

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
AUGUST 15, 2001

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, August 15, 2001, at 7:00 p.m.**, in the Legislative Room, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order.

Invocation presented by Supervisor Schmitt.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Antonneau, Bunker, Krueger, Queoff, Vanden Plas, Collins, Clancy, Fleck, Schillinger, Schadewald, Schmitz, Haefs, Kaye, Bicoy, Johnson, Kuehn, Marquardt, Zima, Moynihan, Simons, Williquette

Excused: Watermolen, Hansen

Total Present: 22 Total Excused: 2

No. 1 -- Adoption of Agenda.

A motion was made by Supervisor Krueger and seconded by Supervisor Queoff to adopt the agenda as modified. Vote taken. Motion carried unanimously with no abstentions.

No. 2 -- Approval of minutes of County Board Meeting of July 18, 2001.

A motion was made by Supervisor Moynihan and seconded by Supervisor Johnson to adopt the minutes. Vote taken. Motion carried unanimously with no abstentions.

No. 3 -- Announcements of Supervisors. None.

No. 4 -- Communications.

No. 4a -- From Senator Dave Hansen regarding: Thank you for support of Assembly Bill 197.

A motion was made by Supervisor Kay and seconded by Supervisor Schmitz to receive and place on file. Vote taken. Motion carried unanimously with no abstentions.

No. 5 -- Late Communications.

No. 5a -- From Senator Robert Cowles thanking the County Board for contact relating to Nursing Home Reimbursement Rates.

Refer to Legislative Sub-Committee.

No. 6 -- Appointments by County Executive. None.

No. 7a -- Report by County Executive. "State of the County" Address by Nancy Nusbaum.

State of Brown County

August 15, 2001

Vice Chair Schillinger, members of the County Board, Brown County staff members, citizens and friends, it is my honor and pleasure as your County Executive, to present this report tonight on the State of Brown County.

This past year has been a challenging one for us. We have accomplished a great deal and have managed to hold our spending within our constraints. It took considerable effort and I want to thank you as board members and the employees for all the extra effort that has been and continues to be given to make our programs and services a value to our citizens.

Overall Brown County remains in a strong financial position. Our 2000 and 2001 budgets have us solidly positioned to enter the 2002 budget process. Financial analysts recommend that we carry an undesignated general fund reserve of 25% of general fund revenues and, after reaching a safe but low point of 20% after 1999, we have succeeded in building that reserve back to \$13 million or just over 25%.

Another measure of our financial health is the amount of debt we carry. Again, financial analysts and state law define that our allowable debt capacity is 5% of the county's equalized valuation, or \$583 million. The debt load for the construction of the anticipated mental health center still places us at only 18% of our allowable capacity.

This strong financial positions allows us to carry a bond rating of Aa1, which ranks us with five other counties holding an Aa1 or Aaa rating, in a stronger position than 67 of the state's 72 counties. This rating saves us 10's of thousands of dollars in interest costs. Brown County is also positioned to pay off 72% of principle debt in 10 years.

In my first budget in 1996, Brown County's total tax rate for operations and debt was \$5.13 per thousand. Today, six years later, that rate is %5.22 or \$9 on a \$100,000 home.

There are many factors affecting Brown County which are beyond our control. During that same period, for example, the out-of-county costs for boarding prisoners rose from \$690,000 in 1995 to \$3.9 million in 2000. We had no choice but to pay the bills.

Recent census figures show that during the decade of the 90's, the number of people living in Brown County grew from 194,594 to 226,778. That's a 16.5% increase in the number of residents needing county services.

How we managed our overall budgets in the face of pressures like this tells the story of the bottom line to taxpayers. During that 6-year period (96-2000) we held the tax rate to an increase of 1.7% which is below the rate of inflation.

Proof that, by managing well and using sound practices, we can contain the one thing within our control, the tax rate, even as we experience the pressures of being one of the fastest growing areas of the state.

Keep in mind, of the County's \$185 million budget only 32% is property tax levy. We have managed our expenditures well and maximized our revenues in programs and services to the benefit of taxpayers.

This is a success story which deserves to be told.

While we have made some difficult decisions and choices over the last year, we have also made tremendous strides:

- On June 23rd we opened the new Brown County jail, solving a decade-old problem and putting a stop to the almost \$4 million in payments for shipping inmates.
- We have installed and implemented a state-of-the-art communications center and this fall we will formally join all the participating agencies under one roof.
- We have fulfilled our promise by now being capable of receiving calls and dispatching for all Brown County public safety agencies. We have also entered into agreements with Outagamie, Winnebago, and Calumet Counties to pursue common computer networks so that we can expand our information and resources across county lines.
- In January, 2000, we implemented an inmate-processing fee of \$25. This has generated over \$122,000 and is just a small example of finding creative solutions other than raising taxes.
- The opening of the Fox River Trail has exceeded all our expectations in its use and popularity with our residents. Trail passes have sold out on numerous occasions and continue to be in demand.

Brown County's enterprise departments increased their income in 2000 by over \$2.7 million. For those who say government should operate more like a business we can proudly show off examples of how we have done exactly that.

Brown County must hold its position as the regional hub of Northeastern Wisconsin. That is why you will see my commitments to the vital services we provide in transportation, economic development, and maintaining a strong industrial infrastructure.

Brown County's Austin Straubel Airport, with its soon-to-be-opened wingate airport hotel, is a key link to our ability to attract any size of business. Its passenger service remains convenient and competitive for both leisure and business travel. If we are to keep our competitive edge over our neighbors we cannot waiver in this commitment.

