase snow removal equipment, improve airfield lighting system, terminal building improvements.
3. That the airport project which your petitioner desires to sponsor is necessary for the following reasons: to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or

collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above which are to be paid by the Sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the Sponsor by the Secretary; the Sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the Sponsor does not provide the same; and

WHEREAS, the Sponsor is required by law (sec. 224.32 (5), Wis. Stats.) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

“DESIGNATION OF SECRETARY OF TRANSPORTATION AS SPONSOR’S AGENT”

THEREFORE, BE IT RESOLVED, by the Sponsor that the Secretary is hereby designated as its agent and is requested to agree to act as such in matters relating to the airport development project described above and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to acquire property or interests in property by purchase, gift, lease, or eminent domain under chapter 32 of the Wisconsin Statutes; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

FURTHER, the Sponsor requests that the Secretary provide as per Section 114.33 (8) (a) of the Wis. Stats., that the Sponsor may acquire the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

“AIRPORT OWNER ASSURANCES”

AND BE IT FURTHER RESOLVED that the Sponsor agrees to maintain and operate the airport in accordance with certain conditions established by the Secretary under section 114.31 (7), Wis. Stats., and enumerated in the Airport Owner Assurances or in accordance with Sponsor assurances enumerated in a Federal Grant Agreement.

AND BE IT FURTHER RESOLVED that the County Executive be authorized to sign and execute the Agency Agreement and the Airport Owner Assurances authorized by this Resolution.

Resolution introduced by AVIATION COMMITTEE

Vote: \_\_\_\_\_

CERTIFICATION

I, Linda Wolfe, Clerk of Winnebago County, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a regular meeting of the Winnebago County Board of Supervisors on 1989, adopted by a majority vote, and recorded in the minutes of said meeting.

Linda Wolfe, County Clerk

It was moved by Supervisor Sundquist and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 283-1289

**TRANSFER FUNDS FOR COMMUNITY PROGRAMS DEPARTMENT TELEPHONE INSTALLATIONS AT SCHWAB BUILDING AND PARK VIEW HEALTH CENTER (\$8,000)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the sum of \$8,000 be transferred from General Fund Account #100-999-56940 to Community Programs Capital Outlay Account #220-531-58150 to cover the cost of telephone installations for the Community Programs Department offices

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 in the Schwab Building and at Park View Health Center.  
 Submitted by, PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor King and seconded to	\$300.00
adopt.	\$250.00
Two-thirds vote required. Vote: Ayes—37. Nays—	\$200.00
3— W.C. Pawlowski, Steber, Christofferson.	\$150.00
Abstain—I— Salomon. Excused—4—Broas,	\$150.00
Eckrich, Wollerman, O'Brien. CARRIED.	\$ 5000

**RESOLUTION NO. 284-1289**  
**AUTHORIZE EXECUTION OF LEASE AGREEMENT BETWEEN WINNEBAGO COUNTY**  
**AND THE WINNEBAGO COUNTY FAIR ASSOCIATION (12/1/89 -11/30/94)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that appropriate Winnebago County officials be and they hereby are authorized to execute the lease agreement between Winnebago County and the Winnebago County Fair Association, a copy of which is attached hereto.

Submitted by, AGRICULTURAL AND EXTENSION EDUCATION COMMITTEE

It was moved by Supervisor Maehl and seconded to adopt. Two-thirds vote required. Vote: Ayes—40. Nays—0. Excused—5—O'Brien, Broas, Eckrich, Wollerman, Ribble. CARRIED.

**ORDINANCE: NO. 285-1289**  
**CREATE SEC. 19.24(7) OF GENERAL CODE OF**  
**WINNEBAGO COUNTY: PARKS AND**  
**WATERS: ESTABLISH FEE SCHEDULE FOR BUILDING, EQUIPMENT AND GROUNDS**  
**RENTALS AT WINNEBAGO COUNTY**  
**EXPOSITION CENTER**

The County Board of Supervisors of the County \$ 8.00 PARK  
 of Winnebago does ordain:

Sec. 19.24(7) of the General Code of	\$75.00
Winnebago County is created to read as follows:	

(7) The following fees shall apply for building, equipment, and grounds rental at the Winnebago County Fairgrounds and Exposition Center:

- (a, Buildings
- 1 BARN A.
- 2. BARN B.
- 3 BARN C
- 4. BARN I)
- 5 HORSE ARENA.
- 6 MILK HOUSE
- 7. EXPOSITION BUILDING WEST WING
- INCLUDING BATHROOMS
- \$200.00
- SOUTH WING
- INCLUDING BATHROOMS'
- \$180.00
- CENTER HALL
- INCLUDING BATHROOMS.
- \$400.00
- CENTER HALL
- EITHER WING:
- \$550.00
- WHOLE BUILDING:
- \$680.00
- 8. GRANI) STANI) INCLUDING INFIELD

- AREA, BATHROOMS AND TRACK  
 (IF BUILT): NEGOTIATED  
 9 GRANDSTAND)-AREA BELOW: \$10000
- (b) Camping  
 1. CAMPING-NO WATER OR ELECTRICAL HOOKUP: \$ 5.50  
 2. CAMPING-WITH WATER AND/OR ELECTRICITY:
- (c) MOWING CHARGE FOR OVERFLOW AREA OR CAMPING AREA
- (d) Equipment  
 1 TABLES (30" x 72" or similar) \$ .75/ea.  
 2. CHAIRS (folding or stacking) \$ .25/ea.  
 3. PICNIC TABLES \$ 1.00/ea.  
 4. BENCHES \$ 1.00/ea.  
 5. BLEACHERS \$15.00/Unit  
 6. STAGING \$25.00/Unit  
 7. SMALL ANIMAL CAGES (water bottles & food Dishes are not provided) \$ 3.00/ea.  
 8. HORSE BOX STALL \$10 00/ea.
- (e) SET-UP/CLEAN-UP CHARGES \$20.00/Hr. W/MIN. CHG. OF \$15.00

**(f) DEPOSIT FOR BUILDING, GROUNDS OR EQUIPMENT RENTAL-DUE AT CONTRACT EXECUTION**

- \$100.00  
 (g) GROUNDS  
 1. USE OF GROUNDS W/O RESTROOMS, NO BUILDINGS \$100.00  
 2. USE OF GROUNDS WITH RESTROOMS, NO OTHER BUILDINGS \$200.00

**(h) USE OF ENTIRE EXPOSITION SITE NEGOTIATED**

**(I) General**

1. Management reserves the right to waive the above fees in lieu of, or to charge the above fees in addition to, a negotiated per cent of gate, ticket, admission, parking and/or other fees charged by the sponsor of special events, activities or the like held at the Winnebago County Fairgrounds and Exposition Center.

2. All rates shown are per day rates unless otherwise noted.

This section of the Code shall be effective upon passage and publication.

Submitted by,  
 PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Two-thirds vote required. Vote: Ayes—40. Nays—0. Excused—5—O'Brien, Broas, Eckrich, Ribble, Wollerman.

**RESOLUTION NO. 286-1289  
 CREATE TRUST FUND TO ACCEPT DONATIONS RELATING TO THE  
 WINNEBAGO COUNTY FAIRGROUNDS AND  
 EXPOSITION CENTER**

WHEREAS, your Parks and Recreation Committee has determined there is a need to establish a trust fund for the purpose of accepting donations, in cash or in kind, for construction, equipment, or other

improvements at the Winnebago County Fairgrounds and Exposition Center; and

WHEREAS, your committee is requesting the County Board create such a trust fund and that appropriate County official publicize the existence of the trust and its purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Finance Director establish an appropriate account to which any such donations may be credited and reflected in the financial accounts of Winnebago County.

BE IT FURTHER RESOLVED, that appropriate County officials publicize the existence of the trust fund and its purpose.

Submitted by,

PARKS & RECREATION COMMITTEE

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

**RESOLUTION NO. 287-1289  
AUTHORIZE SALE OF LANDS TO LARSEN  
COOPERATIVE (\$53,000)**

WHEREAS, Winnebago County has acquired the lands necessary to complete Oshkosh-Larsen Recreation Trail By-pass of the community of Larsen; and

WHEREAS, the County Board has authorized the sale of Oshkosh-Larsen Recreation Trail lands which adjoin the Larsen Cooperative in the community of Larsen and which are no longer needed for said Trail; and

WHEREAS, your Parks and Recreation Committee has reached tentative agreement concerning the sale of said excess County-owned lands to the Larsen Cooperative; and

WHEREAS, the Cooperative has agreed to pay Winnebago County the sum of \$53,000 for title to said lands which are described in Exhibits A & B attached hereto; and

WHEREAS, your Committee has determined that \$53,000 is a fair and reasonable settlement of Larsen Cooperative's obligations for purchase of said lands.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that appropriate County officials be and they hereby are authorized to execute a deed conveying title to the lands described in the attachments to this resolution to the Larsen Cooperative for the sum of \$53,000.

BE IT FURTHER RESOLVED that net proceeds from the sale of these lands be placed in the Parks Budget for use in construction and development of the Oshkosh-Larsen Recreation Trail By-Pass.

Submitted by, PARKS AND RECREATION COMMITTEE

Supervisor Lauson moved and it was seconded to adopt. Two-thirds vote required. Vote: Ayes—40. Nays—0. Excused—S—O'Brien, Broas, Eckrich, Wollerman, Ribble. CARRIED.

**RESOLUTION NO. 288-1289  
DISALLOW CLAIM OF RANDY N. COENEN**

WHEREAS, your Personnel and Finance Committee has had the claim of Randy N. Coenen 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 Randy N. Coenen dated October 23, 1989, 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 King and seconded to adopt.  
CARRIED BY VOICE VOTE.

**RESOLUTION NO. 289-1289  
ADOPT 1990 REVISIONS TO THE  
WINNEBAGO COUNTY ADMINISTRATIVE  
SALARY PLAN**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the 1990 Revisions to the

Winnebago County Administrative Salary Plan, as set forth and described in the documents attached hereto, be, and they hereby are, adopted.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of this Resolution shall be made available from funds budgeted for this purpose.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Supervisor King moved and it was seconded to adopt. Supervisor Diakoff moved to amend by adding "with the approval of the Personnel & Finance Committee" on page 3, last paragraph after "County Executive". CARRIED BY VOICE VOTE.

Motion by Supervisor Owens to amend page 3, fifth line to add "with the approval of the Personnel & Finance Committee" after "County Executive". CARRIED BY VOICE VOTE. Motion by Supervisor Gose to add "with the approval of the Personnel & Finance Committee" in the Rules for Administration after "County Executive" in #1, #2, #3, #4, #5, and #6. AMENDMENT LOST BY VOICE VOTE. VOTE ON RESOLUTION AS AMENDED: Ayes—35. Nays—4— Metzsig, Montgomery, Owens, Putzer. Abstain—1— Salomon. Excused—5—O'Brien, Broas, Eckrich, Wollerman, Ribble. CARRIED.

**RESOLUTION NO. 290-1289**

**COMMENDATION TO JOHN SPANBAUER**

WHEREAS, John Spanbauer has been employed with the Department of Social Services, for the past twenty-three years and ten months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, John 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 it hereby is extended to John Spanbauer for the fine services he has rendered to the Department of Social Services and Winnebago County.

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

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Moved by Supervisor King and seconded to adopt.  
CARRIED BY VOICE VOTE.

**RESOLUTION NO. 291-1289 COMMENDATION TO EARL MORK**

WHEREAS, Earl Mork has been a Winnebago County Veterans Service Commissioner since its re-organization in January, 1982. During that time he served the Winnebago County Veterans as Chairman of the Commission and as a Commissioner. He was both fair and compassionate in his consideration of veterans requests.

WHEREAS, Earl Mork will retire from the Commission on December 14, 1989. 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 Earl Mork for the fine services he rendered to the Winnebago County Veterans Service Commission.

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

Submitted by, PERSONNEL & FINANCE COMMITTEE

Supervisor King moved and it was seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 292-1289  
PROVIDE FUNDS FOR PARTIAL PAYMENT  
OF ARCHITECTURAL FEES—UW FOX  
VALLEY PROJECT: \$50,000**

WHEREAS, substantial architectural services have been provided for the UW Fox Valley construction

project; and

WHEREAS, there is a request for payment by Winnebago County of \$50,000 of said architectural fees prior to year-end.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the sum of \$50,000 be made available from the General Fund—Undesignated Fund balance to partially pay fees for architectural services rendered on the UW Fox Valley Center construction project.

BE IT FURTHER RESOLVED that said funds be repaid to the General Fund-Undesignated Fund from proceeds of the bond sale scheduled for January 16, 1990.

Submitted by, PERSONNEL & FINANCE COMMITTEE

Moved by Supervisor King and seconded to adopt. Two-thirds vote required. Vote: Ayes—39. Nays—0. Abstain—1—Putzer. Excused—S—O'Brien, Broas, Eckrich, Wollerman, Ribble. CARRIED.

RESOLUTION NO. 293-1289

**AUTHORIZE HIRING OF CONSULTANT TO PREPARE COUNTY UNDERGROUND STORAGE PLAN: PROVIDE FUNDS**

BE IT RESOLVED, by the Winnebago County Board of Supervisors that appropriate County officials be and hereby are authorized to hire a consultant to assist in the preparation of the Winnebago County Underground Storage Plan as required by the Federal government.

BE IT FURTHER RESOLVED, that necessary funds for these services be made available from the contingency fund.

BE IT FURTHER RESOLVED, that any State reimbursement received by Winnebago County to offset the cost of preparing this plan be returned to the contingency fund.

Submitted by, PERSONNEL & FINANCE COMMITTEE

Moved by Supervisor King and seconded to adopt. Two-thirds vote required. Vote: Ayes—38. Nays—2—Grundman and Salomon. Excused—S—O'Brien, Broas, Eckrich, Wollerman, Ribble. CARRIED.

Supervisor J.C. Pawlowski moved to adjourn until January 16, 1990. CARRIED.

Respectfully submitted, Linda Wolfe Winnebago County Clerk

State of Wisconsin  
County of Winnebago SS

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held December 19, 1989.

Linda Wolfe  
Winnebago County Clerk

	N EI	TRUE
BIDDER	INTEREST CC	INTEREST RA
Harris Trust and Savings	\$2,024,107 5	6 2525°/a
Northern Trust Compan	2,026,561 00	6 2597
Dean Witter Reynolds In	2,042,171 00	6 3104
First Wisconsin National	2,044,951 88	6 32
<b>Yardwaste Compost</b>	2,045,451 8	
<b>Program:</b> Initiated in		6 323559
October, 1989, accepts	2,050,278 02	
yardwaste which is then		6 3328729
composted and beneficially	2,070,236 0	
utilized as daily cover	2,081,925 83	6 402
material on the refuse.		6442219

### ZONING REPORTS AND ORDINANCES

REPORT NO. 1. A report from Planning & Zoning Committee re: zoning change to B-2 (community business) for commercial development. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 1-1-90. A request from Frank J. Dombrowski, Jr. for zoning change from A-2 to B-2. Motion by Supervisor Owens and seconded to adopt CARRIED BY VOICE VOTE.

### REPORTS, RESOLUTIONS & ORDINANCES

#### RESOLUTION NO. 294-190

#### Award Sale of \$5,225,000 General Obligation Bonds, Series 1990 A, and Levying a Tax in Connection Therewith

Whereas, on November 21, 1989, the County Board of Winnebago County, Wisconsin (the "County") adopted a resolution entitled: "Resolution Authorizing the Borrowing of \$5,225,000; and Providing for the Issuance and Sale of General Obligation Bonds, Series 1990 A Therefor" (the "Authorizing Resolution") which authorized the issuance of general obligation bonds for the purpose of paying a portion of the cost of purchasing and installing enhanced emergency telecommunications equipment for the Sheriff's Department and constructing and equipping a building for use by the University of Wisconsin Fox Valley Center (the "Project");

Whereas, pursuant to the Authorizing Resolution, the Finance Director caused a Notice of Sale to be published in THE BOND BUYER on January 9, 1990 offering the aforesaid general obligation bonds for public sale on January 16, 1990 and also caused an Official Notice of Sale to be circulated to potential bidders;

Blunt Ellis & Loewi Inc

Griffin, Kubik, Stephens  
& Thompson, Inc.

Year of Mat

- 1991
- 1992
- 1993
- 1994
- 1995
- 1996
- 1997
- 1998
- 1999
- 2000

WHEREAS, it has been determined that the bid proposal submitted by Harris Trust and Savings Bank, Chicago, Illinois 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. A copy of said bid is attached hereto as **Exhibit A** and incorporated herein by this reference.

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

**Section 1. Award of the Bonds.** The bid proposal of Harris Trust and Savings Bank, Chicago, Illinois (the "Purchaser") is hereby accepted, said proposal offering to purchase the \$5,225,000 Winnebago County General Obligation Bonds, Series 1990 A (the "Bonds") for the sum of FIVE MILLION TWO HUNDRED TWENTY—FIVE THOUSAND THREE HUNDRED SEVEN DOLLARS (\$5,225,307), interest cost of TWO MILLION TWENTY-FOUR THOUSAND ONE HUNDRED SEVEN DOLLARS AND FIFTY-EIGHT CENTS (\$2,024,107.58) and an average true interest rate of 6.2525%. The Bonds bear interest as follows:

Principal Amount	Interest Rate
\$ 50,000	7 95%
520,000	7 95
500,000	6 125
530,000	6 00
570,000	6 05
610,000	6 15
650,000	6 125
690,000	6 20
835,000	6 30
270,000	6 35

**Section 2. Terms of the Bonds.** The Bonds shall be designated "General Obligation Bonds, Series 1990 A"; shall be dated February 1, 1990; shall be in the denomination of \$5,000 or any integral multiple thereof; and shall mature serially on April 1 of each year, in the years and principal amounts as set forth above. Interest is payable semi-annually on April 1 and October 1 of each year commencing on October 1, 1990.