Brown County's Port and Solid Waste Department provides reliable and stable services to residents and industry alike. Our port proves invaluable as an alternative transportation mode in moving large cargo.

Both industry and the private property taxpayer rely on our stable price structure in waste disposal. That is why talks must continue with Outagamie and Winnebago Counties to find even more efficiencies and shared resources so that we can continue to offer these low-cost services with no property tax impact.

Indeed, Brown County is growing dramatically. Our communities are changing as well. We are finding new strengths and resources in our expanding diversity. At the county level, we have devoted our efforts to improve access and opportunities to all our citizens. For example, a second annual one-day seminar was held by our UW-Extension, in cooperation with Outagamie County, on employing and recruiting minority farm workers on dairy farms which are experience labor shortages.

Toward that end, I would like to commend Supervisors Bicoy and Schillinger for their initiative to start an advisory council on diversity affairs. I pledge my support and commitment to you to make this effort a success and truly meaningful in opening more doors and opportunities in the county.

In that spirit of cooperation, tonight I hope you will pass what will be one of the first county "Payment for Services" agreements in the state with the Oneida Nation. This agreement shows our commitment in working cooperatively with our neighbors and, even more importantly, opens even more doors for future cooperative efforts.

The Oneida Nation has been a great steward of the land and caregiver for its tribal members. That is reflected and recognized in this agreement. My special thanks go to the negotiating team, in particular to the leadership of Supervisor Schadewald in keeping this process timely and productive.

Brown County's own commitment to the environment has been pursued with vigor. Our efforts toward clean water in our rivers and streams has earned our Land Conservation Department the National Buffer Council's Buffer Achievement Award for the third straight year. Our aggressive buffer strip ordinance aims to reduce sediment and phosphorous delivery in the lower Fox River-Green Bay estuary by 50 percent in the next eight years.

Finally, in the year of the "hanging chad", it is appropriate to note a considerable accomplishment here in Brown County. When I arrived in 1995, Brown County still had 4 different types of voting: lever machines, mark sensor, paper ballots and the now infamous

punch cards. Previous county clerks had opposed the switch to the more accurate and efficient mark sense system because of the high cost to the county of purchasing ballots.

The 2000 presidential election illustrated to the nation the deficiencies of outmoded systems. I must give credit and thanks to County Clerk Darlene Marcelle, who not only worked proactively with the county's communities to facilitate a total county-wide conversion to the mark sense system, but also to the county's Facilities Department, particularly Jerry Czech in the Copy Center.

In previous years, individual clerks were responsible for ordering ballots. Not wanting to be caught short at the end of the voting day by an unanticipated high turnout, they historically ordered considerable excess ballots as insurance, and did so at county expense. With the new technology available through the copy center, we are now able to print additional ballots on a moment's notice and deliver them to any polling place in Brown County within an hour. This system allows local clerks the security of knowing they need never run short while eliminating the need to purchase large numbers of excess ballots.

The result has been far greater accuracy, much quicker election-night results, and controlled costs. It is significant to note that the first county-wide use of mark sense ballots occurred in April, 1999, over a year before their value was demonstrated to our nation.

As we look towards the future, it is clear that Human Services will continue to play the dominant role in county budgets. You need not travel far to find out how important our Human Services are to people in every corner of the County. Almost every day I hear a story that reminds me of the importance we play in the lives of those who are in need. Unfortunately, the needs continue to outpace our resources to serve. The state's failure once again to increase community aid dollars has made our choices even more difficult.

Until we can reverse these policies, Brown County will continually struggle to serve these vulnerable populations. We can be proud of the work we have done. In 2001 we applied \$2 million to serve those on waiting lists. So far, we have removed 380 people from those lists and provided services.

However, more have come on the lists, which illustrates the needs that exist. My commitment to these services will remain in the 2002 budget proposal. I will strive to make the most of state/federal funds. We will carry over any budget dollars generated and apply them toward future services. We cannot fail in this area. Our communities are only as strong as their people and how we care for one another.

Another great challenge facing our county will surround land use issues. The state's Smart Growth Initiative provides us with a unique opportunity as a county-wide planning organization to serve our communities in planning for responsible future growth.

We face particular challenges because we are an urbanizing county with a strong economic foundation based upon agriculture. As the number of people has grown, so has the number of cows. Once again, Brown County has been pivotal in playing a role to help the two to exist in

relative harmony. With the assistance of the Planning Department and the Land Conservation Department, the Theunis family farm near Wrightstown installed the first manure to energy conversion system of its type in the nation. Aside from the obvious benefits, one much-sought-after outcome was the reduction of odor to the nearby community.

The issues of land use compatibility and urban sprawl will pose significant challenges to Brown County. We have demonstrated that we possess the willingness and resourcefulness to meet the challenges.

Not all of our challenges will be universal and far-reaching. They still deserve attention. Following this year's County Fair, I was contacted by members of the agricultural community and asked to pursue new approaches to strengthen both attendance and participation. I look forward to working with them in the year ahead to bring the same innovation to a time-honored county institution, the County Fair.

Progress in capital projects will move forward on two fronts. The planning and programming for both the Mental Health Center and Kress Family Library in De Pere/Allouez will be completed in 2002. Through federal reimbursement dollars and private donations, both these projects showed innovative financing to minimize the use of property tax dollars.

In such a brief time it is difficult to give a broad overview of the State of Brown County. I continue to be proud of the many people whose dedication to serve have put Brown County in a strong financial position with a culture of quality services.

I have no doubt that, working together, we will continue to meet the challenges of the future as resourcefully and creatively as any county in the State of Wisconsin. We will continue to live within our means and, unlike the State and Federal governments, with a balanced budget each and every year.

Because at the end of the day, we are here because of the people we serve. We can be proud of the manner in which we have positioned ourselves to serve in the future.

Thank You.

No. 7b -- Report by Board Chairman. None.

No. 8 -- Treasurer's Reports. None.

No. 9 -- Standing Committee Reports.

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF AUGUST 2, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on August 2, 2001, and recommends the following motions:

1. Review minutes of:
 - a. Equal Opportunity in Housing Commission (4/12/01).
Receive and place on file.
 - b. Facilities Master Plan Committee (7/12/01).
Receive and place on file.
2. Resolution regarding: Approving a Student Housing Project of the Brown County Housing Authority and Issuance of Bonds in Connection Therewith (University Village Housing, Inc. Project. Keith Pamperin). Committee approved. See Resolutions, Ordinances August County Board.
3. County Clerk – First and Second Quarter 2001 Objective Monitoring Report.
Receive and place on file.
4. Human Resources – Review of Salary Range for Position, Resolution regarding: Request Increase Salary Range for the Position of Facility Manager. (Held from previous meeting. Referred to Executive Committee.) Committee approved. See Resolutions, Ordinances August County Board.
5. Human Resources – Resolution regarding: Request Increase Salary Range for the Position of Safety Coordinator. (Referred to Executive Committee.) Committee approved. See Resolutions, Ordinances August County Board.
6. Human Resources Committee Report – July 24, 2001. Receive and place on file.
7. Human Resources – First and Second Quarter 2001 Objective Monitoring Report.
Receive and place on file.
8. Treasurer – First and Second Quarter 2001 Objective Monitoring Report. Receive and place on file.
9. Treasurer – Property Taxes on Oneida Facilities – Unpaid/questionable. Receive and place on file.
10. Corporation Counsel – Resolution regarding: Disallowance of Claim (Thomas J. Morris). Committee approved. See Resolutions, Ordinances August County Board.
11. Corporation Counsel – Resolution regarding: Disallowance of Claim (Paula Jacobson). Committee approved. See Resolutions, Ordinances August County Board.
12. Corporation Counsel – First and Second Quarter 2001 Objective Monitoring Report.
Receive and place on file.
13. Corporation Counsel – Communication from Corporation Counsel regarding: Oneida Trust Status Requests. Receive and place on file.
14. Corporation Counsel – Communication from City of Green Bay, Planning Commission, Cheryl Renier-Wigg (Neighborhood Development Coordinator) regarding: Donation of Three Parcels of Land to City of Green Bay currently owned by Brown County due to Non-payment of Taxes. (Held from previous meeting.) Work out a program of cooperation in which the County will receive payment for back taxes and in return the County will not charge the City of Green Bay any interest for the properties.
15. Facility Management – First and Second Quarter 2001 Objective Monitoring Report.
Receive and place on file.

16. Facility Management – Director’s report. No action.
17. Facility Management – Change of Request for easement from Ameritech in the vicinity of Lake Largo Road. (Request previously sent in January 2001 – this is a change in easement.) Approve.
18. Department of Administration – 2001 Budget Transfer Log. Receive and place on file.
19. Department of Administration – Monthly Activities Report (July 2 through July 20, 2001). Receive and place on file.
20. Department of Administration – First and Second Quarter 2001 Objective Monitoring Report. Receive and place on file.
21. Department of Administration – Information Services – First and Second Quarter 2001 Objective Monitoring Report. Receive and place on file.
22. Audit of bills. Pay the bills.

A motion was made by Supervisor Johnson and seconded by Supervisor Kuehn to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF JULY 26, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session on July 26, 2001, and recommends the following motions:

1. Review minutes of:
 - a) Library Board (6/14/01). Receive and place on file.
2. Arena/Expo Centre – Attendance Report (June 2001). Receive and place on file.
3. Museum – Visitor Count (June 2001). Receive and place on file.
4. Museum – Director’s report. No action.
5. Library – Resolution regarding: Upgrading the Salary Range for the Position of Library Maintenance Supervisor. (Referred from Executive Committee then will go back to Executive Committee.) Committee approved. See Resolutions, Ordinances August County Board.
6. Library – Director’s report. No action.
7. Golf Course – Golf Report ending June 12, 2001. Receive and place on file.
8. Golf Course – Superintendent’s Report. No action.
9. Communication from Jim Snitgen, Water Resources Team Leader, Oneida Tribe of Indians of Wisconsin, regarding: Restoring stream channel on Trout Creek at Brown County Golf Course. Hold this and look at it in the future.

10. Parks – Approve Brown County Open Space and Outdoor Recreation Plan. Allow a twenty-day waiting period to notify local municipalities and to allow public comment both written and verbal.
11. Parks – Request by Janet Quigley, Choice One Communication, for a shelter refund on a cancelled booking at the Reforestation Camp. Receive and place on file, reaffirming the policy of the county regarding cancellation of park rentals.
12. Parks – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Request to increase grounds account by \$15,000 with offsetting revenues (state aids) for the purpose of park improvements at St. Francis Park. Approve.
13. Parks – Director’s Report. Receive and place on file.
14. Audit of bills. Pay the bills.