**Section 3. Redemption Provisions:** At the option of the County, the Bonds maturing on April 1, 1997 and thereafter shall be subject to redemption prior to maturity on April 1, 1996 or on any interest

Levy Year	payment date	Amount	thereafter.
1989	in part, in inverse	\$221,388.33	Said Bonds shall be redeemable as a whole or order of maturity and within each maturity by lot, at the
1990	principal amount	\$380,095.00	thereof, plus accrued interest to the date of redemption.
1991	Section 4.	827,437.50	<b>Form of the Bonds</b> The Bonds shall be issued in
1992	registered form and	771,455.00	shall be executed and delivered in substantially the form
1993	attached hereto as	770,242.50	Exhibit B and incorporated herein by this reference.
1994	Section 5. Direct	777,100.00	<b>Annual Irrepealable Tax Levy.</b> For the purpose of paying
1995	the principal of and	781,100.00	interest on the Bonds as the same becomes due, the full
1996	faith, credit and	782,436.25	resources of the County are hereby irrevocably pledged,
1997	and there is hereby	781,140.00	levied Upon all taxable property of the County a direct
1998	annual irrepealable	878,447.50	tax in the years and amounts as follows:
1999		278,572.50	

The direct annual irrepealable tax shall be collected in addition to all other taxes and in the

same manner and at the same time as other taxes of the County levied in said years are collected. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created by Section 6 hereof.

The County has heretofore levied a direct annual irrepealable **ad valorem** debt service tax in the amount of \$221,388.33 in anticipation of the sale of the Bonds. Said sum shall be irrevocably deposited upon receipt into the segregated Debt Service Fund Account for the Bonds created below and used to pay the interest on the Bonds coming due on October 1, 1990.

**Section 6. Segregated Debt Service Fund Account.** There is hereby established in the Treasury a fund account separate and distinct from all other funds or accounts of the County to be designated "Debt Service Fund Account for \$5,225,000 Winnebago County General Obligation Bonds, Series 1990 A dated February 1, 1990", which fund account shall be used solely for the purpose of paying the principal of and interest on the Bonds. There shall be deposited in said fund account all accrued interest paid on the Bonds at the time of delivery to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof, and all other sums as may be necessary to pay interest on the Bonds when the same shall become due and to retire the Bonds at their respective maturity dates. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

**Section 7. Segregated Construction Fund.** The proceeds of the Bonds (the "Bond Proceeds") other than any premium and accrued interest which must be paid at the time of delivery of the Bonds into the Debt Service Fund Account created herein shall be deposited into an **account separate and distinct from all other funds and**

disbursed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Bonds. Said proceeds may be temporarily invested in legal investments in the manner set forth in the Authorizing Resolution.

**Section 8. Execution of the Bonds.** The Bonds shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated by its Fiscal Agent appointed herein, if any, sealed with its official or corporate seal 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. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

**Section 9. Payment of the Bonds.** The principal of and interest on the Bonds shall be paid by the County Treasurer.

**Section 10. Persons Treated as Owners; Transfer of Bonds.** The County Treasurer shall keep books for the registration and for the transfer of the Bonds. The person in whose name any Bond 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 Bond 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 Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the County Treasurer, 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 Bond or Bonds of a like aggregate principal amount, series and maturity and the County Treasurer shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Treasurer shall cancel any Bond surrendered for transfer.

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

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the corresponding record date.

**Section 11. Utilization of the Depository Trust Company Book-Entry-Only System. In order to make the Bonds 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 Letter of Representations on file in the County Treasurer's office. The County Treasurer is authorized and directed to execute such Letter of Representations and deliver it to DTC on behalf of the County.

**Section 12. Expenditure Exemption from Rebate.** The County anticipates that it will qualify for the two year expenditure exemption from the rebate requirements of the Code and the Regulations. If not, the County will comply with the rebate requirements of the Code and the Regulations. The County elects to have subclause (v) of Section 148 (f) (4) (B) (iv) of the Code to apply and to pay the penalty provided thereunder in the event the net proceeds of the Bonds are not expended in accordance with the required schedule qualifying the County for the exemption.

above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on April 1 and October 1 of each year commencing on October 1, 1990 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the County Clerk or County Treasurer at the close of business on the 15th day of the calendar month next preceding the semiannual interest payment date.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$5,225,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Chapter 67, Wisconsin Statutes, for the purpose of paying a portion of the cost of purchasing and installing enhanced emergency telecommunications equipment for the Sheriff's Department and constructing and equipping a building for use by the University of Wisconsin Fox Valley Center, all as authorized by resolutions of the County Board duly adopted by said governing body at regular meetings held on November 21, 1989 and January 16, 1990. Said resolutions are recorded in the official minutes of the County Board for said dates.

At the option of the County, The Bonds maturing on April 1, 1997 and thereafter are subject to redemption prior to maturity on April 1, 1996 or on any interest payment date thereafter. Said Bonds are redeemable as a whole or in part, in inverse order of maturity and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the County exercises its option to redeem the Bonds prior to maturity, as long as the

**Section 13. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board 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 this 16th day of January, 1990.

Submitted by,

PERSONNEL AND FINANCE  
COMMITTEE

**EXHIBIT B  
(Form of Bond)**

**REGISTERED NO.**

**DOLLARS**

**UNITED STATES OF AMERICA**

**STATE OF WISCONSIN**

**WINNEBAGO COUNTY GENERAL  
OBLIGATION BOND, SERIES 1990 A**

MATURITY DATE: ORIGINAL DATE OF ISSUE:

INTEREST RATE: CUSIP:

April 1, 19<sup>th</sup> February 1, 1990 DEPOSITORY OR ITS NOMINEE NAME:  
CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS

(\$ )

KNOW ALL MEN BY THESE PRESENTS, that Winnebago County, Wisconsin (the "County"), hereby acknowledges itself to owe and for value received promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified

Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, or overnight express delivery, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation date and maturities of the Bonds called for redemption, CUSIP numbers; and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time, upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrevocable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable. It is hereby further certified that the County has designated this Bond to be a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b) (3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the County kept for that purpose at the office of the County Clerk or County Treasurer, only in the event that the Depository does not continue to

act as depository for the Bonds, and the County Board appoints another depository, upon surrender of the Bond to the County Clerk or County Treasurer, and

thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The County Clerk shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The County may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or Redemption Price hereof and interest due hereon and for all other purposes whatsoever.

IN WITNESS WHEREOF, Winnebago County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, all as of the 1st day of February, 1990.

WINNEBAGO COUNTY, WISCONSIN

By:

Ralph R. Nielsen  
Chairperson

By:

Linda Wolfe  
County Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto Adjourned  
Session (January 16, 1990) 277

Legal Representative to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

the within Bond and all rights thereunder and hereby irrevocably

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Motion by Supervisor King and seconded by Supervisor Utech to adopt. Assistant Corporation Counsel Bodnar explained some corrections to be noted on the resolution. Two-thirds vote required.

Vote: Ayes

-40. Nays :0 .Excused :5 .Grundman, Schwartz, Wollerman, Goff, J.C. Pawlowski CARRIED.

RESOLUTION NO. 295-190

**Award Sale of \$3,900,000 General Obligation Promissory Notes, Series 1990 B and Levying a Tax in Connection Therewith**

WHEREAS, on November 21, 1989, the County Board of Winnebago County, Wisconsin (the "County") adopted a resolution entitled : "Resolution Authorizing the Borrowing of \$3,900,000;

and Providing for the Issuance and Sale of General Obligation Promissory Notes, Series 1990 B Therefor” (the “Authorizing Resolution”) which authorized the issuance of general obligation promissory notes for the purpose of paying the cost of funding an escrow account to finance closing costs for the County’s Snell Road and Sunnyview solid waste landfill sites (the “Project”);

WHEREAS, pursuant to the Authorizing Resolution, the Finance Director caused a Notice of Sale to be published in **The Bond Buyer** on January 9, 1990 offering the aforesaid received: general obligation promissory notes for public sale on January 16, 1990 and also caused

an Official Notice of Sale		TRUE
to be circulated to	INTEREST C	INTEREST F
potential bidders;	\$1,342,084.13	6.1293 %
WHEREAS, the following	1,345,597.7	6.145

sealed bid proposals were		
	1,346,043.5	6.1458
	1,349,040.1	6.171
BIDDER	1,353,199.0	6.1790

Harris Trust and Savings Bank

Northern Trust Company  
 First Wisconsin National Bank of Milwaukee

Blunt Ellis & Loewi Inc	1,361,395.7	6.223299
Dean Witter Reynolds Inc	1,382,956.2	6.323346
First Chicago Capital Markets, Inc	1,361,380.25	6.223216

Clayton Brown & Associates, Inc  
 Gnf0n, Kubik, Stephens & Thompson, Inc

WHEREAS, it has been determined that the bid proposal submitted by Harris Trust and Savings Bank, Chicago, Illinois 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. A copy of said bid is attached hereto as Exhibit A and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED) by the County Board of the County that:  
 Section 1. Award of the Notes. The bid proposal of Harris Trust and Savings Bank, Chicago, Illinois (the “Purchaser”) is hereby accepted, said proposal offering to purchase the \$3,900,000 Winnebago County General Obligation Promissory Notes, Series 1990 B (the “Notes”) for the sum of THREE MILLION NINE

HUNDRED THOUSAND NINETY—FOUR DOLLARS (\$3,900,094), plus accrued interest to the date of delivery, resulting in a net interest cost of ONE MILLION THREE HUNDRED FORTY—TWO THOUSAND EIGHTY—FOUR DOLLARS AND THIRTEEN CENTS (\$1,342,084.13) and an average true interest rate of 6.1293%. The Notes bear interest as follows:

Year of Maturity	Principal Amount	Interest Rate
1991	\$ 50,000	7.95%
1993	700,000	6.40
1994	725,000	6.00
1995	775,000	6.05

1996	825,000	615
1997	875,000	6 125

**Section 2. Terms of the Notes.** The Notes shall be designated "General Obligation Promissory Notes, Series 1990 B"; shall be dated February 1, 1990; shall be in the denomination of \$5,000 or any integral multiple thereof; and shall mature serially on August 1 of each year, in the years and principal amounts as set forth above. Interest is payable semi-annually on February 1 and August 1 of each year commencing on August 1, 1990.

**Section 3. Redemption Provisions.** At the option of the County, the Notes maturing on August 1, 1996 and thereafter shall be subject to redemption prior to maturity on August 1, 1995 or on any interest payment date thereafter. Said Notes shall be redeemable as a whole or in part, in inverse order of maturity 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 B and incorporated herein by this reference

**Section 5. 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 taxable property of the County a direct annual irrepealable tax in the years and amounts as follows:

Levy year	Amount
1989	\$119,759.38
<b>1990</b>	<b>\$239,518.75</b>
<b>1991</b>	<b>239,518.75</b>
1992	<b>939,518.75</b>
<b>1993</b>	<b>919,718.75</b>
<b>1994</b>	<b>926,218.75</b>
1995	<b>926,331.25</b>
<b>1996</b>	<b>928,593.75</b>

The direct annual irrepealable tax shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County levied in said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll maybe reduced in any year by the amount of any surplus in the Debt Service Fund Account created by Section 6 hereof.

The County has heretofore levied a direct annual irrepealable **ad valorem debt service tax** in the amount of \$119,759.38 in anticipation of the sale of the Notes. Said sum shall be irrevocably deposited upon receipt into the segregated Debt Service Fund Account for the Notes created below and used to pay the interest on the Notes coming due on August 1, 1990.

**Section 6. Segregated Debt Service Fund Account.** There is hereby established in the Treasury a fund account separate and distinct from all other funds or accounts of the County to be designated "Debt Service Fund Account for \$3,900,000 Winnebago County General Obligation Promissory Notes, Series 1990 B dated February 1, 1990", which fund account shall be used solely for the purpose of paying the principal of had interest on the Notes. There shall be deposited in said fund account all accrued interest paid

on the Notes at the time of delivery to the Purchaser, any premium, all money raised by taxation

pursuant to Section 5 hereof, and all other sums as may be necessary to pay interest on the Notes when the same shall become due and to retire the Notes at their respective maturity dates. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

**Section 7. Segregated Construction Fund. The**

proceeds of the Note (the "Note Proceeds") other than any premium and accrued interest which must be paid at the time of delivery of the Notes into the Debt Service Fund Account created herein shall be deposited into an account separate and distinct from all other funds and dispersed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Notes. Said proceeds may be temporarily invested in legal investments in the manner set forth in the Authorizing Resolution.

**Section 8. Execution of the Notes. The** Notes

shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated by its Fiscal Agent appointed herein, if any, sealed with its official or corporate seal 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. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

**Section 9. Payment of the Notes. The principal**

of and interest on the Notes shall be paid by the County Treasurer.

**Section 10. Persons Treated as Owners; Transfer of Notes. The County Treasurer shall keep books for the registration and for the transfer of the** Notes. 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 County Treasurer, 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 County Treasurer shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Treasurer 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.**

**The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. 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 corresponding record date.**

**Section 11. 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 Letter of Representations on file in the County Treasurer's office. The County Treasurer is authorized and directed to execute such Letter of Representations to DTC on behalf of the County.

**Section 12. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board 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 this 16th day of January, 1990.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

**EXHIBIT B  
(Form of Note)**

**UNITED STATES OF AMERICA  
STATE OF WISCONSIN  
WINNEBAGO COUNTY  
GENERAL OBLIGATION PROMISSORY NOTE,**

**SERIES 1990 B**  
REGISTERED DOLLARS  
NO. R—\_ \$~

**MATURITY DATE: ORIGINAL DATE OF**

ISSUE: INTEREST RATE: CUSIP:

August 1, 19~ February 1, 1990 %

DEPOSITORY OR ITS NOMINEE NAME: CEI)E &  
CO.

**PRINCIPAL AMOUNT: \_ DOLLARS (\$**

KNOW ALL MEN BY THESE PRESENTS, that Winnebago County, Wisconsin (the "County"), hereby acknowledges itself to owe and for value received promises to pay to the Depository or its Nominee Name  
**(the "Depository") identified above**

(or to registered assigns), on the maturity date identified above the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on February 1 and August 1 of each year commencing on August 1, 1990 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the County Clerk or County Treasurer at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$3,900,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Section 67.12 (12), Wisconsin Statutes, for the purpose of paying the cost of funding an escrow account to finance closing costs for the County's Snell Road and Sunnyview solid waste landfill sites, all as authorized by resolutions of the County Board duly adopted by said governing body at regular meetings held on November 21, 1989 and January 16, 1990. Said resolutions are recorded in the official minutes of the County Board for said dates.

At the option of the County, the Notes maturing on August 1, 1996 and thereafter are subject to

redemption prior to maturity on August 1, 1995 or on any interest payment date thereafter. Said Notes are redeemable as a whole or in part, in inverse order of maturity and within each maturity by lot (as selected by the

Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the County exercises its option to redeem the Notes prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, or overnight express delivery, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers; and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable. It is hereby further certified that the County has designated this Note to be a "qualified tax-exempt obligation" pursuant to the provisions of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the

County kept for that purpose at the office of the County Clerk or County Treasurer, only in the event that the Depository does not continue to act as depository for the Notes, and the County Board appoints another depository, upon surrender of the Note to the County Clerk or County Treasurer, and thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository on exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The County Clerk shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The County may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or Redemption Price hereof and interest due hereon and for all other purposes whatsoever.

IN WITNESS WHEREOF, Winnebago County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, all as of the 1st day of February, 1990.

WINNEBAGO COUNTY, WISCONSIN

By:

Ralph R. Nielson  
Chairperson

By:  
Linda Wolfe  
County Clerk

**ASSIGNMENT**  
**FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto**  
**(Name and Address of Assignee)**

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

(e.g Bank, Trust Company (Depository or Nominee Name) or Securities Firm)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement of any change whatever.

(Authorized Officer)

It was moved by Supervisor King and seconded by Supervisor Utech to adopt. Two-thirds vote required.  
Vote: Ayes . . . Nays . . .  
Excused . . . Schwartz, Goff, J.C. Pawlowski, Wollerman. CARRIED.

**RESOLUTION NO. 296-190**  
**Commendation to Clarence Godwin**

WHEREAS, Clarence Godwin has been employed with the Highway Department of Winnebago County, for the past twenty-nine years and nine months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Clarence Godwin 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 County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Clarence Godwin for the fine services he has rendered to the Highway Department and Winnebago County.

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

Submitted by,  
PERSONNEL AND FINANCE  
COMMITTEE

**RESOLUTION NO. 297-190****Commendation to Elaine Larson**

WHEREAS, Elaine Larson has been employed with Park View Health Center of Winnebago County, for the past twenty-six years and two months, and during that time has been a most conscientious and devoted County employee; and

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

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

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

Submitted by, PERSONNEL AND FINANCE COMMITTEE

**RESOLUTION NO. 298-190****Commendation to Elaine Lentz**

WHEREAS, Elaine Lentz has been employed with Park View Health Center of Winnebago County, for the past twenty-four years, and during that time has been a most conscientious and devoted County employee; and

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

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

BE IT FURTHER RESOLVED, that the County Clerk send a copy of the Resolution to Elaine Lentz.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

**RESOLUTION NO. 299-190****Commendation to Doris Matulle**

WHEREAS, Doris Matulle has been employed with Winnebago County, for the past nineteen years and seven months, and during that time has been a most conscientious and devoted County employee; and

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

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

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

Submitted by, PERSONNEL AND FINANCE COMMITTEE

**RESOLUTION NO. 300-190****Commendation to Kenneth Navine**

WHEREAS, Kenneth Navine has been employed with the Department of Social Services, for the past twenty-three years and six months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Kenneth Navine 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 it hereby is extended to Kenneth Navine for the fine services he has rendered to the Department of Social Services and **Winnebago County**.