A motion was made by Supervisor Antonneau and seconded by Supervisor Collins to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 8/27/2001

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF AUGUST 6, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on August 6, 2001, and recommends the following motions:

1. Review minutes of:
 - a) Legislative Subcommittee 7/23/01).
Approve minutes.
2. Report by Schenck and Associates of Audit of Brown County. No action.
3. Discussion and action on the options for the new Mental Health Center (resubmit RFP, Value Engineering, or accept current RFP). Request additional RFP’s asking for experience with the three licensures needed at the Mental Health Center, in addition to following up with Value Engineering. Ayes: 6 (Bunker, Hansen, Kaye, Schadewald, Watermolen, Williquette); Nays: 1 (Schillinger). Motion Carried.
4. Legislative Subcommittee report. (No report.)
5. Resolution regarding: Requesting a State Probation and Parole Facility in Brown County. (Referred from Legislative Subcommittee.) No action. (Resolution referred to Public Safety Committee.)
6. Resolution regarding: Requesting Wisconsin Legislation to Exempt Employee Health Care Cost Increases from the Operating Levy Rate Calculation. (Referred from Legislative Subcommittee.)
7. Resolution regarding: For Townships and Counties Supporting a Prohibition of the Use of Cyanide in Wisconsin Mines. Committee approved. (Referred from Legislative Subcommittee.) See Resolutions, Ordinances August County Board.

8. Resolution regarding: Request Increase Salary Range for the Position of Facility Manager. (Referred from Administration Committee.) Committee approved. See Resolutions, Ordinances August County Board.
9. Resolution regarding: Upgrading the Salary Range for the Position of Airport Director. (Referred from Planning, Development and Transportation Committee.) Committee approved. See Resolutions, Ordinances August County Board.
10. Resolution regarding: Upgrading the Salary Range for the Position of Library Maintenance Supervisor. (Referred from Education and Recreation Committee.) Committee approved. See Resolutions, Ordinances August County Board.
11. Resolution regarding: Request Increase Salary Range for the Position of Safety Coordinator. (Referred from Administration Committee.) Committee approved. See Resolutions, Ordinances August County Board.
12. Resolution (draft) regarding: Establishing the Brown County Diversity Affairs Council (by Pat Schillinger and Bret Bicoy). Committee approved. See Resolutions, Ordinances August County Board.
13. County Executive Report. (No report.)
14. Review of department budgets:
 - a. Planning, Development and Transportation Committee (Supervisor Kathy Williquette, Chair). (Held from previous meeting.)
No action.
15. Review in consideration of payment for services agreement with Oneida Tribe of Indians of Wisconsin. Committee approved. See Agreement/Resolution August County Board.
16. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82(1) of the Wisconsin State Statutes.
 - a) Enter into closed session.
 - b) Return to open session.
 - c) No action taken.

A motion was made by Supervisor Bunker and seconded by Supervisor Queoff to adopt. Supervisor Zima requested Item #3 be voted on separately. Remainder of report adopted unanimously with no abstentions.

A motion was made by Supervisor Marquardt and seconded by Supervisor Collins to approve item #3 (Discussion and action on the options for the new Mental Health Center (resubmit RFP, Value Engineering, or accept current RFP).

Supervisor Zima spoke on why he is endorsing the actions taken by item #3 (Request additional RFP's asking for experience with the three licensures needed at the Mental Health Center, in addition to following up with Value Engineering).

Supervisors Collins, Marquardt, and Bunker, all members of the Human Services Committee, expressed their opinions on this item. Each felt this was not the expertise of their committee and added that they are in favor of requesting additional RFPs. All agreed that design comparisons

should be done. Vote taken to approve item #3 of the Executive committee report. Passed unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 8/27/2001

No. 9d -- REPORT OF SPECIAL EXECUTIVE COMMITTEE OF AUGUST 15, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in *special* session on August 15, 2001, and recommends the following motions:

1. Resolution regarding: Awarding the Sale of \$3,325,000 General Obligation Corporate Purpose Bonds, Series 2001C, providing the Form of the Bonds, and Levying a Tax in Connection Therewith. Committee approved. See Resolutions, Ordinances August County Board.

A motion was made by Supervisor Krueger and seconded by Supervisor Schmitt to adopt. Discussion on this item will take place under Resolution #10g. Vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 8/27/2001

No. 9e -- REPORT OF HUMAN SERVICES COMMITTEE OF JULY 18, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on July 18, 2001, and recommends the following motions:

1. Review minutes of:
 - a) Aging Resource Center of Brown County (6/13/01).
 - b) Human Services Board (7/7/01).
 - c) Homeless Issues and Affordable Housing Subcommittee (6/18/01).
 - d) Children with Disabilities Education Board (6/18/01).Approve items a-d.
2. Construction contract method for new Mental Health Center (Mark Keckeisen). No action.
3. Report of Mental Health Center Review Subcommittee by Supervisor Harold Kaye with motion "*Send recommendation to Human Services Committee that they look into Value*

Engineering as a mechanism to fulfill the independent study authorized at the April 25, 2001 County Board meeting.”

- a. Endorse the concept of Value Engineering and direct the Director of Facility Management to provide the committee with the data, options and proposals in a timely manner. Motion Carried Unanimously.
- b. Direct the Work Group to request other RFP's and let the County Board decide on that. Motion withdrawn.

(Minutes and Bid Requests attached for review.)

4. Health Department – Update of 2002 budget status. No action.
5. Health Department – Director's report. No action.
6. Human Services Department – Financial Report using May (Unaudited) projected 2001 year end. Accept.
7. Human Services Department Director's report. No action.
8. Audit of bills. Pay the bills.
9. Such other matters as authorized by law.
 - a) Suspend the rules to let interested parties speak.
 - b) (No motion made afterwards; meeting adjourned.)