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

**Submitted by, PERSONNEL AND FINANCE COMMITTEE**

**RESOLUTION NO. 301-190**

**Commendation to Harold Ruedinger**

WHEREAS, Harold Ruedinger has been employed with the **Highway Department of Winnebago County for the past twenty-six years and five months**, and during that time has been a most conscientious and devoted County employee; and

**WHEREAS, Harold Ruedinger 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 it hereby is extended to **Harold Ruedinger for the fine services he has rendered to the Highway Department and Winnebago County.**

**BE IT FURTHER RESOLVED**, that the County Clerk send a copy of this Resolution to **Harold Ruedinger.**

Submitted by,  
PERSONNEL AND FINANCE  
COMMITTEE

Motion by Supervisor King and seconded to adopt Resolutions No. 296-190 through 301-190. **CARRIED BY UNANIMOUS VOICE VOTE.**

**RESOLUTION NO. 302-190**

**Transfer Funds from Maintenance Dept. Budget to Community Programs Budget: Rent & Utilities for Schwab Building (\$27,400)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that funds in the amount of \$27,400 presently in the Maintenance Budget for rent and utilities relating to the Schwab Building be transferred to the Community Programs Budget as hereinafter provided for the reason that the Community Programs Department is the County Department which will be occupying the said building.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Moved by Supervisor King and seconded to adopt. Discussion on lease with Schwab which was not presented to County Board for discussion or approval. Supervisor Diakoff moved and it was seconded to amend to add: "Be It Further Resolved that prior to the negotiation of a lease for 1991 that it come to the County Board for a recommendation and approval." Motion withdrawn. Vote on Resolution: Ayes - 21 - O'Brien, Flavin, Albright, Hartmann, Metzger, Broas, Planalp, Sundquist, Troxell, Kollath, Luebke, Knigge, Maehl, Goff, Bremberger, Montgomery, Utech, Nielsen, Witzke, Albrecht, King. Nays - 20 - W. C. Pawlowski, Grundman, Yanko, Widmer, Robl, Gavinski, Eckrich, Laabs, Steber, Wagner, Schaidler, Diakoff, Owens, Cartwright, Christofferson, Lauson, Gose, Salomon, Putzer, Lawson. Abstain - 1 - Ribble. Excused - 4 Schwartz, J. C. Pawlowski, Wollerman. **CARRIED.**

**RESOLUTION NO. 310- 190**

**Establish County Board Policy Regarding**

**the Leasing of Real Estate by County  
Committees, Boards, Departments or Offices**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the following policy become effective upon passage of this resolution:

It shall be the policy of Winnebago County that the Buildings and Grounds Committee be apprised, in advance, of the negotiations of any and all contracts involving the leasing of any real estate for expansion of and / or use by any Winnebago County committee, board, department or office. After that, the Buildings and Grounds Committee must act on said contract prior to said contract being presented to the County Board for action.

Submitted by, BUILDINGS & GROUNDS COMMITTEE

Moved by Supervisor Wagner and seconded to adopt. Supervisor Eckrich moved and it was seconded to amend by substituting "Be It Further Resolved" for "After that" on the sixth line. CARRIED BY VOICE VOTE. Supervisor Montgomery moved and it was seconded to delete "upon passage" on line two and insert "within 45 days". LOST BY VOICE VOTE. Vote on Resolution as amended: Ayes - 22 - Grundman, Yanko, Hartmann, Broas, Planaip, Gavinski, Eckrich, Laabs, Luebke, Steber, Wagner, Ribble, Diakoff, Owens, Cartwright, Christofferson, Lauson, Gose, Salomon, Albrecht, Putzer, Lawson. Nays - 19 - O'Brien, Flavin, W. C. Pawlowski, Albright, Widmer, Metzger, Sundquist, Robl, Troxell, Kollath, Knigge, Maehl, Goff, Bremberger, Montgomery, Utech, Schaidler, Witzke, King. Abstahi - 1 - Nielsen. Excused - 3 - Schwartz, Wollerman, J. C. Pawlowski. CARRIED.

**RESOLUTION NO. 303-190**

**Transfer Funds from Contingency Fund to County Board Budget: (\$16,000)**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the sum of \$16,000 be transferred from the Contingency Fund to the 1989 County Board Budget to cover 1989 underbudgeted County Board Supervisors per diem and social security obligations.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor King and seconded to adopt.

Two-thirds vote required. Vote: Ayes - 41. Nays - 1 .  
Salomon. Excused . 3 . Schwartz, Wollerman, J. C.  
Pawlowski. CARRIED.

**RESOLUTION NO. 304-190**

**County Clerk's Office to be Notified of  
All Contracts or Agreements of Winnebago  
County**

WHEREAS, numerous contracts and agreements are entered into annually by departments of Winnebago County; and

WHEREAS, there is no central location for these contracts & agreements for persons seeking information regarding them; and

WHEREAS, it would be beneficial to have a central location such as the County Clerk's Office for information to be obtained on these documents.

NOW, THEREFORE, BE IT RESOLVED, that all Winnebago County Department Heads submit information to the County Clerk on all present contracts and agreements in force at this time, and on all future contracts and agreements entered into.

BE IT FURTHER RESOLVED, that the County Clerk send a memo and form to all Department Heads for them to fill out and submit to the County Clerk with the required information on all contracts and agreements which they have in effect.

Adjourned Session (January 16 1990)  
Submitted by, JUDICIARY & PUBLIC SAFETY COMMITTEE

It was moved by Supervisor Planalp and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 305-190**  
**Support Creation of County Land**  
**Information Office**

WHEREAS, 1989 Wisconsin Act 31 created a State Land Information Board (Sec. 15.105(16) Wis. Stats.); and

WHEREAS, said legislation also allows for the creation of a County Land Information Office (Sec. 59.88(3) Wis. Stats.); and

WHEREAS, Sec. 59.88(3) Wis. Stats. also states that the duties of the County Land Information Office shall be:

(a) **Coordinate land information projects within the** county, between the county and local governmental units, between the state and local governmental units and among local governmental units, the federal government and the private sector.

(b) Within two years after the land information office is established, develop a countywide plan for land records modernization.

(c) Review and recommend projects from local governmental units for grants from the Land Information Board; and

WHEREAS, the benefits of establishing a County Land Information Office are:

(a) The law states that a county with a land information office may apply to the Land Information Board for a grant for a land information project.

(b) Provide for coordination of land record information within the county.

(c) Better service to the public; and

WHEREAS, your Planning and Zoning Committee recommends creation of a County Land Information Office pursuant to Sec. 59.88(3) Wis. Stats.

NOW, THEREFORE BE IT RESOLVED, that the

Winnebago County Board of Supervisors does hereby create a County Land Information Office with duties as provided in Sec. 59.88(3) Wis. Stats.

BE IT FURTHER RESOLVED, that the aforementioned duties should be performed by the Winnebago County Planning and Zoning Department and that the Winnebago County Planning and Zoning Committee shall be the Committee of Jurisdiction.

Submitted by, PLANNING & ZONING COMMITTEE

It was moved by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 306-190**  
**Televised Winnebago County**  
**Board Proceedings**

BE IT RESOLVED by the Winnebago County Board of Supervisors that appropriate County officials be and they hereby are authorized to contact the necessary agencies in Oshkosh to determine and report back to the County Board the cost and other terms and conditions to have the proceedings of the Winnebago County Board of Supervisors televised live on Channel 24, the public access television channel located in Oshkosh.

Submitted by, RALPH R. NIELSEN COUNTY BOARD SUPERVISOR

Motion by Supervisor Nielsen and seconded to adopt. Supervisor Eckrich moved and it was seconded to amend by adding "and other television channels located in Winnebago County" after "Channel 24", and "surrounding municipalities" after the last word. Vote on resolution as amended. CARRIED BY VOICE VOTE.

RESOLUTION NO. 307-190  
**Support AB 387 to Allow Government**

**Entities to Publish Legal Notices in Free  
Subscription Papers**

WHEREAS, your Governmental Relations Committee has reviewed AB 387 which would allow counties the option to publish legal notices in free subscription, shopper-type papers; and

WHEREAS, in Winnebago County only one newspaper is eligible to publish legal notices for the County; and

WHEREAS, it is believed that increased competition will help control such publication costs. NOW, THEREFORE, BE IT RESOLVED that the Winnebago county Board of Supervisors does hereby support passage of Assembly Bill 387.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Wisconsin legislative members representing Winnebago County and to the Executive Director of the Wisconsin Counties Association.

Submitted by, GOVERNMENTAL RELATIONS COMMITTEE  
Resolution was withdrawn.

**RESOLUTION NO. 308-190**

**Accept State Conservation Funds to  
Administer Wildlife Damage Abatement  
Program (\$22,000)**

WHEREAS, funds are available through the Wisconsin Department of Natural Resources Wildlife Crop Damage Program to provide crop damage abatement assistance to landowners in the county; and

WHEREAS, the Department of Natural Resources, your County Executive and your Land Conservation Committee have approved a Wildlife Damage Program Plan of Administration for the county in 1990 at an estimated cost of \$22,000; and

WHEREAS, the Department of Natural Resources agrees to advance \$5,500 to Winnebago County, which is 25% of the estimated program costs for administration and abatement assistance, with the provision to make additional reimbursements to the county for all costs incurred during 1990.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive be and is hereby authorized to accept DNR Wildlife Damage Program funds as specified above which have been included in the 1990 Annual County Budget.

Submitted by, LAND CONSERVATION COMMITTEE  
Motion by Supervisor Maehl and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 309-190**

**Authorize Execution of Lease Agreement between Winnebago County and Basler Flight  
Service et al: Wittman Field Airport**

WHEREAS, your Aviation Committee did on November 21, 1989 present Resolution 266-1189 which was adopted by the County Board and which authorized execution of an agreement between Winnebago County and Basler Flight Service and others; and

WHEREAS, Basler had concerns relating to the term of said agreement and a certain insurance provision contained therein which concerns have been resolved by your committee; and

WHEREAS, a new agreement has been drafted which is agreeable to the parties and a copy of which is attached hereto; and

WHEREAS, the new agreement contains the following changes in the agreement originally presented:

**Paragraph 5****Old Language**

The term of this Agreement shall be fifty (50) years beginning December 1, 1989.

**New Language**

The term of this Agreement shall be for ten (10) years beginning December 1, 1989, with four additional ten (10) year renewal options available to the Grantee.

**Paragraph 18 (c)****Old Language****Automobile Liability**

Insurance with a minimum limit of \$1,000,000

Combined

**New Language****Automobile Liability Insurance with a minimum**

limit of \$1,000,000 Combined Single

**Old Language (continued)**

Single Limit for Bodily Injury and Property Damage Liability. This insurance shall include Bodily Injury and Property Damage for the following coverages:

- a. Owned Automobiles
- b. Hired Automobiles
- c. Non-Owned Automobiles

**New Language (continued)**

Limit for Bodily Injury and Property Damage Liability for all ground vehicles operated on airport property. This insurance shall include Bodily Injury and and Property Damage for the following coverages:

- a. Owned Automobiles
- b. Hired Automobiles
- c. Non-owned Automobiles

BE IT RESOLVED by the Winnebago County Board of Supervisors that appropriate Winnebago County officials be and they hereby are authorized to execute the agreement between Winnebago County and Warren L. Basler, Patricia Basler, Basler Flight Service, Inc. and Basler Turbo Conversions, Inc., a copy of which is attached hereto, relating to Basler's access to Wittman Regional Airport from their newly constructed off-airport operations.

BE IT FURTHER RESOLVED that Resolution 266-1189 be and the same is hereby rescinded.

Submitted by,

AVIATION COMMITTEE

It was moved by Supervisor Sundquist and seconded to adopt. Vote: Ayes - 39. Nays -3. Excused -3

-Schwartz, J.C. Pawlowski, Wollerman. CARRIED.

Supervisor Eckrich moved to adjourn until February

20, 1990. CARRIED.

Respectfully submitted, Linda Wolfe Winnebago County Clerk

State of Wisconsin)

County of Winnebago)SS

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held January 16, 1990.

Linda Wolfe

Adjourned Session (January 16 1990)  
Winnebago County Clerk

Adjourned Session (July 20, 1990)

#### PUBLIC HEARING

Park View Health Center Administrator Charlene Lowe addressed the Board and informed them of the success of the laundry service since Gunderson Cleaners has taken over. The twelve people that were displaced by the change have been absorbed in other positions. Gunderson Cleaners rents the County's equipment for \$450.00 a month and is responsible for their maintenance.

#### ZONING REPORTS AND ORDINANCES

REPORT NO. 1. A report from Planning & Zoning Committee re: zoning change to P-I for existing church and R-2 for existing homes. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 2-1-90. A Request for zoning change from A-2 to P-I and R-1 from Church of Jesus Christ, B. Curtis, J. Siepmann and Town of Algoma. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.2. A report from Planning & Zoning Committee re: zoning change to R-5 out of Floodplain. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 2-2-90. A Request for zoning change from R-5 in Floodplain to R-5 out of Floodplain from Jerold J. Bechard. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.3. A report from Planning & Zoning Committee re: zoning change to R-2 Suburban Residential District. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 2-3-90. A request for zoning change from R-1 to R-2 from George W. Strohmeyer. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO.4. A request from A-1 to A-3 from A. Thomack. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO.5. A request from A-2 to A-4 from Alvin J. Ristau. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

#### REPORTS, RESOLUTIONS & ORDINANCES

##### RESOLUTION NO. 311-290

##### Establish and Reaffirm Ownership Interests - Joint County/City Public Safety Building

WHEREAS, it appears that now is an appropriate time to establish and reaffirm the Winnebago County and City of Oshkosh respective percentages of ownership in the property on which the Joint County/City Public Safety Building and its environs are located; and

WHEREAS, a copy of the survey of the said Joint County/City Public Safety Building property is attached hereto; and

WHEREAS, the parties have shared the cost of construction of Public Safety Building and land acquisitions related thereto on the basis of 83% Winnebago County and 17% City of

Adjourned Session (February 20, 1990)

Oshkosh; and

WHEREAS, all the obligations of the parties insofar as said building construction, land purchases and dedications, and other capital improvements to the property have been paid by the parties in the aforementioned manner; and

WHEREAS, the Public Safety Building Board is recommending that future capital improvements to the property be shared on the basis of the aforementioned percentages unless and until the by their respective governing bodies, determine that the cost of any such improvement or improvements shall be shared differently.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Clerk be and she hereby is authorized to execute the Quit Claim Deed relating to the establishment and reaffirmation of Winnebago County and City of Oshkosh percentages of ownership of the Joint County/City Public Safety Building property, a copy of which is attached hereto.

BE IT FURTHER RESOLVED that the obligations of Winnebago County and the City of Oshkosh relating to the construction costs of the Joint County/City Public Safety Building, land purchases and dedications, and other capital improvements to the property as of the date of adoption of this resolution have been fully paid and satisfied as between the parties in their respective shares of 83% Winnebago County and 17% City of Oshkosh and shall remain as such unless and until Winnebago County and the City of Oshkosh, by their respective governing bodies, determine that the cost of any such capital improvement or improvements shall be shared differently.

Submitted by,

**PUBLIC SAFETY BUILDING BOARD**

Motion by Supervisor King and seconded to adopt.

**CARRIED BY VOICE VOTE.**

308 Adjourned Session (February 20, 1990)

QUIT CLAIM DEED

Re: Joint County/City Public Safety Building Tax Parcel No. 7-134-i

This indenture is made by and between Winnebago County and the City of Oshkosh, State of Wisconsin Municipal Corporations, and said parties by these presents do quit claim an undivided Eighteen percent (18%) interest to Winnebago County and an undivided Seventeen percent (17%) interest to the City of Oshkosh in the following described real estate to Winnebago County, State of Wisconsin:

Lot 1 according to Certified Survey Map recorded in the Winnebago County Register's Office on the 7th day of November, 1989 at 8:22 o'clock A.M. and filed in Vol. 1 of CSK on page 2100, document 8733169.

The purpose of this deed is to establish and reaffirm Winnebago County and City of Oshkosh percentages of ownership of the Joint County/City Public Safety Building.

Exempt from real estate transfer fee pursuant to s. 77.25(2) Wis. Stats.

This is not homestead property.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1990.

\_\_\_\_\_  
(SEAL)  
Linda Wolfe  
Winnebago County Clerk

\_\_\_\_\_  
(SEAL)  
William D. Frueh  
City Manager, City of Oshkosh

\_\_\_\_\_  
(SEAL)  
Denna C. Serwas  
City Clerk, City of Oshkosh  
AUTHENTICATION  
Signatures of William D. Frueh and  
Donna C. Serwas authenticated this  
\_\_\_\_\_ day of \_\_\_\_\_  
1990.

AUTHENTICATION  
Signature of Linda Wolfe  
authenticated this \_\_\_\_\_  
day of \_\_\_\_\_  
1990.

TITLE: MEMBER STATE BAR OF  
(If not, \_\_\_\_\_

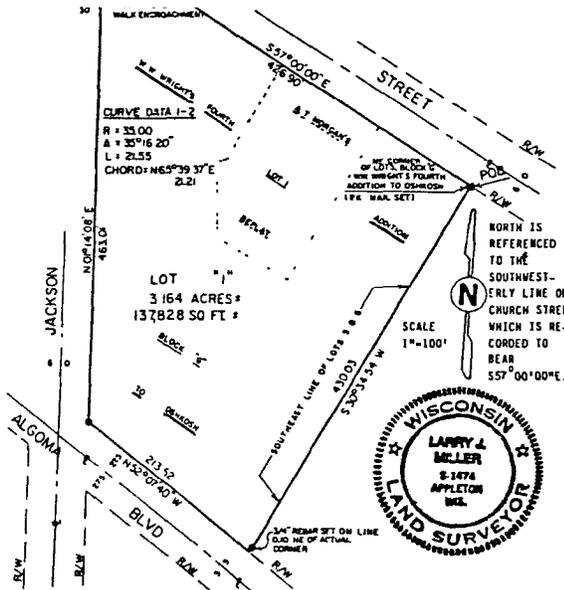
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authorized by a. 706.06,

Adjourned Session (Friday, 20, 1990)

Wis. authorized by s. 706.06, Wis. Stats.) State.)

This Instrument Was Drafted By:  
Gerald L. Engeldinger  
Winnebago County Corporation Counsel



**SURVEYORS CERTIFICATE.** I, 1\*401.1911(GI. STATE SF AISCOIN RESIST. WED LARD SURVETOR ND. 5—147100 REVERT CERTIFY THAT I VAVI DAR000ED, VCSLAOTV1505 AND NAPPED TVAT PVAI OF NLVCR U.—.A NRIEHT'S F000TA 000TTIOR TV OSHE05R—URO LOT 1 EI \*0.1. 90VSAN'S LEPLAT SF PART OF LOTS 2. 3. AC H, 910CR U. N.H. BIGHT'S P0511TH ROAIYION TO OSARSON'IR THE SEVENTH WARS. CITY OF 0004OSR. 9111:0001 CODROY. 115101319. ROAR100 \*50 DESCRIES AS FILLIRS: REUIN9TRU AT IRE 90950, 050 CORNEA OF LII 5, 910CR V \*A. ARIGHT'S FEVRH 01010151 90 ISHROS— RHENCE 530°34'D4"H \*1096 IRE SDDT0005TERLV LIRE 0° LOS S E LOT VIE SAID 910CR U 430.03 FEET TV THE ECOTAERSTE9LY RI000—EE—VRT 1195 IF \*10000 BOULEVARD, THENCE ESO°DD AOW 01590 TV' ROBTGGSTERLO RIHT—IF.AAY LIRE OF 01000° 000LEVVRD 313.52 FEET TO TAE IRTELDECTIOH RITH TIE OUST IIGHT—OF—WAS 1110 IA JACKSON STREET; IRERCE 901°14'SI'E VITRO IRE EAST RISRT—OF—RAY LIRE IF JACEIDA STREET 163 UI FEET. THENCE 9SATR—EASTERLY 21.05 I EET AI IRS THE ARC OF A 35.00 FOOT RHUIUS CURVE CONCAVE 00 IRE 500TVERST NRC HATING \* CHORD SF RAS°3R'30"E 21.21 FEES TI TAE SOUTRNJ STERLY RTEAI—IF—HRY 1190 IF CHURCH STREEO. THENCE 552°SD'IE ALS9G TIE 5000VAESEELY RIGHT—OF.AAT 1190 OF CADACR STREET ATR,VO FIEI 15 THE POIIT OF AUSINLIRO CONVAIRIRI 3.1R4 ACRES \*000 OR LESS AND NEIRA SUVIECI RD EASEVENTS, RESIRICTIORS RIO CIRENARTS IF RECORD. I DO FDROHEV CERTIFY IRAT THIS NAP OS A TRUE REPRESENYATHIR OF IRE NOARDARY LINTS TREREOF RID 50°0 I HARE FULLY EUNPY.IED RITA THE REOUIREIETS OF SECTION 23R.14 OF IAO \*ISCHISIR STATE STATUTES 095 THE SURSIIYSIDI REGULATIONS IF THE CITY OF SRRISH II SDR0001WG. OIVTODN HND MAPPING THE OATS.

LARRY J. KILLER, WIT NI. S. TOOA—U— V—JA— DAIED/O—t—81

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RESOLUTION NO. 312-290 Disallow Claim of Sandra L. Prunty

WHEREAS, your Personnel and Finance Committee has had the claim of Sandra L. Prunty 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 Sandra L. Prunty dated January 5, 1990, 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 King and seconded to adopt.

CARRIED BY VOICE VOTE.

RESOLUTION NO. 313-290

Disallow Claim of Jessica Taylor

WHEREAS, your Personnel and Finance Committee has had the claim of Jessica Taylor referred to it

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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 Jessica Taylor dated January 8, 1990, 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 King and seconded to adopt. CARRIED BY VOICE VOTE

### **RESOLUTION NO. 3 14-290**

#### **Provide Funds for Winnebago County Long Term Space Needs Analysis (\$25,000)**

WHEREAS, in the past, Winnebago County has been able to accommodate growth within existing County owned facilities; and

WHEREAS, future growth cannot be accommodated in existing County facilities because of lack of space; and

WHEREAS, the demand for services in the future by the public will cause County government to increase personnel; and

WHEREAS, to accommodate future growth in an orderly cost efficient manner, your Building and Grounds Committee recommends that an architectural firm be retained to develop a long term (ten years) needs analysis for the County; and

WHEREAS, the County Executive will direct the long term needs analysis study and submit progress reports regularly to the Building and Grounds Committee.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the sum of \$25,000 be made available from the contingency fund to cover the cost of a Winnebago County Long Term Space Needs Analysis.

BE IT FURTHER RESOLVED that the Long Term Needs Analysis be brought to the Winnebago County Board of Supervisors for final approval.

Submitted by, BUILDING AND GROUNDS COMMITTEE

Vote Requirement for Passage: 2/3rds

Moved by Supervisor Wagner and seconded to adopt. Supervisor Planalp moved and it was seconded to amend by adding after "Building and Grounds Committee" in the fifth "WHEREAS" paragraph "and duly submit to the County Board for approval." Vote on amendment: Ayes -24 -Ribble, W.C. Pawlowski, Schaidler, Laabs, Witzke, Diakoff, Yanko, Knigge, Owens, Widmer, Cartwright, Christofferson, Broas,

Gose, Planalp, Wagner, Salomon, Sundquist, Bremberger, Albrecht, Robl, Utech, Putzer, Troxell. Nays -17 -Koflath, J.C. Pawlowski, Flavin, Gavinski, Eckrich, Grundman, Aibright, Luebke, Maehl, Hartmann, Wollerman, Lauson, Goff, Schwartz, Montgomery, King, Lawson. Abstained -1

-Nielsen. Excused -3 -O'Brien, Metzsig and Steber. AMENDMENT CARRIED. Supervisor Gose moved and it was seconded to amend by adding after "County Executive" in the fifth "WHEREAS" paragraph, "and the Committee of Jurisdiction." AMENDMENT LOST BY VOICE VOTE. Vote on Amended Resolution: Ayes

-36. Nays -7 -Laabs, Owens, Cartwright, Christofferson, Steber, Salomon and Putzer. Excused -2 -O'Brien and Metzsig. CARRIED.

creation of preliminary space programs and matrixes of proximity of functions.

#### **Task No.4**

Evaluate how the building space location options will impact the existing infra structure

Adjourned Session (July 20, 1990)

systems and delivery of government in general. Determine the cost implications of any impact on the various options.

**Task No. 5**

Create probable project construction costs for each of the options selected as solutions to the space problems of Winnebago County.

**Task No. 6**

Develop Life Cycle cost projections for each of the options to determine the long term effect on future county operating budgets. Life Cycle analysis will factor in the cost of operation, maintenance, finance, energy and management of each option. The resulting analysis will provide the cost of each option over a selected time span. After discussions with Dave Schmidt, County Planner, it has been determined that three options with up to three scenarios in each option will be necessary to address the potential space needs.

**Task No. 7**

Together with the selected county representatives, the task force will provide a recommendation for the most advantageous option and rank the others based on initial and long term costs. This study will also include a plan of action to implement the projected space requirements for Winnebago County.

**Task No.8**

Prepare the Analysis for distribution, presentation, approval, development and implementation.

**WORK PLAN TIME SCHEDULE**

Assuming that the analysis and costs of space requirements has to be completed within 1990 and any action by the supervisors would have to occur during the 1991 budget setting sessions for actual

implementation in 1991, the Time Table to complete the study is as follows:

<b>Task</b>	<b>Start Date</b>	<b>Complete Date</b>
1 Organization	1-1-90	1-31-90
2. Data Gathering projections	1-20-90	2-28-90
3. Creating Options	2-15-90	2-28-90
4. Impact Analysis	3-1-90	3-31-90
5. Probable Costs	3-1-90	4-15-90
6. Life Cycle Analysis	3-1-90	5-15-90
7. Ranking/Publishing	5-15-90	6-1-90
8. Distribution	6-1-90	7-1-90

**LONG TERM SPACE NEEDS ANALYSIS  
-WINNEBAGO COUNTY FEE PROPOSAL**

Reinke, Hansche, Last, Inc. proposes to assist Winnebago County in the development of the Long Term Space Plan and complete the eight (8) listed tasks. We propose to complete the study for a fee of Twenty Five Thousand Dollars (\$25,000), invoiced monthly for work completed.

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It is assumed that Winnebago County will provide printing of the completed document for distribution. Should Reinke, Hansche, Last, Inc. be requested to provide printed documents for distribution, printing services will be provided at cost plus fifteen percent (15%) for handling.

Reimbursable costs for photograph work and other costs determined to be reimbursable will also be invoiced at cost plus fifteen percent (15%).

**RESOLUTION NO. 315-290**

**Authorize Filing of Petition for Direct  
Annexation by Unanimous Approval with City of  
Menasha: To Annex the Portion of UW-Fox  
Valley Campus lying within Town of Menasha**

BE IT RESOLVED by the Winnebago County Board of Supervisors, the County Board Chairperson and the County Clerk be and they hereby are authorized to file a petition for direct annexation by unanimous approval and other appropriate forms relating thereto pursuant to sec. 66.021 (12), Wis. Stats., with the City of Menasha, to annex thereto the Winnebago County and Outagamie County owned

portion of the UW-Fox Valley Campus presently located in the Town of Menasha, Winnebago County, Wisconsin.

Submitted by,

UW-FOX VALLEY CENTER TRUSTEES

Moved by Supervisor Maehl and seconded to adopt.  
CARRIED BY VOICE VOTE.

**RESOLUTION NO. 316-290**

**Create 1.5 Full-Time Equivalent Positions of  
Food Service Worker and Convert One Part-time  
Position of Food Service Supervisor Into a Full-Time Position: Park View Health Center**

WHEREAS, since the adoption of the 1990 Winnebago County Budget, Park View Health Center has been awarded a contract for serving an additional meal site, a day care center and several catering jobs on an on-going basis; and

WHEREAS, this additional work requires additional staffing in the form of 1.5 full-time equivalent positions of Food Service worker and the conversion of a part-time (half time) position of Food Service Supervisor into a full-time position; and

WHEREAS, the cost of these staffing increases will be offset by additional revenues and overtime reductions.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors approve that 1.5 full-time equivalent positions of Food Service Worker be created; and

BE IT FURTHER RESOLVED, that the part-time position of Food Service Supervisor be converted into a full-time position.

Submitted by,

PERSONNEL AND FINANCE  
COMMITTEE

AND

PARK VIEW HEALTH CENTER  
COMMITTEE

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Motion by Supervisor King and seconded to adopt.  
Votes: Ayes –36. Nays –5 –Ribble, Diakoff, Yanko, Widmer and Salomon. Excused –4 –O’Brien, Cartwright, Metzsig and Lauson. CARRIED.

**RESOLUTION NO. 3 17-290**  
**Amend the Table of Organization for Park View Health Center to Provide for Full-time Equivalent Positions in Two Departments**

WHEREAS, in adopting the 1990 Winnebago County Budget the County Board of Supervisors adopted a provision that requires any changes or substitutions in the Table of Organization to be made only by Resolution of the County Board of Supervisors; and

WHEREAS, in order to accommodate fluctuations in workloads and to effectively respond to the availability of staff, it is necessary that the Nursing Service and Food Service departments of Park View Health Center be afforded the flexibility to change staffing patterns as needed within four specific position titles; and

WHEREAS, such staffing flexibility can best be maintained by authorizing staffing on the basis of full-time equivalent positions rather than on the basis of a fixed number of full-time and part-time positions.

NOW THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the Table of Organization of Winnebago County for Park View Health Center be modified to define staffing within four specific position titles in the Nursing Service and Food Service Departments of Park View Health Center in terms of full-time equivalent positions rather than in terms of a fixed number of full-time and part-time positions.

BE IT FURTHER RESOLVED, that the authorized full-time equivalent positions at Park View Health Center be as follows:

FULL-TIME EQUIVALENT	
POSITION TITLE	POSITIONS
<b>NURSING SERVICE DEPARTMENT</b>	
Nurse(RN orLPN)	392
Nurse Aide	167 ~
<b>FOOD SERVICE DEPARTMENT</b>	
Cook	
Food Service Worker	23 ~

Submitted by,  
PERSONNEL AND FINANCE  
COMMITTEE  
AND  
PARK VIEW HEALTH CENTER  
COMMITTEE

It was moved by Supervisor King and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 3 18-290**  
**Approval of Lease Agreement Between Winnebago County and Tag, Inc. d/b/a The Airport Grill (\$4,455.00)**

WHEREAS, Winnebago County desires to lease certain premises located at the Wittman

Adjourned Session (January 20, 1990)

Regional Airport, Oshkosh, Winnebago County, Wisconsin, for the purpose of operating a restaurant (grill) and gift shop therein; and

WHEREAS, Tag, Inc. d/b/a The Airport Grill, 424 Hazel Street, City of Oshkosh, Winnebago County, Wisconsin has agreed in principal to enter into a lease agreement, a copy of which is hereto attached and incorporated by reference as a part of this resolution, to operate a restaurant and gift shop at Wittman Regional Airport.

THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

That the Winnebago County Board of Supervisors hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into a lease agreement for the rental of space to Tag, Inc. d/b/a The

Airport Grill at Wittman Regional Airport pursuant to the terms of the attached lease agreement.

Submitted by,

AVIATION COMMITTEE

In was moved by Supervisor Sundquist and seconded to adopt. CARRIED BY VOICE VOTE.

**LEASE AGREEMENT  
BETWEEN  
WINNEBAGO COUNTY  
AND  
TAG, INC. d/b/a  
THE AIRPORT GRILL**

THIS AGREEMENT, made and executed this

\_\_\_\_ day of \_\_\_\_\_, 1990, by and between

WINNEBAGO COUNTY, a State of Wisconsin Municipal Corporation, hereinafter called "Lessor", and TAG, INC. d/b/a THE AIRPORT GRILL, 424 Hazel Street, Oshkosh, Wisconsin 54901, hereinafter called "Lessee".

WITNESSETH:

WHEREAS, Lessor owns an airport known as Wittman Regional Airport, located in Winnebago County, Wisconsin, and

WHEREAS, Lessee desires to lease certain premises located at Wittman Airport, and Lessor is willing to lease same to Lessee on terms and conditions hereinafter stated.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other valuable considerations, Lessor does hereby lease to Lessee, and Lessee does hereby hire and take from Lessor, the following described premises located at Wittman Airport, Winnebago County, Wisconsin:

**1. LEASED PREMISES.**

Four Hundred Five square feet (405) of floor space within the primary Airport Terminal Building. Said floor space is outlined on Exhibit "A", attached hereto and made a part hereof.

**2. PURPOSE.**

The foregoing premises to be used by the Lessee for the purpose of operating a restaurant and gift shop.

**3. TERM.**

The term of the Lease shall be one (1) year beginning February 1, 1990 and ending January 31, 1991.

Lessee shall have the option to extend this lease for four (4) one (1) year periods, provided Lessee notifies Lessor in writing of Lessee's intent to extend such lease at least sixty (60) days prior to the termination of the original term of this lease and each successive option year, and

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Lessee is in compliance of all terms, covenants, and conditions at the time written notice is received by Lessor. Any written notices required hereunder shall be made to Lessor as follows: Winnebago County, c/o Airport Manager, Wittman Airport Terminal, 525 20th Avenue, Oshkosh, Wisconsin 54901.

#### **4. RENT.**

Lessee agrees to pay the following rental during the term of this Lease:

(a) For the original one (1) year term of this agreement the rent shall be eleven dollars (\$11.00) per square foot per year for each of four hundred five (405) square feet of rental space. (Four Thousand Four Hundred Fifty Five Dollars ~\$4,455J). Rent shall be payable monthly, in advance, with the last month's rent paid as a security deposit before Lessee assumes occupancy of the premises. Monthly rent shall be Three Hundred Seventy One Dollars and twenty five cents (\$371.25).

(b) For each option year the rent shall be computed as a percentage of gross sales, with a monthly minimum rent equal to the rental rate per square foot adopted by County Ordinance and in effect at the anniversary date of this agreement. This minimum guarantee shall not be more than 110% of the previous year's guarantee, however. The percentage of gross sales rate shall be six percent (6%).

(c) Lessee shall provide a gross sales report to Lessor for every month of the agreement. It is agreed that sales reports are subject to audit at the discretion of the Lessor; Lessee and Lessor each assuming 50% of the cost of said audit.

All rent due and payable hereunder shall be made payable to the Winnebago County Treasurer, Courthouse, 415 Jackson Street, Oshkosh, Wisconsin 54901-2008. Each installment of rent and any other item of money payable under this Lease when delinquent under the terms hereof, shall bear interest at the rate of one and one-half percent (1-1/2%) per month until paid.

It is agreed by Lessee that it will forfeit any and all options for renewal after the first year term at any time monthly rental payments are delinquent more than sixty (60) days.

The foregoing payee and address information may be changed by Lessor from time to time provided Lessee is notified in writing of such changes.

#### **5. ACCEPTANCE OF PREMISES.**

Lessee accepts the premises in the condition as exists at the time of occupancy and shall, at their own expense, keep said premises and appurtenances thereto in good repair, and shall yield the same back to the Lessor in good repair upon the termination of the Lease, reasonable wear and tear excepted.

#### **6. INSURANCE.**

Lessee agrees, at its own cost and expense, to furnish County with Certificate of Insurance indicating proof of the following insurance from companies licensed in the State:

##### **Commercial General Liability Insurance**

##### **—(Non-aircraft)**

with a minimum of ~1,000,000 Combined Single Limit for Bodily Injury and Property Damage Liability. This insurance shall include on the Certificate of Insurance the following coverages:

- a. Premises Operations
- b. Products and Completed Operations
- c. Broad Form Property Damage
- d. Broad Form Blanket Contractual
- e. Personal Injury
- f. Errors and Omissions; if applicable

Such insurance shall include Winnebago County as an additional insured as pertains to the negligence of the user or Lessee

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Such insurance shall include Winnebago County as an additional insured as pertains to the negligence of the user or Lessee.

Such insurance shall include a thirty (30) day notice prior to cancellation or material policy change, which notice shall be given to the Winnebago County Insurance Administrator, c/o Courthouse, 415 Jackson Street, Oshkosh, WI 54903. All such notices will name the user or Lessee and identify the contract.

#### **7. DAMAGE TO PREMISES.**

In case said premises shall be rendered untenable by fire or other casualty, the rental hereunder shall abate, and Lessor has not more than thirty (30) days in which to elect to repair the same, and upon said premises being undelivered to Lessee in tenantable condition, the rent shall thereupon be resumed. Should Lessor elect not to repair, then, the term hereby created shall cease without any liability on the part of either party, except that Lessee shall be liable for the payment of any rent that was due at the time of such damage or destruction. In case of partial damage or destruction so that only a portion of the leased premises remains tenantable, then, Lessee shall pay a percentage of the total monthly rental which is equal to the percentage of the leased premises still tenantable until the premises have been restored to full tenantable condition and thereupon the Lessee shall pay the full monthly rate provided in this Lease.

#### **8. REPAIRS AND MAINTENANCE.**

Lessee agrees to maintain the said premises at their sole expense, including any alterations, additions, or improvements thereto, in good condition at all times, and to keep all glass, wires, plumbing, and other fixtures and appliances that are used therein in good repair, order and condition, normal wear and tear, damage by fire or the elements, or acts of God excepted. Routine plumbing maintenance shall be the responsibility of the Lessee.

#### **9. TITLE TO IMPROVEMENTS.**

All improvements to the leased premises shall be the property of Lessor, and shall remain a part of the

premises after termination or expiration of this Lease unless a disclaimer has been duly executed by Lessor prior to the making of any such improvements by Lessee.