A motion was made by Supervisor Marquardt and seconded by Supervisor Collins to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive

Date: 8/27/2001

No. 9f -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF JULY 25, 2001

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE met in regular session on July 25, 2001, and recommend the following motions:

Land Conservation Subcommittee

1. Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: \$50,000 grant from Great Lakes Protection Fund through State of Wisconsin DNR to be used to cost share buffers in the Baird Creek area. Approve.
2. Director's report. No action.

Planning, Development and Transportation

1. Review minutes of:
 - a) Land Information Committee (6/20/01).
Receive and place on file.

2. Airport – Resolution regarding: Upgrading the Salary Range for the Position of Airport Director. (Referred from Executive Committee then will go back to Executive Committee.) Committee approved. See Resolutions, Ordinances August County Board.
3. Airport – Resolution regarding: Amending Advance land Acquisition Loan for Airport Purposes. Committee approved. See Resolutions, Ordinances August County Board.
4. Airport – Director’s report. No action.
5. Planning Commission – Director’s report. Receive and place on file.
6. Highway – Ordinance regarding: Dealing with Revision of Speed Zone on County Trunk Highway “ZZ”, Towns of Rockland and Wrightstown, Brown County, State of Wisconsin. Committee approved. See Resolutions, Ordinances August County Board.
7. Highway – Ordinance regarding: Dealing with Revision of Speed Zone on County Trunk Highway “K”, Town of Green Bay, Brown County, State of Wisconsin. Committee approved. See Resolutions, Ordinances August County Board.
8. Highway Commissioner’s report. No action.
9. UW-Extension – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Contribution of \$250 for 4-H Youth Development Program. Approve.
10. UW-Extension – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Contribution of \$9,500 from UW-Extension to be used for urban programming. Approve.
11. UW-Extension – Revenue: Brown County 4-H Leaders Association contribution \$2,000 to 4-H program Assistant position. Approve.
12. UW-Extension Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: UW-Extension Horticulture Agent has raised \$3,022 to pay for the cost of printing the garlic mustard brochure. Approve.
13. UW-Extension – Request for Budget Transfer: Increase in Expenditures with Offsetting Increase in Revenue: Family Nutrition Program generated \$300 in sales by developing a Resource Handbook that is sold to businesses and organizations working with families. (Request this \$300 be transferred from one account to another while expenditures will increase \$300, there will be an offset in revenue of \$300.) Approve.
14. UW-Extension – Request to apply for mini-society use grant in the amount of \$2,175. Approve.
15. UW-Extension – Permission to apply for a \$250 grant for the purpose of evaluation of particle length reduction during silage removal using a bunker facer. Approve.
16. UW-Extension – Permission to apply for a \$10,000 USDA nitrogen grant for nutrient management. Approve.
17. Audit of bills. (No bills to audit.)

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Kuehn to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \ s \ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 9g -- REPORT OF PUBLIC SAFETY COMMITTEE OF AUGUST 2, 2001

TO THE MEMBERS OF THE BROWN COUNTY

BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on August 2, 2001, and recommends the following motions:

1. Review minutes of:
 - a) Local Emergency Planning Committee (7/10/01).
 - b) Emergency Medical Services Council (7/18/01).Receive and place on file.
2. Staffing Survey Results from other counties by Melanie Falk, Human Resources. Receive and place on file.
3. Emergency Management – Presentation/review regarding: present siren system and future of sirens in Brown County. Receive and place on file.
4. Medical Examiner – First and Second Quarter 2001 Objective Monitoring Report. Receive and place on file.
5. Public Safety Communications – First and Second Quarter 2001 Objective Monitoring Report. Receive and place on file.
6. Clerk of Courts – First and second quarter 2001 Objective Monitoring Report. Receive and place on file.
7. Clerk of Courts – Clerk of Courts Statistics through June 2001. Receive and place on file.
8. Sheriff – First and second quarter 2001 Objective Monitoring Report. Receive and place on file.
9. Sheriff – Jail Population and Overtime Report. Receive and place on file.
10. Sheriff’s report. No action.
11. **Closed Session:** Pursuant to Section 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has jurisdiction or exercises responsibility. (No Closed Session Held.)
12. Audit of bills. Pay the bills.

A motion was made by Supervisor Kaye and seconded by Supervisor Moynihan to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 8/27/2001

No. 10 -- Resolutions, Ordinances:
No. 10a -- RESOLUTION REGARDING DISALLOWANCE OF CLAIM (THOMAS J. MORRIS)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Claim was filed on June 13, 2001 in the Brown County Clerk's Office;
and

WHEREAS, said Claim alleges that Thomas J. Morris sustained damages, and alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the Claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Claim submitted by Thomas J. Morris be and the same is hereby denied, and no action on this Claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, Thomas J. Morris, as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Clancy and seconded by Supervisor Kuehn to adopt.
A motion was made by Supervisor Schadewald and seconded by Supervisor Kuehn to adopt No. 10a and No. 10b together. Vote taken. Motion carried unanimously with no abstentions.
Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 8/27/2001

No. 10b -- RESOLUTION REGARDING DISALLOWANCE OF CLAIM (PAULA JACOBSON)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Claim was filed on July 10, 2001 in the Brown County Clerk's office; and

WHEREAS, said Claim alleges that Paula Jacobson sustained damages, alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the Claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Claim submitted by Paula Jacobson be and the same is hereby denied, and no action on this Claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, Paula Jacobson, as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 8/27/2001