#### **10. COMPLIANCE WITH LAWS, etc.**

Lessee shall observe and comply with and require their tenant, licensees or invitees to comply with, all laws, ordinances, rules, and regulations of federal, state and municipal authorities applicable to Lessor's or Lessee's operations at Wittman Airport.

#### **11. ASSIGNMENT OF LEASE.**

Lessee shall not, at any time, assign this Lease or sublet the said leased premises, or any part thereof, without the written consent of Lessor, first had and obtained, provided, however, that the foregoing shall not prevent the assignment of this Lease to any corporation with which Lessee may merge or consolidate or which may succeed to the business of Lessee or to any parent or subsidiary corporation of Lessee or any affiliated company of Lessee which has control of them or of which they have working control.

#### **12. NO WAIVER BY FAILURE TO ENFORCE.**

The failure of the Lessor to insist on strict performance of any of the covenants or conditions of this Lease or to exercise any option herein conferred shall not be construed as a waiver or relinquishment of any covenant, condition, or option, but the same shall continue to remain in full force and effect. A receipt and acceptance by Lessor of rent or any other payment or the acceptance as the performance of any covenant or condition of this Lease with or without the knowledge of the breach of any terms, covenant, or condition of this Lease shall not be deemed a waiver of such breach. No waiver of any term, covenant, or condition of this Lease shall be

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deemed to have been made unless expressed in writing and signed by the Lessor.

**13. TAXES.**

Lessee agrees to pay for all taxes on personal property required in connection with the operation of their business on the premises.

**14. MODIFICATION OR IMPROVEMENT.**

Lessee shall have the right to make alterations, changes, and improvements on the existing building at their own expense, subject, however, to the written approval of the Lessor. All such improvements shall become the property of the Lessor and remain in the premises at the termination of the agreement.

**15. LESSOR'S RIGHT TO CANCELLATION.**

Lessor shall have the right, upon written notice to Lessee, to cancel this agreement in its entirety, upon, or after the happening of any of the following events, such notice to be given within fifteen (15) days after the Lessor first has knowledge of the happening of the event, and to be given not less than thirty (30) days notice in advance of the date of cancellation specified in such notice, and such notice shall, except as otherwise provided below, remain in effect even though the condition or event upon which it was predicated, has, prior to the effective date thereof, ceased to exist.

A. If the Lessee shall make a general assignment for the benefit of creditors, or file a voluntary petition in bankruptcy or a petition or answer seeking the reorganization or readjustment of its indebtedness under the Federal Bankruptcy laws or any other law or statute of the United States or of any state, or government, or consent to the appointment of a receiver, trustee, or liquidator of all, or substantially all of the property of Lessee; or B. If by order or decree of a court of competent jurisdiction the Lessee shall be adjudged bankrupt or any order shall be made approving a petition seeking its reorganization, or the readjustment of its indebtedness under the Federal Bankruptcy laws or any law or statute of the United States or any state territory, or possession thereof, or under the law of any other state, nation or government, provided that if such judgement or order by stayed or vacated within thirty (30) days after the entry thereof, any notice of cancellation

C. If by or pursuant to any order or decree of any court or government authority, board, agency, or officer, trustee, or liquidator shall take possession or control of all, or substantially all of the property

of the company of the Lessee for the benefit of creditors, provided that if such order or decree be stayed or vacated within thirty (30) days after the entry thereof or during such longer period in which the Lessee diligently, and in good faith contests the same, any notice of cancellation shall be and become null and of no effect; or,

D. If Lessee shall voluntarily abandon and discontinue the conduct and operation of its activities at the Airport for a continuous period of thirty (30) days; or,

E. If Lessee shall fail to pay the rental charges or other money payments required hereunder and such failure shall not be remedied within ten (10) days following receipt by Lessee of written demand from Lessor so to do; or,

F. If the Lessee shall default in fulfilling any of the terms, conditions, covenants, and agreements to be fulfilled by it hereunder and shall fail to remedy said default within ten (10) days following receipt by Lessee of written demands from Lessor so to do, then, if Lessee shall have failed to commence the remedying of such default within ten (10) days following such written notice, provided, however, in either case that no notice of cancellation thereafter given shall be of any force or effect if prior to the giving of the same the Lessee shall have remedied said default or shall have commenced the remedying of the same, or,

G. If the Lessee shall abandon any of the premises leased to it hereunder for a continuous period of thirty (30) days at any one time, except when such abandonment be caused by fire, earthquake, war, then,

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and in any such event, at its option, Lessor shall have the right forthwith, upon written notice to Lessee to cancel this lease and agreement as to such abandoned premises.

**16. LESSEE'S RIGHT TO CANCELLATION.**

Lessee shall have the right, upon written notice to Lessor, to cancel this agreement in its entirety upon sixty (60) days notice to Lessor.

**17. EXCLUSIVE RIGHTS.**

Lessor herein grants Lessee the exclusive right to engage in the business of providing food, beverages, and merchandise to the general public in and upon said

premises. Lessor hereby agrees that no business or operation competitive with the nature of the business of the Lessee will be permitted within the primary terminal building of Wittman Airport. Lessee shall have the right of first refusal to operate a cocktail lounge on the mezzanine level of the primary terminal building and/or a gift shop on the main level of said building.

**18. REMOVAL OF PROPERTY BY LESSEE.**

All trade fixtures, equipment and personal property owned by Lessee and located on said premises during the term of this Lease or any renewal thereof may be removed by the Lessee. Improvements to the leased premises, whether or not made by Lessee, shall remain on the premises and are the property of the Lessor as provided for in paragraph 9 of this Lease.

**19. DISCRIMINATION.**

Lessee, in the use of the leased premises for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration thereof, does hereby covenant and agree as a covenant running with the premises that (1) no person on the grounds of race, color or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination, in the use of said facilities; (2) that in the construction of any improvements on, over, or under such premises and the furnishing of services thereon, no person on the grounds of race, color or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; (3) that the Lessee shall use the premises in compliance with all other requirements imposed by, or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

Lessee, in the conduct of its authorized business activities on said demised premises and on said airport, shall furnish good, prompt, and efficient service adequate to meet the demands for its service at the airport, and shall furnish such service on a fair, equal, and not unjustly discriminatory basis to all users thereof, and shall charge fair, reasonable, and not

unjustly discriminatory prices for each unit of sale or service; provided, however, that Lessee shall be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchases.

Lessee shall have the right and privilege of engaging in, and conducting all business operations authorized under the terms of this Lease, provided, however, that this agreement shall not be construed in any manner to grant the Lessee, or those claiming under him the exclusive right to use the premises or facilities of the aforementioned airport other than those premises leased exclusively to the Lessee hereunder.

**20. CONDUCT OF OPERATIONS.**

Lessee shall not do or permit to be done any act or thing upon the Airport which will invalidate or conflict with the operations contemplated hereunder, which may constitute any extra hazardous condition, so as to increase the risks normally attendant upon the operations contemplated by this agreement. Lessee shall promptly observe, comply with, and execute the provisions of any and all present and future rules and regulations, requirements, orders, and directions of the National Board of Underwriters, or any other successor board of organization exercising, or which may exercise similar functions, which may pertain or

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apply to its operation within the Airport. If by reason of any failure on the part of the Lessee to comply with the provisions of this section, any fire insurance rate on the premises or any part thereof, or on the Airport or any part thereof, shall at any time be higher than it would be except for such failure, then Lessee shall pay to the Lessor, as an item of additional rental, that part of all fire insurance premiums paid by the Lessor which shall have been charged because of such violation or failure.

#### **21. LESSOR'S RIGHT TO IMPROVEMENTS.**

Lessee shall cause to be removed any and all liens of any nature arising out of, or because of any construction performed by Lessee or any of its contractors or subcontractors upon the leased premises of any work or labor to it or them at said premises or the furnishing of any materials to it or them for use at said premises.

#### **22. LESSOR'S RIGHT TO FURTHER**

##### **DEVELOPMENT.**

The Lessee recognizes that from time to time during the term of this lease it will be necessary for the Lessor to initiate and carry forward programs of construction, expansion, maintenance and repair in order that the Airport and its facilities may be suitable for the volume and character of air traffic and flight activities which will require accommodations, and that such construction, expansion, maintenance and repair may inconvenience and partially impair the Lessee's use of the demised premises. The Lessee agrees that no liability shall attach to the Lessor, its officers, agents, and employees by reason of such inconvenience or partial impairment of the use of the demised premises, and the Lessee waives any right to claim damages or other considerations, therefor, except for reasonable and proportionate rental abatements during such periods of impaired use.

It is further agreed that Lessor shall reserve to itself and have the right to relocate the Lessee's location as described heretofore, or to revise the area and limits of the said premises, if in the discretion of the Lessor, airport improvement, development, expansion, or construction in the terminal building shall require such relocation or revision. The Lessee waives all claims of rights of action for damages or other compensation for inconveniences or loss occasioned by such relocation or revision of area, except rent adjustments or abatements to the extent that the relocation or revision reduces the area, and for the period during which the premises are not usable because of such relocation or revision. If relocation is deemed necessary by Lessor, it agrees to relocate, if practical, Lessee in facilities as nearly equal to Lessee's present facilities in the Airport as is reasonably possible, and to do so at no cost to Lessee. Lessor, at its option, may either conduct the relocation itself or reimburse Lessee for such relocation.

##### **23. RULES AND REGULATIONS.**

Lessee, its officers, agents, employees, and other persons over which Lessee has control, shall comply

with all rules and regulations and amendments or supplements thereto governing or related to use of the Airport as may from time to time be promulgated by the Lessor in the interests of healthy, safety, sanitation, and good order which are not inconsistent with applicable rules and regulations of any federal, state or local governmental body having jurisdiction with respect thereto.

Lessee shall at all times faithfully obey and comply with all present and future Laws and ordinances of federal, state or local governmental bodies and rules and regulations lawfully promulgated thereunder, whether or not the type enumerated, applicable to, or affecting Lessee and its operations and activities on the Airport not inconsistent with the provisions of this agreement.

##### **24. CONDUCT OF EMPLOYEES.**

Lessee shall be obligated to control the actions of its employees and discharge any employee whose conduct Lessor believes to be detrimental to the best interests of the Airport. Such conduct to be determined by a fair hearing between Lessor and Lessee. A disinterested third person as may be agreed upon by the Lessor and Lessee will serve as mediator.

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**25. HOURS OF OPERATION.**

Lessee agrees to conduct its business and be open to serve the general public not less than forty-five (45) minutes before scheduled airline departures and thirty (30) minutes after scheduled airline departures. Said schedule may be modified with written consent of the Airport Manager. Lessee agrees to request changes to its schedule of hours before the changes become effective.

**26. RIGHT TO INSPECT.**

Lessor and its authorized officers, employees, agents, contractors, subcontractors, and other representatives, shall have the right to enter upon the leased premises for the following purposes.

A. to inspect said premises at reasonable intervals during regular business hours (or anytime in cases of emergency) to determine whether Lessee

has complied and is complying with the terms and conditions of this agreement with respect to said premises.

B. To perform maintenance and make repairs and replacements in any case where Lessee is obligated so to do, in which event Lessee shall reimburse Lessor for the reasonable cost thereof promptly upon demand.

C. To correct any condition likely to cause injuries or damages to persons or property.

D. To install and maintain, for the sole use of the Lessor, without cost to Lessee, and without reasonable interference with Lessee's use and occupancy of the leased premises, facilities, and appurtenances necessary for the safe or efficient operation of the Airport, including, but not limited to, utilities, gas, water, electric power, sewers, communications, telephone, signal lines, lights, air tubes, fire protection systems, heat, steam, pipes, ducts, cables, conduits, wires, and similar installations.

E. During the last month of the term of this agreement, to alter, renovate, and redecorate the leased premises provided Lessee shall have removed all, or substantially all of its property from the leased premises, and provided further that such alterations, renovation, and redecoration can be accomplished without interfering unreasonably with the operations of the Lessee.

F. No such entry by or on behalf of the Lessor upon the leased premises shall cause or constitute a termination of the letting by way of concession thereof, or be deemed to constitute a renovation of, or interference with, any right of the Lessee in respect thereto of exclusive use of the premises let herein.

**27. VENDING MACHINES.**

Food or beverage vending machines may be installed or maintained in or at the leased premises by the Lessee with the written permission of Lessor.

**28. RIGHTS SUBORDINATE TO NATIONAL INTERESTS.**

Both parties hereto understand and agree that all rights and privileges granted herein shall be subordinate to present and future agreements between

the Airport and the United States of America and the several agencies of the latter concerned with the operation and maintenance of airports, the execution of which agreements has been or may be required as a condition precedent to the expenditure of federal funds for the development of the Airport.

The parties hereto further contract and agree that all provisions of this agreement shall be subordinate to the rights of the United States of America to lease or use the Airport or any part thereof during the time of war and or national emergency for military or naval use, and that all provisions herein shall be suspended thereby

**29. MISCELLANEOUS.**

(a) Lessee shall have the right to erect appropriate signs in, on, and about the premises herein demised and at such other places as may be deemed appropriate, provided, however, that such signs and their locations shall be subject to the approval of the Lessor.

(b) Lessor covenants that it has lawful authority to execute this Lease, and upon payment of the rentals and charges herein provided and the performance of the covenants and agreement on

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the part of the Lessee to be performed hereunder, Lessee shall peaceably have and enjoy the demised premises and the rights, privileges and facilities granted by the Lease as against the Lessor.

(c) During the term of this Lease, Lessor, or its authorized representatives shall have the right to come on to the leased premises at any and all reasonable times, and shall have the right to: (1) inspect the leased premises; (2) repair and maintain areas adjoining or surrounding the leased area without any obligation to do so; and (3) install, maintain, or repair any utility lines without the obligation to do so.

(d) Lessor agrees to provide Lessee a parking and delivery area which Lessee may use for employee parking and the pick up and delivery of supplies and materials as part of Lessee's business to be conducted on the premises. Lessor agrees to maintain the delivery and employee parking area as hereinbefore provided, such maintenance to include the road leading to the delivery and employee parking area.

(e) All notices required hereunder shall be by certified or registered mail, postage prepaid and addressed to the party entitled to receive the same at the last known address of such party.

**30. LEASE IS VALID.**

Lessor agrees that this agreement and lease is executed pursuant to all pertinent rules and regulations of the Federal Aviation Administration, said Administration being the unit of the United States Government exercising overall supervision and control over airports and aviation within the continental United States.

**31. RECEIPT OF NOTICES.**

Notices addressed to Lessor pursuant to the provisions of this lease shall be sufficient if sent by certified mail addressed to the Office of the Airport Manager, Wittman Airport Terminal Building, 525 W. 20th Avenue, Oshkosh, WI 54901. Notices to Lessee pursuant to the same provisions shall be sufficient if sent by certified mail addressed to Robert Macke, 424 Hazel Street, Oshkosh, WI 54901, or to such other respective addresses as the parties hereto may designate from time to time in writing.

**32. QUIET ENJOYMENT.**

Lessor covenants and agrees Lessee shall, and may peaceably and quietly have, hold, and enjoy the leased premises during the term of this lease and any extension of said term, unless such term or extension thereof shall cease, close, or expire sooner or shall be terminated as provided in this agreement.

**33. UNENFORCEABLE PROVISIONS.**

If any term or provision of this lease or the application thereof to any person and circumstances shall to any extent be invalid or unenforceable, the remainder of this lease, or the application of such term or provision to persons and circumstances other than those as to which it is invalid, or unenforceable, shall not be affected thereby, and each term and provision of this lease shall be valid and shall be enforceable to the fullest extent provided and permitted by law.

The terms, conditions, and provisions of this lease shall inure to, and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns

This Lease Agreement and all rights, privileges, and obligations herein provided shall be binding upon or inure to the benefit of the parties, their respective successors, or assigns. The parties agree that either of them may require the other to execute a short form of this Lease for recording which specified the term and demised premises provided, however, that nothing shall prohibit either party from recording the entire Lease.

It is distinctly understood between the parties hereto that all agreement and understandings of any character heretofore and between them are embodied in this instrument, and no changes shall

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be made herein unless the same shall be in writing and duly signed by the parties hereto, in the same manner and form as this lease has been executed.

**34. LESSOR'S RIGHT OF APPROVAL.**

Lessor shall have the right to approve all merchandise offered for sale. Lessee shall not sell items deemed to be inappropriate or objectional by Airport Management. Lessor reserves the right to specify a dress code for Lessee's employees. T-shirts and torn slacks will not be worn.

IN WITNESS WHEREOF, the parties hereto have executed this lease on the day and year first above written.

In the Presence of:

WINNEBAGO COUNTY, A State of  
Wisconsin Municipal Corporation (LESSOR)

By:

Paul W. Stevenson, County Executive

Linda Wolfe, County Clerk

Approved as to form:

Corporation Counsel

Winnebago County

Date: \_\_\_\_\_

In the Presence of

TAG, INC. d/b/a (LESSEE)  
The Airport Grill

By:

Robert H. Macke, President

Robert W. Macke, Treasurer

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Supervisor J.C. Pawlowski moved to adjourn until March 20, 1990. CARRIED.

Respectfully submitted,

Linda Wolfe

Winnebago County Clerk

State of Wisconsin  
County of WinnebagoSS

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I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held February 20, 1990.

Linda Wolfe  
Winnebago County Clerk

new telephone system has been well received. Supervisor Gose had questions on the Housing Authority. A report will be given at the next meeting. Discussion held on off-track racing at the fairgrounds. A feasibility study on racing is to be conducted.

### **PUBLIC HEARING**

Mr. Jim DeWolf, 916 DePere, Menasha, WI spoke in favor of Resolution 332-390. Clerk of Courts Julie Pagel spoke in favor of Resolution 327-390, but asked board members to delete the dollar amount in the resolution. Mr. Ed Schaefer, 3482 Leonard Point Lane, Oshkosh, WI spoke in support of Resolution 336-390, as did Officer John Zuehlsdorf, Sheriff Lee Burton and Sgt. Jim Goggins of the Sheriff's Department.

### **ZONING REPORTS AND ORDINANCES**

REPORT NO. 1. A report from Robert Knox by Martenson & Eisele, Inc. re: zoning change to R-i for expansion of sanitary system and M-2 for existing industrial use and future plant expansion. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 3-1-90. A request for zoning change from A-i and B-3 to R-i and M-2. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 2. A report from Norman Manteufel by Martenson & Eisele, Inc. re: zoning change to R-i for single-family lots. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 3-2-90. A request for zoning change from A-2 to R-i. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO.3. A report from Planning & Zoning Committee re: various changes to the Zoning Ordinance. Motion by Supervisor Owens and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 3-3-90. A request for amendments to the Winnebago County Town/County Zoning Ordinance. Motion by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 4. A request for amendment to Zoning Ordinance and Zoning Map from A-2 to R-i by Kenneth Sprenger. Motion by Supervisor Laabs and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION: Approve Amendment to Town of Wolf River Zoning Ordinance. Motion by Supervisor Laabs and seconded to adopt. CARRIED BY VOICE VOTE.

### **REPORTS, RESOLUTIONS & ORDINANCES**

#### **RESOLUTION NO. 3 19-390**

**Authorize Exchange of Properties: Winnebago County to Accept Title to Asylum Bay Property from Wisconsin Department of Natural Resources and Winnebago County to Convey 17.5**

**Acres of Asylum Point Park to the Wisconsin Department of Natural Resources**

#### **BE IT RESOLVED by the Winnebago County**

Board of Supervisors that Winnebago County accept title from the Wisconsin Department of Natural Resources to approximately 16 acres of land located in the Town of Oshkosh, Winnebago County, known as the Asylum Bay Property, for \$1.00 and other good and valuable consideration, to be used for public park and recreation purposes.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that appropriate Winnebago County officials be and they hereby are authorized to execute a quit claim deed on behalf of Winnebago County conveying the western most 17.5 acres of land of Asylum Point Park to the Wisconsin Department of Natural Resources, for \$1.00 and other good and valuable consideration, to be used for administrative and operational uses including offices and storage areas.

Submitted by, PARKS AND RECREATION COMMITTEE

**ASYLUM BAY PROJECT NARRATIVE:****BACKGROUND:**

The Wisconsin Department of Natural Resources owns 16.1 acres of land including over 4,000 feet of frontage on Lake Winnebago in Winnebago County. Uses of the site include a small primitive boat launch, a picnic and shore fishing area and a base of operations for DNR fish operation crews. Several storage buildings are also on the site. The DNR land holdings are enjoyed extensively by the public. DNR Fisheries Staff are responsible for the ongoing maintenance of the site and are increasingly feeling pressure to upgrade the site for recreation uses with a correspondingly decrease in staff and budgets.

Winnebago County owns about 56 acres adjacent to the DNR land. This property known as Asylum Point Park is also a popular day use recreation area used for picnicking, nature study and passive recreation.

The DNR Area office located in the City of Oshkosh is old and in need of extensive repair and remodeling. Attempts to redevelop the existing office area have proved unfeasible in the past.

**PROPOSAL:**

The proposed plan calls for Winnebago County to accept ownership of the DNR holdings except for the 2 acres of land now actively being used for fisheries operation crews. In exchange, Winnebago County will deed 17.5 acres of land to the Department for use as an office/storage complex.

It is Winnebago County's plan to develop with cost sharing grants, a large boat launch access site and upgrade the shore fishing and picnic areas at the site. All design, development, operations, enforcement and maintenance of the site will be the responsibility of Winnebago County. The County would begin to immediately plan for the development of the improvements. A new boat launch could be operational as soon as the summer of 1991.

It is the Department's plan to develop the 17.5 acres of land into an area office complex including storage. The buildings and surrounding developments would be designed to offer a good example of proper use of lands for commercial office development. The structures would be designed to blend into the surrounding environment and the grounds would be landscaped with natural vegetation and a walking trail system. Funding for the main office complex is probably at least 5 years away or longer. However some cold storage building may be located at the site by the fall of 1991. It is the intent of the Department to keep in use the existing fisheries operations now found on Asylum Point. When and if it becomes necessary to replace or relocate those operations, they will be relocated to the 17.5 acre complex and the Asylum Point property turned over to Winnebago County for integration into the entire park. The two storage buildings located near the boat launch area would be used by the Department until the County was ready to develop the new access site. The buildings could then be removed as part of the access development project.

As part of the planning process for the office complex, the Department would closely examine alternatives of joint use of the site by other governmental agencies including state, federal and local.

**RESTRICTIONS, LIMITS AND RESERVATIONS:**

From the Department's perspective the following conditions would have to be agreed to:

1. A clause would be placed on the deed given to Winnebago County stating that the land must be used for public outdoor recreation and that it can not be sold, leased or used by others or for any non-public recreation use without prior approval of the Department.
2. Winnebago County would have to agree that any fees charged for use of the site could not exceed that which is now charged as the daily admission fee to a state park. In addition, fees would be waived to Department personnel involved in official Department activities.
3. Winnebago County would have to agree to allow the berthing of official department watercraft at the site in a useable location. (Security of the craft would be the responsibility of the Department.)

From Winnebago County's perspective the following conditions would have to be agreed to:

1. That the County have the prerogative of placing a gate in the park to restrict entry by the public during certain hours to minimize vandalism and rowdy behavior. (Keys would be provided to DNR

Staff needing to gain access to the fisheries operation area.)

2. That the Department grant an easement to Winnebago County for a public snowmobile trail across the 17.5 acres of land at a mutually agreeable location.

3. That the 17.5 acres of land could not be sold or used for purposes other than administrative offices and storage areas used by the Department or other public agencies without the prior approval of Winnebago County.

**ATTACHMENTS:**

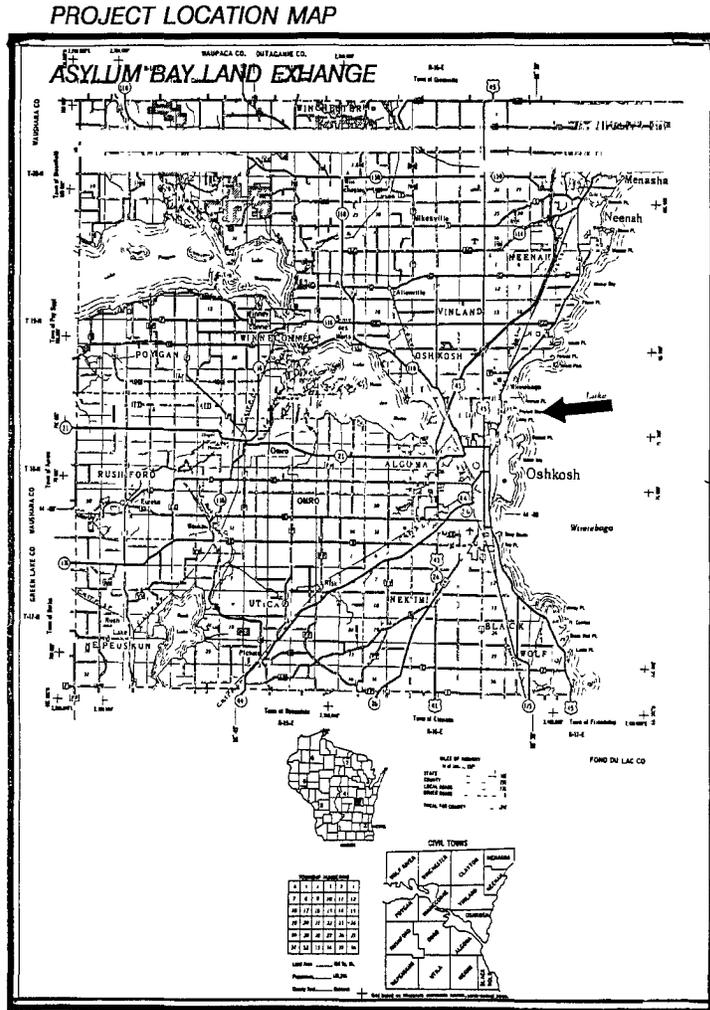
Excerpt from 1982 Winnebago County Recreation Plan regarding Asylum Point Park, County Location Map, Air Photo of Site.

**EXCERPT FROM WINNEBAGO COUNTY  
PARK AND RECREATION PLAN  
(January— 1982)**

**ASYLUM POINT PARK**

Probably no site in the park system has undergone a major change in use philosophy in the past five years as this area has. The original intent was to provide group camping with necessary support facilities in a natural setting. It was found that this type of situation was incompatible with surrounding land uses, and as a result the train of thought has shifted to providing strictly a primitive natural area and wildlife refuge. The County also views this area as a separate park with its own character and no longer as an additional support facility for the Community Park.

The existing park area is undergoing a great deal of change each year and is currently governed by many uses. Except for 10- 15 acres of marsh land and upland



lake frontage, the entire acreage is being farmed by the State of Wisconsin Correction Division Prison Farm Part of the acreage under cultivation is being utilized by the University of Wisconsin-Extension staff for sewage sludge test plots. This program is planned to continue to 1987. The plan for this area is to convert the existing farmland into wildlife habitat through proper planting design. Each year 5 - 10 acres is removed from the cropping plan and is planted with trees, shrubs, grasses, etc., that will improve the habitat for wildlife. In line with this conversion plan, the County has developed the following goals for 1982-87:

1. Work with Department of Natural Resources personnel and Soil Conservation Service technicians in developing a sound wildlife habitat improvement and maintenance program.
2. Construct hiking trails through the area once the plantings have established themselves so as to have an impact on the landscape.
3. Provide interpretive media where necessary to add to the experience of using this site.
4. Develop the lakefront property for picnicking and as a starting point for trails.
5. Cooperate with the DNR in maintaining trees, lawn, and lakefront features of the property as they do on their

adjoining land. In this way, all the land in the area may be put to the best value and provide the highest aesthetic appeal.

6. Monitor the need for additional support facilities as usage levels indicate public desires.

Site Serviceability Summary –Asylum Point Park Size—Excellent as a nature study and wildlife area.

Location—With its proximity to the Community Park and to highway access, the site is in an excellent location.

Accessibility—Excellent

Location

Compatibility—Excellent for both existing and proposed land uses in the area.

Site Capacity—Will be excellent.

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

**RESOLUTION NO. 320-390  
Request Authority to Apply for Funds  
for Maintenance of County Owned  
Snowmobile Trails**

WHEREAS, Winnebago County is interested in maintaining County owned and leased lands for public snowmobile trail use; and

WHEREAS, funds are available for snowmobile maintenance through the Department of Natural Resources pursuant to sec. 23.09(26) Wis. Stats; and

WHEREAS, in order to participate in this project, it is necessary that the County Board authorize the submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive be and he hereby is authorized to make application on behalf of Winnebago County with the Department of Natural Resources, pursuant to sec. 23.09(26), Wis. Stats. for any financial aid that may be available for public snowmobile trail use in Winnebago County.

Submitted by, PARKS AND RECREATION COMMITTEE

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

**RESOLUTION NO. 32 1-390  
Application and Acceptance of Grant Funds  
to Evaluate Implementation of Waste  
to Energy Project**

WHEREAS, grant funds are available through the Wisconsin Energy Bureau of the Wisconsin Department of Administration for Waste to Energy programs; and

WHEREAS, the Winnebago County Solid Waste Management Board proposes to evaluate a Waste to Energy system as a part of the comprehensive integrated Solid Waste Management Program; and

WHEREAS, the Winnebago County Solid Waste Management Board has reviewed the grant application and recommends that the County approve the application and acceptance of any grant funds awarded.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors does hereby, authorize the application, acceptance, and use of the grant funds in accordance with the grant application.

BE IT FURTHER RESOLVED that the County Executive be and hereby is authorized to accept grant award on behalf of Winnebago County.

Submitted by, SOLID WASTE MANAGEMENT BOARD

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

**RESOLUTION NO. 322-390  
Request to Wisconsin Department of Natural  
Resources to Work with Winnebago County  
Planning and Zoning Committee to Develop  
Alternative Methodologies for Determining  
Floodplain Districts**

WHEREAS, Winnebago County, at the request of area residents and the Town of Wolf River Board of Supervisors, has previously requested the Wisconsin Department of Natural Resources (DNR) to perform a floodplain restudy relating to the Wolf River near Riverview Lane for the purpose of reconfirming floodplain information; and

WHEREAS, the restudy has reconfirmed previous Wisconsin Department of Natural Resources findings that the floodplain continues to limit the area residents' legal ability to utilize their property; and

WHEREAS, Winnebago County Planning and Zoning Committee on March 7, 1990 requested that the Winnebago County Board of Supervisors request that the Wisconsin Department of Natural Resources work with the Winnebago County Planning and Zoning committee to develop alternatives which would maintain the integrity of the floodplain program yet allow some flexibility to real estate owners in areas such as Riverview Lane which currently are limited in the utilization of their land due to floodway restrictions.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the recommendation of the Winnebago County Planning and Zoning Committee is hereby adopted, and that the Winnebago County Clerk is hereby instructed to submit a letter to Mr. Richard Koch, Wisconsin Department of Natural Resources, Lake Michigan District Headquarters, requesting that the Wisconsin Department of Natural Resources work with the Winnebago County Planning and Zoning Committee to develop alternative methodologies for determining floodplain districts which will allow property owners in areas such as Riverview Lane additional flexibility in the utilization of their property provided that such alternative methodology maintains the overall integrity of the state floodplain program.

BE IT FURTHER RESOLVED that upon development of such methodology, the County Board shall consider adoption of such methodology as an amendment to the Winnebago County Town/County Zoning Ordinance.

BE IT FURTHER RESOLVED, that the County Clerk is hereby instructed to submit a copy of this resolution to State Representative Robert Welch and State Senator Joseph Leean.

Submitted by,  
PLANNING & ZONING COMMITTEE

Moved by Supervisor Owens and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 323-390**

**Authorization for Department of Social Services to Apply for Mental Health Block Grant Program Funds**

WHEREAS, the continuing complex problems of emotionally disturbed children are a very serious issue throughout our society; and

WHEREAS, the Wisconsin Legislature has recognized the importance of providing coordinated and intensive services to these children and their families by making available grant moneys to counties via a mental health block grant program, as created by 1989 Wisconsin Act 31.

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board authorizes the Winnebago County Department of Social Services to apply for sixty eight thousand dollars (\$68,000) in mental health block grant funding to provide services for severely emotionally disturbed children in 1990 and 1991.

BE IT FURTHER RESOLVED that the Winnebago County Department of Social Services act as the administering agency for any funds received pursuant to said block grant. Winnebago County assumes no obligation for continuing these services beyond the grant period.

Submitted by,  
SOCIAL SERVICES BOARD

Moved by Supervisor Laabs and seconded to adopt.  
CARRIED BY VOICE VOTE.

**RESOLUTION NO. 324-390**

**Support Governor Thompson's Efforts in**

**Dealing with the Spearfishing Controversy**

WHEREAS, the State agencies are beginning to plan for State law enforcement during the approaching spear fishing season; and

WHEREAS, since last season, many people have been involved in trying to reach a peaceful agreement on the spear fishing issue; and

WHEREAS, Governor Thompson is asking for Wisconsin Counties support and cooperation during the 1990 spear fishing season and pursuing attempts to persuade the Federal government to resolve this controversy.

NOW, THEREFORE, BE IT RESOLVED that Winnebago County does hereby support the Governor's efforts to reach a peaceful solution to the spear fishing issue and to convince the Federal government to intervene so as to assist in settlement of this

BE IT FURTHER RESOLVED that the County Clerk send a copy of this resolution to the Governor.

Submitted by, JUDICIARY & PUBLIC SAFETY COMMITTEE

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

**RESOLUTION NO. 325-390**

**Regarding Services for Brain Injured Persons**

WHEREAS, the State of Wisconsin has mandated that County Community Programs Departments provide services to persons with brain injuries; and

WHEREAS, the State has appropriated absolutely no funding to counties for this purpose; and

WHEREAS, vehicle-accident related brain injuries can be prevented or mitigated through the wearing of seatbelts by motorists, and helmets by motorcyclists; and

WHEREAS, according to a recent survey of traffic accidents in Wisconsin, persons suffering head injuries were not wearing seatbelts in 82% of the automobile accidents, and were not wearing a helmet in 81% of the motorcycle accidents \*; and

WHEREAS, encouraging the wearing of seatbelts and helmets is a matter of statewide concern.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the State of Wisconsin assume, or at least share the enormous financial responsibility for anyone whose accident related head injury results from failure to wear a helmet or seatbelt.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the following: legislators representing Winnebago County, the Governor of the State of Wisconsin, the County's legislative liaison, the Wisconsin Counties Association, the Secretary of the Department of Health and Social Services and Senators Michael Ellis and Charles Chvala.

Submitted by, GOVERNMENTAL RELATIONS COMMITTEE

and

COMMUNITY PROGRAMS BOARD

It was moved by Supervisor Goff and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 326-390**

**Support SB 271 and AB 589 Regarding Welfare**

**Fraud - Front End Verification**

WHEREAS, the State of Wisconsin has enacted laws for denying benefits (sanctions) for individuals who commit food stamp and medical assistance fraud but has not done so for individuals who commit AFDC fraud; and

WHEREAS, Federal authorities expect the States to enact laws to deny benefits to individuals who commit AFDC fraud and have offered enhanced federal funding for State programs which provide "front-end verification" of welfare applicant's eligibility.

WHEREAS, enactment of SB 271 and AB 589 will bring the State of Wisconsin into compliance with Federal regulations and qualify Winnebago County for federal funding to undertake "front-end verification" of welfare applicant's eligibility.

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

does hereby support passage of SB 271 and AB 589.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Wisconsin legislative members representing Winnebago County and to the Executive Director of the Wisconsin Counties Association.

Submitted by, GOVERNMENTAL RELATIONS COMMITTEE

It was moved by Supervisor Goff and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 327-390**

**Support AB 360 Regarding State Takeover  
of Certain Court Costs**

WHEREAS, AB 360 as proposed requires State takeover of all court costs except building and furniture costs; and

WHEREAS, passage of AB 360 will result in annual Winnebago County property tax relief in excess of \$1,600,000 based on 1989 Winnebago County court costs.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors does hereby support passage of AB 360.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Wisconsin legislative members representing Winnebago County and to the Executive Director of the Wisconsin Counties Association.