No. 10c -- **RESOLUTION REGARDING: APPROVING A STUDENT HOUSING PROJECT OF THE BROWN COUNTY HOUSING AUTHORITY AND ISSUANCE OF BONDS IN CONNECTION THEREWITH (UNIVERSITY VILLAGE HOUSING, INC. PROJECT)**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, The Brown County Housing Authority (the "Authority"), pursuant to resolutions adopted June 18 and July 16, 2001, has indicated its intent to issue, during calendar year 2001, up to \$6,675,000 in principal amount of its housing revenue bonds (the "Authority Bonds") to finance a portion of the costs of acquisition, construction and equipping of certain new residential facilities (the "Project"), to be owned by University Village Housing, Inc., a Wisconsin nonprofit corporation (the "Owner"), for students at the University of Wisconsin-Green Bay ("UWGB") located in Brown County, Wisconsin (the "County"); and

WHEREAS, the Plan Commission of the City of Green Bay, Wisconsin has reviewed and approved the Project; and

WHEREAS, on August 10, 2001, a public hearing was held at the direction of the Authority with respect to the Project and the issuance of the Authority Bonds; and

WHEREAS, notice of such public hearing, in the form attached as Exhibit A hereto and incorporated herein (the "Notice"), was published by at least one insertion in the *Green Bay News Chronicle*, the official newspaper of the Authority for the publication of notices pursuant to Chapter 985 of the Wisconsin Statutes and a newspaper of general circulation in the locality of the Project, no less than fourteen (14) days prior to the date of such public hearing; and

WHEREAS, such public hearing was conducted in a manner that provided a reasonable opportunity to be heard for persons with differing views on both issuance of the Authority Bonds referred to in the Notice and the location and the nature of the Project; and

WHEREAS, the Authority has caused a report of such public hearing to be made to this body, which report this body has considered; and

WHEREAS, this body is an elected legislative body of the County; and

3. **Notification of Media.** On the ____ day of August, 2001 (and not less than 24 hours prior to the meeting), I communicated or caused to be communicated, the time, date, place and subject matter (including specific reference to the Resolution) of said meeting to those news media who have filed a written request for such notice and to the official newspaper of the Municipality.

4. **Open Meeting Law Compliance.** Said meeting was a regular meeting of the Governing Body that was held in open session in compliance with Subchapter V of Chapter 19 of the Wisconsin Statutes and any other applicable local rules and state statutes.

5. **Members Present.** Said meeting was duly called to order by the Chairperson (the "Presiding Officer"), who chaired the meeting. Upon roll I noted and recorded that there were __ members of the Governing Body present at the meeting, such number being a quorum of the Governing Body.

6. **Consideration of and Roll Call Vote on Resolution.** Various matters and business were taken up during the course of the meeting without intervention of any closed session. One of the matters taken up was the Resolution. A proper quorum of the Governing Body was present for the consideration of the Resolution, and each member of the Governing Body had received a copy of the Resolution. All rules of the Governing Body that interfered with the consideration of the Resolution, if any, were suspended by a two-thirds vote of the Governing Body. The Resolution was then introduced, moved and seconded, and after due consideration, upon roll call, _____ of the Governing Body members voted Aye, _____ voted Nay and _____ Abstained.

7. **Adoption of Resolution.** The Resolution was supported by the affirmative vote of a majority of a quorum of the members of the Governing Body in attendance. The Presiding Officer then declared that the Resolution was adopted, and I so recorded it.

8. **Approval of Presiding Officer.** The Resolution was approved by the Presiding Officer on August __, 2001, and I have so recorded. Such approval is evidenced by the signature of the Presiding Officer on the copy of said Resolution attached hereto.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the Government Unit hereto on this ____ day of August, 2001.

Clerk

[Seal]

EXHIBIT A

**NOTICE OF PUBLIC HEARING TO
RESIDENTS OF BROWN COUNTY, WISCONSIN**

NOTICE is hereby given that a representative of The Brown County Housing Authority (the "Authority") will hold a public hearing at 9:00 a.m. on August 3, 2001 in Room 604, 100 North Jefferson Street, Green Bay, Wisconsin, regarding the proposed issuance by the Authority of revenue bonds pursuant to Sections 59.53(22) and 66.1201 to 66.1211 of the Wisconsin Statutes, as amended, in a maximum aggregate face amount of \$6,675,000, on behalf of University Village Housing, Inc., a Wisconsin non-profit corporation ("UVHI"). The Bonds would finance the acquisition, construction and equipping of up to three apartment style residential buildings for students attending the University of Wisconsin-Green Bay, each of which buildings will provide housing for approximately 130 students. The prospective location of the facilities to be financed is a six acre (approximate) parcel of land in the City of Green Bay on the University of Wisconsin-Green Bay campus south of Shorewood Golf Course, which parcel is bordered on the north and west by North Circle Drive and on the east by existing student apartments. The initial owner of the financed facilities will be UVHI.

The public hearing will be conducted in a manner that provides a reasonable opportunity to be heard for persons with differing views on both issuance of the bonds and the location and nature of the proposed facility. Any person desiring to be heard on this matter is requested to attend the public hearing or send a representative. Written comments (not exceeding 250 words) to be considered at the hearing may be submitted to the Housing Administrator of the Authority.

Comments made at the hearing are for the consideration of the County Board of Brown County, Wisconsin.

 \s\ Keith A. Pamperin
Housing Administrator of The Brown
County Housing Authority

Publication Date: July 18, 2001

A motion was made by Supervisor Clancy and seconded by Supervisor Queoff to adopt. Supervisor Simons asked Keith Pamperin, Housing Administrator of the Brown County Housing Authority who would be responsible for the bonds? Mr. Pamperin explained these are revenue bonds so they are based by the Council themselves. Mr. Pamperin emphasized there is no financial responsibility, liability or debt incurred by County or City. The University Village Housing, Inc. Project, a non-profit corporation, which is the owner of the housing, is totally responsible.

Supervisor Schmitz asked if Brown County gets anything from this. Mr. Pamperin explained the Housing Authority gets 1/10 of 1% annually of the outstanding bonds. If this were a "for profit"

bonding, the Housing Authority would get 1/3 of 1%. If bonding in a “non-profit” bonding, the Housing Authority receives 1/10 of 1%.

Supervisor Zima asked to abstain from voting on this item. Vote taken. Ayes: 21; Nays: 0; Excused: 2; Abstained: 1. Motion carried.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 10d -- RESOLUTION REGARDING: REQUEST INCREASE SALARY RANGE FOR THE POSITION OF FACILITY MANAGER

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, there exists a vacancy in the position of Facility Manager, and

WHEREAS, of the six candidates for the position, four currently have salaries above the minimum salary provided for this position, averaging \$48,000, and

WHEREAS, the salary for the Facility Manager position is well below market, and

WHEREAS, the similar position of Library Maintenance Supervisor averages in the vicinity of \$50,000 per year, and

WHEREAS, the classification and compensation study completed by DMG Maximus places this position in a range from \$45,000 to \$54,000,

THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that the salary range for the position of Facility Manager be increased across the board to Grade 33 with a range between \$43,017 and \$52,301, for a 2001 cost of \$14,908.

Respectfully submitted,
ADMINISTRATION COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Krueger and seconded by Supervisor Kuehn to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 10e -- RESOLUTION REGARDING: UPGRADING THE SALARY RANGE FOR THE POSITION OF SAFETY COORDINATOR

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Safety Coordinator position has been vacant since June of 2000 but was frozen as part of the County's hiring freeze; and

WHEREAS, the request to fill the position was approved in May of 2001; and

WHEREAS, the responsibilities of the position have increased; and

WHEREAS, it is hoped that a new salary range will be sufficient to attract a qualified candidate at this time until this position and many others can be adjusted under the new classification and compensation plan; and

THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that the salary grade for the position of Safety Coordinator be moved to grade 30.

Respectfully submitted,
ADMINISTRATION COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Bunker and seconded by Supervisor Queoff to adopt. Vote taken. Ayes: 20; Nays: 2 (Supervisors Haefs and Zima voted nay); Excused: 2. Motion carried.

Approved by: _____ \s\ Nancy J. Nusbaum, County Executive _____ Date: 8/27/2001

No. 10f -- RESOLUTION REGARDING: UPGRADING THE SALARY RANGE FOR THE POSITION OF LIBRARY MAINTENANCE SUPERVISOR

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the previous Library Maintenance Supervisor resigned in December of 2000, and

WHEREAS, the attempts of the Human Resources Department to fill this position have been unsuccessful; and

WHEREAS, the current top salary for this position is \$41,257; and

WHEREAS, a study conducted by the Human Resources Department shows that the salary for this position is well under market; and

WHEREAS, the average maximum wage for the comparables is \$50,600 and Internet data states the median wage for this position is \$49,600; and

WHEREAS, it is hoped that a new salary range will be sufficient to attract a qualified candidate at this time until this position and many others can be adjusted under the new classification and compensation plan; and

THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that the salary grade for the position of Library Maintenance Supervisor be moved to grade 33.

Respectfully submitted,
EDUCATION & RECREATION
COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Johnson and seconded by Supervisor Kaye to adopt. Vote taken. Roll Call #10f(1):

Ayes: Antonneau, Bunker, Queoff, Vanden Plas, Collins, Clancy, Fleck, Schillinger, Schadewald, Schmitz, Schmitt, Kaye, Bicoy, Johnson, Kuehn, Marquardt, Moynihan, Simons, Williquette

Nays: Krueger, Haefs, Zima

Total Ayes: 19 Total Nays: 3 Excused: 2

Approved by: /s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 10g -- RESOLUTION REGARDING: AWARDING THE SALE OF \$3,325,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2001C, PROVIDING THE FORM OF THE BONDS; AND LEVYING A TAX IN CONNECTION THEREWITH

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, on July 18, 2001, the County Board of Brown County, Wisconsin (the "County") adopted two Initial Resolutions authorizing the issuance of general obligation bonds in an aggregate amount not to exceed \$3,325,000 for the purpose of paying the cost of constructing and equipping the De Pere/Allouez library (not to exceed \$500,000) and paying the cost of highway improvements including reconstruction, bridge replacements and box culvert extensions involving the CTH "O" (Allouez Avenue), CTH "B" (Crest Drive), CTH "U", CTH "HH" (Hansen Road), CTH "EA" (Eastern Arterial), CTH "HHH" (Lombardi Avenue), CTH "EB" (Wooddale Avenue) and CTH "SB" (South Bridge Arterial) projects (not to exceed \$2,825,000) (the "Project");

WHEREAS, the County deems the Project to be within its powers to undertake and therefore to be a public purpose as defined in Section 67.04(2) of the Wisconsin Statutes;

WHEREAS, the County Board hereby finds and determines that the general obligation bond issues heretofore authorized shall be combined, issued and sold as a single issue of general obligation corporate purpose bonds in the aggregate principal amount of \$3,325,000;