Submitted by, GOVERNMENTAL RELATIONS COMMITTEE

Moved by Supervisor Goff to amend by deleting the second "Whereas" paragraph CARRIED BY VOICE VOTE Motion by Supervisor Goff to adopt as amended CARRIED BY VOICE VOTE

**RESOLUTION NO. 328-390**

Support Use of State Surplus Funds to Provide 100% Equity to all Counties; Other Provisions

WHEREAS, the State of Wisconsin has surplus funds of approximately \$450 million, and

WHEREAS, certain state legislators are supporting use of a portion of the state surplus funds to provide 100% equity in the distribution of community aids; and

WHEREAS, it is in the best interests of Winnebago County to support an equity reform program which utilizes state surplus funds to provide 100% equity to all counties.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors supports an equity reform program for distribution of community aids which utilizes state surplus funds sufficient to provide 100% equity to all counties.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Wisconsin legislative members representing Winnebago County and to the Executive Director of the Wisconsin Counties Association.

Submitted by, GOVERNMENTAL RELATIONS COMMITTEE

Motion by Supervisor Goff and seconded to adopt. Motion by Supervisor Schwartz to amend by adding:

"plus a percentage to counties that spend an overmatch of community aids." after "100% equity to all counties" in fourth paragraph. AMENDMENT CARRIED BY VOICE VOTE. Vote on resolution as amended: CARRIED BY VOICE VOTE.

**RESOLUTION NO. 329-390**

**Write Off \$25,000 Advance to Winnebago County Fair Association to Conduct 1988 County Fair**

WHEREAS, Resolution 11-588 provided a \$25,000 advance to the Winnebago County Fair Association for entertainment and other expenses to conduct the 1988 County Fair; and

WHEREAS, said resolution also provided that the funds so advanced be repaid to Winnebago County from 1988 County Fair receipts and other income received by the Winnebago County Fair Association; and

WHEREAS, the \$25,000 is maintained on the County Balance Sheet as an Account Receivable; and

WHEREAS, now is an appropriate time to reclassify this \$25,000 advance as an operating grant and to expense said charge to the Winnebago County Fair Operating Grant Account (Account

Adjourned Session (March 20, 1990) 381  
#100-740-56980).

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the advance of \$25,000 made to the Winnebago County Fair Association pursuant to Resolution 11-588 be and the same is hereby reclassified as an operating grant and charged to the Winnebago County Fair Operating Grant Account #100-740-56980.

Submitted by, AGRICULTURAL & EXTENSION EDUCATION COMMITTEE  
and  
PERSONNEL & FINANCE COMMITTEE

Discussion held on resolution. Motion by Supervisor Bremberger and seconded to table until the next meeting when Finance Director Del LaMarche can explain. Motion to table: CARRIED BY VOICE VOTE.

**RESOLUTION NO. 330-390**  
**Write Off \$26,173 Accounts Receivable –Larsen**  
**By-Pass Trail**

WHEREAS, Resolution 287-1289 provided that the net proceeds from the sale of County-owned lands to Larsen-Coop (\$53,000) shall be placed in the Parks Budget for use in construction and development of the Oshkosh-Larsen Recreation Trail by-pass; and

WHEREAS, funds in the amount of \$26,173 had been advanced years ago for the acquisition of lands needed for the said Recreation Trail by-pass and Account #100-999-59960 was created as an Account Receivable to be satisfied out of the proceeds from the sale of lands to the Larsen-Coop; and

WHEREAS, the Parks and Recreation Committee requires the full proceeds (\$53,000) from the Larsen Coop land purchase to construct and develop the Oshkosh-Larsen Recreation Trail by-pass.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the sum of \$26,173 be made available from the Contingency Fund so as to provide funds to satisfy Accounts Receivable Account #100-999-59960 and to assure that the Parks and Recreation Committee will have sufficient funds to construct and develop the Oshkosh-Larsen Recreation Trail by pass.

Submitted by, PARKS & RECREATION COMMITTEE  
and  
PERSONNEL & FINANCE COMMITTEE

TO: Paul Stevenson, County Executive

Personnel & Finance Committee

FROM: Del La Marche, C.P.A., Finance Director

DATE: March 14, 1990

SUBJECT: Larsen By-Pass Proceeds

THE COUNTY RECENTLY RECEIVED \$53,000 FROM THE LARSEN CO-OP IN SETTLEMENT OF THE LARSEN BY-PASS PROJECT. THIS PROJECT HAS BEEN IN VARIOUS STAGES OF LIMBO FOR THE PAST TEN YEARS. DURING THIS TIME SPAN, THE FINANCE DEPARTMENT, PER INSTRUCTIONS, ACCUMULATED THE COSTS OF THIS PROJECT AS A RECEIVABLE ON THE GENERAL FUND BALANCE SHEET. ONE REASON FOR DOING SO, IS BECAUSE NO DEPARTMENT HAD BUDGETED ANY FUNDS FOR THESE EXPENSES. ALSO, DUE TO THE FACT THAT THE COUNTY WAS TO BE REPAYED FOR THESE EXPENDITURES BY THE CO-OP UPON FINAL

RESOLUTION OF THE BY-PASS, THE POLICY WAS NOT TO EXPENSE THESE COSTS SINCE THEY WOULD BE FORGOTTEN. AS A RESULT OF THE ABOVE, THE COUNTY HAS ACCUMULATED \$26,172.75 FOR THIS PROJECT. THUS OF THE GROSS FUNDS RECEIVED OF \$53,000; THE COUNTY HAS ALREADY COMMITTED THAT THESE ACCUMULATED COSTS BE REIMBURSED FIRST. IN DECEMBER 1989, RESOLUTION #287-1289 WAS PASSED BY THE COUNTY BOARD AND THE COUNTY EXECUTIVE DIRECTING THAT "NET PROCEEDS FROM THE SALE OF THESE LANDS BE PLACED IN THE PARKS BUDGET FOR USE IN CONSTRUCTION AND DEVELOPMENT OF THE OSHKOSH-LARSEN RECREATION TRAIL BY-PASS." IN ADDITION TO THE ABOVE, JEFF CHRISTENSEN HAS INDICATED THAT THE DNR IS OFFERING A \$25,000 GRANT THAT IN ADDITION TO THE FUNDS RECEIVED FROM LARSEN CO-OP, WILL BE USED TO BUILD THE NEEDED BRIDGES. THUS TO MEET THE REQUIREMENTS OF THE ABOVE RESOLUTION AND THE DNR GRANT FUNDING, I AM PROPOSING THAT THE COUNTY FINANCE DEPARTMENT PREPARE A BUDGET ENTRY TO DO THE FOLLOWING:

1. INCREASE THE PARKS DEPARTMENT GRANT REVENUE ACCOUNT NO. 100-760-42810.
2. INCREASE THE PARKS DEPARTMENT SALE OF EQUIPMENT ACCOUNT BY \$26,173. THIS IS THE NET PROCEEDS OF THE FUNDS RECEIVED FROM LARSEN CO-OP. (\$53,000 MINUS THE ACCUMULATED COSTS).
3. TRANSFER FROM THE CONTINGENCY FUND THE REMAINING DOLLARS TO FINANCE THE ENTIRE PROJECT, I.E. \$26,173.00.
4. INCREASE THE PARKS DEPARTMENT CAPITAL OUTLAY ACCOUNT (100-773-58140) BY \$78,000.00. THIS IS THE GROSS COSTS OF THE PROJECT AS APPROVED BY THE COUNTY BOARD IN DECEMBER 1989.

THE ABOVE ACTION SHOULD ALLOW THE COUNTY AND THE PARKS DEPARTMENT TO COMPLETE THIS PROJECT BY JUNE 1, 1990. THIS IS THE DATE AS APPROVED BY THE DNR. I HOPE THIS EXPLANATION AND ACTION MEETS WITH YOUR APPROVAL. DUE TO THE TIME REQUIREMENTS, JEFF CHRISTENSEN AND I FELT THIS WOULD BE THE MOST SATISFACTORY METHOD TO FOLLOW.

Motion, by Supervisor King and seconded to adopt.

Motion by Supervisor Putzer to table. Vote on motion to table: LOST BY VOICE VOTE: Vote on resolution: 2/3rds vote required: Ayes: 41. Nays: 1 -Putzer. Abstain: 1 -Montgomery. Excused: 2 -Metzig, Sundquist. CARRIED.

### **RESOLUTION NO. 331-390**

#### **Create Two Positions and Accept Grant in the Department of Community Programs**

WHEREAS, the Winnebago County Department of Community Programs has been selected to receive onetime grant monies from the State of Wisconsin for the purpose of implementing new standards for Community Support programming; and

WHEREAS, although the Community Support Program standards are now voluntary, it is projected that such standards will soon be mandatory; and

WHEREAS, compliance with such standards will result in improved programming; and

WHEREAS, compliance with such standards will require staff reorganization and the reassignment of clientele; and

WHEREAS, such reorganization will require the addition of two new positions to be titled Team Leader and R.N. Case Manager; and

WHEREAS, reorganization will not require new County funds for the year 1990 because such reorganization will make the Department of Community Programs eligible for a grant from the State of Wisconsin in the amount of \$23,627; and

WHEREAS, compliance with the new standards will also result in increased revenues of \$30,000

per year due to new billing sources.

NOW THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the full-time positions of Team Leader and RN. Case Manager be, and hereby are created within the Department of Community Programs effective on or about September 1, 1990; and

BE IT FURTHER RESOLVED, that the continuation of such positions beyond the end of 1990 be reviewed and determined as part of the 1991 budget process; and

BE IT FURTHER RESOLVED, that the Winnebago County Department of Community Programs accept a grant in the amount of \$23,627 from the State of Wisconsin for the purpose of funding such positions.

Submitted by,

COMMUNITY PROGRAMS BOARD

and

PERSONNEL AND FINANCE COMMITTEE

### **CSP CERTIFICATION AND POSITION REQUESTS**

The following is background information and a request relative to compliance with standards for Community Support Programs. Winnebago County has an opportunity to receive financial assistance in the process of complying. In addition to the likelihood that compliance with the standards will be mandatory, there is also a need to respond to the continual number of new referrals of individuals with a chronic mental illness. Also, compliance will improve programming.

Effective May 1, 1989, State certification went into effect for Community Support Programs (CSP) for persons with a chronic mental illness. Certification is currently a voluntary matter, but it is commonly expected that in the near future this certification will be mandatory. In order to be certified certain requirements must be met including type of staff, ratio of clients to staff members, characteristics of clients who can be served by the program; and many others. An advantage to certification as of 01/01/90 is the ability to bill a new Medical Assistance source which will result in greater revenues.

In mid-January, 1990, the Department of Community Programs was informed that it could apply for grant monies to assist in complying with the standards if application were made by January 31, 1990. At its February meeting, the Department of Community Programs Board gave its approval retroactively to submittal for the grant monies. In early March, the Department was informed it was a successful applicant in the amount of \$23,627.00

Compliance with the standards will mean that clients will be reassigned and staff will be reorganized. Due to the limitation on the ratio of clients to staff, as well as the types of clients served, it will be necessary to "shift" clients from staff who currently provide them services. In effect the CSP services become more specialized.

The CSP staff will be limited in the number of clients per staff and will serve more severely diagnosed clientele. A new work group will need to be formed in order to serve those clients who can no longer be served by the CSP. A new work group will be created through the transfer of some staff as well as the creation of two new positions, a Team Leader and a R.N./Case Manager. The State will provide money to hire staff for the CSP.

### **SPECIFIC PROPOSAL**

The specific proposal is to create two new positions among the reorganized staff. The position of Team Leader will provide overall direction for this group consisting of both case management and crisis/outreach services, as well as court related and evaluation services. The Team Leader for this group would be transferred from the current CSP Team Leader position because certification standards require certain credentials not now possessed by the incumbent. In addition, the transferred Team Leader has considerable expertise and experience in the type of service to be performed by the new work group.

A second position of R.N./Case Manager will also be created for the new work group. It will be necessary to have an individual with a medical/psychiatric background because many of the clients to be served will have a history of mental illness, be on psychotropic medication, similar to the type of client served by the CSP, but perhaps not as severely involved. A transfer of a current CSP R.N./Case Manager is one alternative.

By creating the new work group through transfer of crisis work staff, Team Leader, and possibly R.N./Case Manager and establishing the new positions there are then staff available for clients not eligible for the CSP Program. The vacated positions on the CSP will be cerebral palsy, epilepsy and autism) and long term mental illness. Services maybe full-time or part-time at a sheltered workshop or in the community based on the **person's individual needs. THERE CURRENTLY IS A WAITING LIST OF 99 PERSONS. WHY IS THERE IS WAITING LIST?**

There are two major reasons:

1. Persons with more severe disabilities have been referred, this has increased the cost of services resulting in fewer persons being served.
2. Funding has not kept up with the number of new referrals. New referrals average 22 persons a year.

**WHO WOULD BENEFIT FROM ADDITIONAL FUNDING?**

The primary benefit would go to 19 persons from the waiting list, considered "most in need." Persons receive training and employment. This service provides an opportunity to work which enhances self esteem, provides some income, and aids in the person's overall rehabilitation.

The secondary benefit is felt by parents providing care to their adult children in the form of respite.

The Department of Community Programs has received an increase in the number of complaints due to waiting lists. Parents/clients are experiencing stress due to the long wait.

**COST**

1990 - \$53,013.00 to serve 19 persons from April through December.

Motion by Supervisor Schwartz and seconded to adopt. Two-thirds vote required. Vote: Ayes: 40. Nays: 3—Grundman, Ribble, Salomon. Excused: 2—Metzig, Sundquist. CARRIED.

It was moved by Supervisor Schwartz and seconded to adopt. Two-thirds vote required. Vote: 38. Nays: 4—Eckrich, Utech, Ribble, Cartwright. Abstain: 1—Yanko. Excused: 2— Metzig, Sundquist. CARRIED.

**RESOLUTION NO. 332-390**

**Transfer \$53,013 from the Undesignated Equity Fund to the Department of Community Programs to Cover the Cost of Additional Vocational Services**

WHEREAS, the Winnebago County Department of Community Programs has experienced a waiting list for vocational services for several years; and

WHEREAS, the waiting list has now grown to the point that it has become necessary to treat more individuals than originally planned as part of the 1990 budget; and

WHEREAS, funds are available in the Undesignated Equity Fund that could be used for such purpose.

NOW THEREFORE, BE IT RESOLVED, by the Winnebago County board of Supervisors, that the sum of \$53,013 be transferred for the Undesignated Equity Fund to the budget of the Department of Community Programs for the purpose of providing vocational services to approximately 19 individuals determined to be "most in need" among those on the waiting list for such services.

Submitted by,

COMMUNITY PROGRAMS BOARD

and

PERSONNEL AND FINANCE COMMITTEE

**VOCATIONAL FUNDING REQUEST COUNTY ROLE**

The Department of Community Programs contracts with vocational providers (Work Adjustment Services, Goodwill Industries, and Advocap) for all vocational services. Services are provided to persons with developmental disabilities (mental retardation, impact on County levy funds. It is the intent to find alternate funding, with the Community Options Program being the best potential source.

More specific budgeting will occur during the 1991 budget process, but the intent is to utilize other funding sources to keep the implications to the levy as limited as possible.

**1990 ESTIMATES FOR**

**SEPTEMBER IMPLEMENTATION**

TEAM LEADER—\$2,845.00 salary and fringe/month x 4 =	\$11,380.00
R.N./CASE MANAGER—\$2,507.00 salary and fringe/month x 4	\$10,028.00
EQUIPMENT AND OTHER EXPENSE	<u>\$ 1,500.00</u>
TOTAL	\$22,908.00
GRANT AMOUNT	\$23,627.00

**1991**

**ESTIMATED FULL YEAR'S COSTS**

TEAM LEADER	\$36,035.00
R.N./CASE MANAGER	<u>\$32,369.00</u>
	<u>\$68,404.00</u>
PROJECTED NEW REVENUES	<u>\$53,500.00</u>
(Revenues from CSP/MA Revenues from MA Case Management Revenues from COP)	
NET COSTS	\$14,904.00 most
(to zero (0) least dependent upon identifying additional new revenues	

Staff is seeking approval for the acceptance of the grant monies; for the creation of two new positions - Team Leader and R.N./Case Manager for the new work group; for the transfer of staff to form the new work funded through the grant monies during 1990, but during 1991 they will be funded through increased revenues. A study was done to compare if new revenues would be realized by complying with the new standards. That study has shown that approximately \$30,000.00 of new revenues will accrue due to compliance.

The grant is a one time award of monies. Although this process is currently voluntary, there is little doubt that in the future the process will be mandatory. The judgement is that compliance will result in some increased costs and the use of grant monies, even though it is on a one time basis, is preferential to no financial assistance at all.

It is anticipated that compliance with the standards will enhance programming in addition to preparing for the inevitable compliance. The standards of compliance have been developed on a program model which has received national awards and been recognized internationally for its effectiveness in working with the mentally ill. In addition then to anticipated forced compliance, there is an advantage to comply due to improved programming.

It is not possible for the program to simply absorb the changes within existing staff. In 1989 there was some staff reassignment in order to respond to the increased number of chronically mentally ill requiring services. A position was redefined with assignment of an intake worker to a revised job description of case manager for the chronically mentally ill. This change was necessary, but it has also been disruptive and problematical. Compliance will require additional staff.

**FINANCIAL CONSIDERATIONS**

For 1990 there will be no to minimal County dollars which will be required to implement. If the implementation is later in the year, the new grant monies will cover the new expenses. However, for 1991, there will be new costs.

Staff are exploring options to cover the new costs for 1991. It is the intent to eliminate or minimize the

**RESOLUTION NO. 333-390**  
**Transfer \$80,000 from Airport Enterprise Fund**  
**for Airport Improvements**

**BE IT RESOLVED** by the Winnebago County **Board** of Supervisors that the sum of \$80,000 be made available from the Wittman Regional Airport Enterprise Fund-Retained Earnings Account to be used for airfield improvements including perimeter road, taxiway and general aviation ramp improvements.

Submitted by,  
AVIATION COMMITTEE

**Proposed 1990 Airport Capital**  
**Improvement Amendment**

Airfield Improvements: At the State's request, combine 1990 and 1991 planned improvements into one year's project. Projects include perimeter road, taxiway, and general aviation ramp improvements.

\$100,000 1990 Budget  
+ 20,000 Advance from EAA for  
1991 Improvements  
\$120,000 Subtotal  
+ 80,000 Proposed Transfer from  
Retained Earnings  
200,000 Local Share (20%)  
+ 800,000 State Grant (80%)  
\$1,000,000 Amended 1990 Budget (100%)

Terminal Improvements: Renovate restaurant wing with limited main terminal ticketing area improvements.

\$ 90,000 1990 Budget—Old Terminal, signage,  
+ 80,000 other Proposed Transfer from Retained Earnings

\$170,000 Amended 1990 Terminal Renovation Budget (100%)

Motion by Supervisor Lawson and seconded to adopt. Two-thirds vote required. Vote: Ayes: 33. Nays: 10—Grundman, Hartmann, Broas, Luebke, Steber, Wagner, J.C. Pawlowski, Ribble, Cartwright, Salomon. Excused: 2—Metzig, Sundquist. CARRIED.

**RESOLUTION NO. 334-390**  
**Transfer \$80,000 from Airport Enterprise Fund**  
**for Terminal Building Improvements**

**BE IT RESOLVED** by the Winnebago County Board of Supervisors that the sum of \$80,000 be made available from the Wittman Regional Airport Enterprise Fund-Retained Earnings Account to be used for terminal building improvements including renovation of the airport restaurant wing and limited main terminal ticketing area improvements.

Submitted by,  
AVIATION COMMITTEE

**Proposed 1990 Airport Capital**  
**Improvement Amendment**

Airfield Improvements: At the State's request, combine 1990 and 1991 planned improvements into one year's project. Projects include perimeter road, taxiway, and general aviation ramp improvements.

\$100,000 1990 Budget  
+ 20,000 Advance from EAA for  
1991 Improvements  
\$120,000 Subtotal



contrary to the public policy of the County and is punishable as provided in Sec. 946.12, Wisconsin Statutes. Such conduct shall also be punishable under Sec. 25.04 of this General Code.

(3) **CANDIDATES SEEKING PUBLIC OFFICE.**

Nothing herein shall prevent any County employee or official, as a candidate for public office, from accepting money, property or other thing of value as a campaign contribution pursuant to the provisions of Chapter 12, Wisconsin Statutes.

**(PROPOSED CODE OF ETHICS)**

**GENERAL GOVERNMENT—CHAPTER 1 GENERAL PROVISIONS AS TO OFFICIALS**

1.01 **CODE OF ETHICS. (1) Declaration of Policy. The proper operation of democratic** government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gains; and that the public have confidence in the integrity of its government. To assist in attaining these goals, there is established a code of ethics for all County officials including members of boards, committees and commissions, and employees, whether elected or appointed, paid or unpaid. The purpose of this code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions which are incompatible with the best interests of the County and by requiring such officials and employees to disclose personal interests, financial or otherwise, in matters affecting the County. The purpose of this code and the rules and regulations established hereby are declared to be in the public interest.

(2) **Responsibility of Public Office.** Public officials and employees hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the United States and the Constitution of this state; to observe the highest standards of law in the exercise of the powers and duties of their office; to impartially carry out the laws of the nation, state and County; to discharge faithfully the duties of their office regardless of personal considerations; and to recognize that the public interest must be their prime concern.

(3) **Dedicated Service.** Appointive officials and employees shall adhere to the rules of work and performance standards established for their positions. Officials and employees shall not exceed their authority or breach the law or ask others to do so. They shall cooperate with public officials and employees from other governmental bodies, agencies and jurisdictions unless prohibited from doing so by law.

(4) **Fair and Equal Treatment.** No official or employee shall use or permit the use of County-owned vehicles, equipment, materials or property unless authorized to do so. All officials and employees are obligated to give the same consideration to matters and persons in like or similar circumstances and may not arbitrarily or capriciously treat one person differently from another.

(5) **Conflict of Interest. (a) Financial and Personal Interest Prohibited.** No official or employee, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to any direct financial interest which is incompatible with the proper discharge of his or her official duties in the public interest contrary to the provisions of this section or which tends to impair his or her independence of judgment or action in the performance of his or her official duties.

(b) **Definitions.** 1. **Financial Interest.** Any interest which yields directly a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.

2. **Persons.** Any person, corporation, partnership or joint venture.

3. **Official duty or act.** One done by an officer in his or her official capacity under color and by virtue of his or her office. An authorized act.

4. **Violation.** Violation includes any unlawful behavior by a public officer or employee in relation to the duties of his or her office or employment, willful in its character, including any willful or corrupt failure, refusal, or neglect of an officer or employee to perform any duty enjoined by law on him or her.

(c) **Specific Conflicts Enumerated.** 1. **Incompatible Employment.** No official or employee shall engage in or accept private employment or render service, for private interest, when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to

impair such official's or employee's independence of judgment or action in the performance of such duties, unless otherwise permitted by law and unless disclosure is made as herein provided.

2. Disclosure of Confidential Information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the County, nor shall such official or employee use such information to advance the financial or other private interest of such official or employee or others.

3. Gifts and Favors. Discretion and the judgment of a reasonable, prudent person shall be exercised in the acceptance or giving of gifts which may tend to influence such official or employee in the discharge of his or her duties, or grant in the discharge of his or her duties any improper favor, service or thing of value, except campaign contributions under sub. (7).

(d) Contracts with the County. No County officer or employee who in his or her capacity as such officer or employee participates in the making of a contract in which such person has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the part of such official or employee, shall enter into any contract with the County unless, within the limitation of Section 946.13, Wis. Stats., the contract is awarded through a process of public notice and competitive bidding.

(e) Disclosure of County Board Interest in Legislation. To the extent known, any member of the County Board who has a financial interest in any proposed legislation before the County Board shall disclose on the records of the County Board the nature and extent of such interest.

Any other official or employee who has a financial interest in any proposed legislative action of the County Board and who participates in County Board discussion with or gives an official opinion or recommendation to the County Board, shall disclose in the records of the County Board, the nature and extent of such interest.

**(6) Disclosure of Certain Financial Interest.**

(a) A person elected, appointed or hired for any office or position of employment or appointed to any board, commission or authority set forth below, shall file initial and amended statements of economic interest as required by the provisions of this section.

**ELECTED OFFICIALS**

County Executive  
Clerk, Treasurer, District Attorney, Sheriff, Register of Deeds, Coroner, Clerk of Courts  
Supervisors

**APPOINTED OFFICIALS**

Airport Manager  
Building Maintenance Superintendent  
Child Support Administrator  
Community Programs Director  
Corporation Counsel  
Assistant Corporation Counsel  
County Auditor  
Assistant District Attorneys  
Emergency Government Director  
Finance Director  
Highway Commissioner  
Director of Information Services  
Land & Water Conservation Department Director  
Administrator, Park View Health Center  
Director, Community Nursing Services  
Parks Director  
Personnel Director  
Planning & Zoning Director  
Registrar in Probate  
Purchasing/Insurance Manager

Director, Department of Social Services  
Solid Waste Manager  
Veterans Services Officer  
Zoning Administrator

**BOARDS**

Advocap Board  
Board of Adjustment  
Community Programs Board  
Industrial Development Board  
Public Safety Building Board  
Solid Waste Management Board  
Tn-County Recreation Board of Directors  
University Wisconsin Center-Fox Valley Board of Trustees  
Winne-Fond Lake Policy Board  
Winnefox Library Systems Board of Trustees

**COMMISSIONS**

Affirmative Action Commission  
Civil Service Commission  
Highway Safety Commission  
Local Emergency Planning Commission  
Veterans Service Commission  
East Central Wisconsin Regional Planning Commission

**CONSORTIUM**

East Wisconsin Counties Railroad Consortium

**COMMITTEES**

Comprehensive Planning Citizens Advisory Committee  
Elderly & Handicapped Transportation Committee  
Emergency Government Committee  
Juvenile Detention Study Committee  
Land Records Committee  
Mineral Extraction Committee  
Winnebago County Committee on Aging

**ASSOCIATIONS**

Winnebago County Fair Association

**AUTHORITIES**

Winnebago County Housing Authority

(b) Within ten (10) days after the swearing in of elected officials they shall file a statement of economic interest with the County Clerk.

(c) Form of statement. 1. Interest in Land. A person filing any statement of economic interest under this section shall file the statement on a form prescribed by the Ethics Board and shall supply the following

information to the Board. A description of all parcels of real estate within the County in which the person owns any interest including an option to purchase, if such property is to be considered for rezoning or purchase by any entity of government, but exempting homestead property.

2. Corporate Interests. All candidates for a political office of the County and all appointive

positions enumerated in sub. (a) above shall identify all corporate interests in any business organization, either as an owner, part owner, partner, or silent partner, in which such individual owns more than two percent of the outstanding stock or more than two percent of any other business ownership that is doing business with the County in an amount in excess of \$5,000.00 annually.

(d) Amended Statements. Any person required to file a statement hereunder shall not be required to file an amended statement unless that person undergoes a change in those economic interests that are required to be disclosed by this section. Such persons shall file the amended statement in the manner prescribed by sub. (b) above within seven days of the date of any change in circumstances requiring filing thereof.

(e) Elected and appointed officials and employees shall comply with the provisions of this section within 30 days after the requirements hereof are imposed upon such office or position.

7. **Campaign Contributions.** Campaign contributions shall be reported by all candidates for County office in conformity with the Wisconsin Statutes.

8. **Ethics Board.** (a) There shall be an Ethics Board which shall consist of seven members: two supervisors, one County officer and one County employee; and three citizens. Each member shall be appointed by the Committee on Committees and subject to confirmation by the County Board. The citizen members shall be chosen from the private sector and shall not be affiliated with County government in any capacity, including, but not limited to, employment (including employment for which the salary is in any way funded by or through the County), appointment or election. Terms of office of citizens shall be three years, one appointment to be made annually. The Ethics Board shall elect its own chairman and vice-chairman. If any member of the Ethics Board petitions the Board for a hearing and advice regarding his or her own conduct, such member shall not be eligible to sit on his or her own case.

(b) The jurisdiction of the Ethics Board is limited to acting within the scope of subs (8) (d) and (9) of this code.

(c) The Ethics Board may recommend amendments of this code to the County Board.

(d) Upon the sworn complaint of any person alleging facts which, if true, would constitute a violation of this section, the Board shall conduct a "due process" public hearing unless a private hearing is requested by the person accused and, in written findings of fact and conclusions based thereon, make a determination concerning the complaint. If the Ethics Board finds there is probable cause a person has violated a provision of this section, it shall refer the matter to the Corporation Counsel, District Attorney, or County board for appropriate action. In making such referral, the Ethics Board shall attach the findings and conclusions as well as such documents as it decides are germane to the issue; the statement of determination shall not be admissible as evidence in any court.

(e) A 4/5 vote of the entire membership of the Board shall be required to make a finding of probable cause.

(9) **Applicability of Code.** When an official or employee has doubt as to the applicability of a provision of this code, such person may apply in writing to the Ethics Board for an advisory opinion. The official or employee shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability of the code before such advisory decision is made. This code shall apply except when superseded by an applicable statutory provision and statutory action is mandatory, or when the application or a statutory provision is discretionary but determined by the Ethics Board to be more appropriate or

(10) **Penalty and Sanctions.** Violation of any provision of this section may constitute cause for suspension, removal from office or employment, or other disciplinary action and shall be punishable as provided in Sec. 946.12, Wis. Stats. Such conduct shall also be punishable under Sec. 25.04 of this General Code.

(11) **Severability.** If any provision of this section is held invalid or unconstitutional, or if the application of this section to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this section which can be given without the invalid or unconstitutional provision or application.

**1.11 FEES AND LEGAL CUSTODIANS:**

**PUBLIC RECORDS. (1) AUTHORITY. This section of the Code is adopted under the authority granted by Sections 59.07(6) and 19.35(3), Wisconsin Statutes.**

**(2) DEFINITIONS. (a) "Authority" means any of the following having custody of a record: an office, elected official, agency, board, commission, committee, council, department or public body corporate and politic of Winnebago County created by constitution, law, ordinance, rule or order; or formally constituted subunit of the foregoing.**

**(b) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority of Winnebago County. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.**

**(3) LEGAL CUSTODIANS. (a) A Winnebago County elected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.**

**(b) Unless otherwise prohibited by law, the County Clerk or the clerk's designee shall act as legal custodian for the Winnebago County Board and for any committees, commissions, boards or authorities created by ordinance or resolution of the Winnebago County Board.**

**(c) For every authority not specified in subs. (a) or**

**(b), the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his or her staff to act as the legal custodian.**

**(d) Each legal custodian shall name a person to act as legal custodian in his or her absence or the absence of his or her designate. This subsection does not apply to members of the Winnebago County Board.**

**(e) The designation of a legal custodian does not affect the powers and duties of an authority under this subchapter.**

**(4) FEES. (a) Each authority shall impose a fee upon the requester of a copy of a record which may not exceed the actual, necessary and direct cost of reproduction and transcription of the record, unless a fee is otherwise specifically established or authorized by the law.**

**(b) Each authority shall impose a fee upon the requester of a copy of a record for the actual, necessary and direct cost of photographing and photographic processing if the authority provides a photograph of a record, the form of which does not permit copying.**

**(c) Each authority shall impose a fee upon the requester of a record not in printed form on paper such as films, computer printouts and audio or video tapes, which may not exceed the actual, necessary and direct cost of a copy of such record.**

**(d) Except as otherwise provided by law or as authorized to be prescribed by law, an authority shall impose a fee upon a requester for locating a record, not exceeding the actual, necessary and direct cost of location, if the cost is \$50 or more.**

**(e) Each authority shall impose a fee upon a requester for the actual, necessary and direct cost of mailing or shipping of any copy or photograph of a record which is mailed or shipped to the requester.**

**(f) An authority may provide copies of a record without charge or at a reduced charge where the authority determines that waiver or reduction of the fee is in the public interest.**

**(g) Each authority shall require prepayment by a requester of any fee or fees imposed under this subsection if the total amount exceeds \$5.**

**(5) EFFECTIVE DATE. This Ordinance shall take effect on January 1, 1983.**

**BOARDS AND COMMISSIONS**

**1.20 COUNTY CIVIL SERVICE COMMISSION. (1) AUTHORITY.** This section is adopted under

the authority granted by Sections 49.50(5) and 59.07(20), Wisconsin Statutes.

(2) TITLE. This section shall be known as, referred to, or cited as, Winnebago County Civil Service Commission Ordinance.

(3) EFFECTIVE DATE. This section shall take effect October 1, 1977.

(4) MEMBERSHIP. (a) The Civil Service Commission shall be composed of five members, all of whom shall be legal residents of Winnebago County with an appreciation for and knowledge of personnel management and dedication to the concept of equal employment opportunity.

(b) No person holding any elective or appointed public position or office in County Government shall be appointed to the Civil Service Commission.

(c) The Civil Service Commission shall be appointed by the County Executive, subject to confirmation by the County Board of Supervisors.

(d) Members of the Civil Service Commission shall not be employed in any capacity by the County.

(e) Except as hereinafter provided, the term of office of each member of the Civil Service Commission shall be 5 years. The terms of office initially appointed shall be as follows:

1. One member shall be appointed for a term commencing with the date of appointment and ending December 31, 1978.

2. One member shall be appointed for a term commencing with the date of appointment and ending December 31, 1979

3. One member shall be appointed for a term commencing with the date of appointment and ending December 31, 1980.

4. One member shall be appointed for a term commencing with the date of appointment and ending December 31, 1981.

5. One member shall be appointed for a term commencing with the date of appointment and ending December 31, 1982.

6. Each member shall hold office until a successor is appointed and confirmed pursuant to this section.

(5) JURISDICTION. (a) Except as hereinafter provided, the jurisdiction of the Civil Service Commission shall be limited to appeals from County employees alleging discrimination or improper separation from County employment. Determinations by the Commission shall be binding upon all parties.

(b) Nothing herein shall limit County employees' rights under Sec. 111.70, Wisconsin Statutes. If a County employee or duly authorized representative pursuant to a collective bargaining agreement elects to appeal a decision alleging discrimination or improper separation from County employment through a grievance procedure contained in such collective bargaining agreement, the Commission shall have no jurisdiction to review that same decision.

(6) PROCEDURES. The Civil Service Commission shall establish the procedures for filing appeals, hearings and other matters relating to its operation. Copies of the procedures established by the Commission shall be available in the office of the County Director of Personnel, Courthouse, Oshkosh, Wisconsin, 54901.

**CHAPTER 1 HISTORY INDEX**

1.01 Ordinance adopted 6/18/74

1.20 Ordinance adopted 9/20/77

1.11 Ordinance adopted 12/21/82

Supervisor Planalp asked supervisors to review the ordinance and give suggestions for any changes. He then moved to table for further consideration by the County Board. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 336-390**  
**Create Two Positions of Police Officer with the**  
**Winnebago County Sheriff's Department**

WHEREAS, the temporary assignment of two officers from within the Patrol and Jail Divisions of the Winnebago County Sheriff's Department has enabled the Department to initiate a drug awareness and prevention program within the schools of Winnebago County entitled the D.A.R.E. program; and

WHEREAS, after seven months of operation it has been determined that the D.A.R.E. Program has been well-received and has been an effective tool in the war against drugs; and

WHEREAS, in order to continue the D.A.R.E. program in Winnebago County in a cost effective manner, it would be most appropriate to create two additional full-time positions within the Winnebago County Sheriff's Department to replace the personnel currently assigned to the D.A.R.E. program; and

WHEREAS, it is likely that future costs to Winnebago County may be reduced by grant funding.

NOW THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that two new positions of Police Officer be, and hereby are, created within the Table of Organization of the Winnebago County Sheriff's Department; and

BE IT FURTHER RESOLVED, that funds to cover the cost of such positions be made available from the Contingency Fund of the Winnebago County Budget.

Submitted by, JUDICIARY AND PUBLIC SAFETY COMMITTEE  
and

PERSONNEL & FINANCE  
COMMITTEE

It was moved by Supervisor Planalp and seconded to adopt. Two-thirds vote required. Vote: Ayes 39. Nays: 4—Eckrich, Steber, Montgomery, Ribble. Excused: 2— Metzsig and Sundquist. CARRIED.

Motion by Supervisor J.C. Pawlowski to adjourn Sine Die until April 17, 1990 for the Organizational Meeting, and April 24, 1990 for the regular Adjourned Meeting. CARRIED BY VOICE VOTE. Respectfully submitted.

Linda Wolfe  
Winnebago County Clerk

State of Wisconsin  
County of Winnebago<sup>5</sup>s

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held March 20, 1990.

Linda Wolfe  
Winnebago County Clerk