WHEREAS, the Director of Administration of the County and the County's financial advisor, Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin ("Baird") discussed tentative timetable and other details with respect to the proposed bond issue and the County directed Baird to take the necessary steps to sell the proposed bond issue;

WHEREAS, an Official Notice of Sale (copy of which is attached hereto as Exhibit A, and incorporated herein by this reference) has been prepared and distributed setting forth the details of and the bid requirements for the aforesaid general obligation corporate purpose bonds which provided that the general obligation corporate purpose bonds would be offered for public sale on August 15, 2001; and

WHEREAS, sealed bid proposals were received as summarized in Exhibit B attached hereto; and

WHEREAS, it has been determined that the bid proposal submitted by MORGAN STANLEY DEAN WITTER, 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 C 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 MORGAN STANLEY DEAN WITTER, INC., CHICAGO, ILLINOIS, (the "Purchaser") is hereby accepted, said proposal offering to purchase the \$3,325,000 Brown County General Obligation Corporate Purpose Bonds, Series 2001C (the "Bonds") for the sum of THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND SEVEN DOLLARS AND FORTY-FIVE CENTS (\$3,325,007.45), plus accrued interest to the date of delivery, resulting in a net interest cost of ONE MILLION TWO HUNDRED ELEVEN THOUSAND NINE HUNDRED NINETY DOLLARS AND FORTY-SEVEN CENTS (\$1,211,990.47) and a true interest rate of 4.2482%. The Bonds bear interest as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2002	140,000	5.000%
2003	175,000	5.000
2004	185,000	4.000
2005	195,000	4.000
2006	205,000	4.000
2007	220,000	4.000
2008	230,000	4.000
2009	240,000	4.000

2010	255,000	4.100
2011	265,000	4.200
2012	280,000	4.250
2013	295,000	4.350
2014	310,000	4.400
2015	330,000	4.500

Section 2. Designation of Purchaser as Agent. The County hereby designates the Purchaser as its agent for purposes of distributing the Final Official Statement relating to the Bonds to any participating underwriter in compliance with Rule 15c2-12 of the Securities and Exchange Commission.

Section 3. Terms of the Bonds. The Bonds shall be designated “General Obligation Corporate Purpose Bonds, Series 2001C”; shall be dated September 1, 2001, shall be in the denomination of \$5,000 or any integral multiple thereof; and shall mature on November 1 of each year, in the years and principal amounts as set forth above. Interest is payable commencing on May 1, 2002 and semi-annually thereafter on November 1 and May 1 of each year.

Section 4. Redemption Provisions. At the option of the County, the Bonds maturing on November 1, 2012, and thereafter shall be subject to redemption prior to maturity on November 1, 2011 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years and amounts as follows:

2001	305,150.42	2008	324,407.50
2002	309,557.50	2009	329,807.50
2003	310,807.50	2010	329,352.50
2004	313,407.50	2011	333,222.50
2005	315,607.50	2012	336,322.50
2006	322,407.50	2013	338,490.00
2007	323,607.50	2014	344,850.00

The aforesaid direct annual irrepealable tax hereby levied 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 herein above 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 herein.

Section 7. Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from every other County fund or account designated "Debt Service Fund Account for \$3,325,000 Brown County General Obligation Corporate Purpose Bonds, Series 2001C, dated September 1, 2001". There shall be deposited in said fund account any premium plus accrued interest paid on the Bonds at the time of delivery to the Purchaser, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay interest on the Bonds when the same 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 8. Construction Fund. The proceeds of the Bonds (the "Bond Proceeds") herein provided for (other than any premium and accrued interest paid at the time of delivery which must be paid into the Debt Service Fund Account created above) shall be segregated in a special fund upon receipt and shall be used solely for the purposes for which borrowed or for the payment of the principal of and interest on the Bonds.

Section 9. 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 there under (the "Regulations").

The Bond Proceeds may be 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 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 10. Additional Tax Covenants; Exemption from 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(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 Bonds, 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.

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.

In accordance with Section 148(f)(4)(D) of the Code, the County covenants that it is a governmental unit with general taxing powers; that the Bonds 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 Bonds 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 2001 will not exceed \$5,000,000. If for any reason the County did not qualify for the small issuer exemption or any other exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

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 date of delivery and payment for the Bonds.

Section 11. Persons Treated as Owners; Transfer of Bonds. The fiscal agent appointed in Section 14 hereof shall keep books for the registration and for the transfer of the Bonds. The person 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 said fiscal agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, said fiscal agent shall deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and said fiscal agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. Said fiscal agent shall cancel any Bond surrendered for transfer.

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

The 15th 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 maintained by said fiscal agent at the close of business on the corresponding record date.

Section 12. 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 has heretofore agreed to the applicable provisions set forth in the DTC Blanket Issuer Letter of Representation and the County Clerk has executed such Letter of Representation and delivered it to the DTC on behalf of the County.

Section 13. Execution of the Bonds. The Bonds shall be issued in typewritten form, one Bond for each maturity, executed on behalf of the County by the manual or facsimile signatures of the County Board Chairperson and County Clerk (except that one of the foregoing signatures shall be manual), sealed with its official or corporate seal, if any, 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 in 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 14. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County’s registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the “Fiscal Agent”). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 15. Continuing Disclosure. The County hereby covenants and agrees that it will comply with and carry out all of the provisions of its Continuing Disclosure Certificate which the County will execute and deliver on the Closing Date. Any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this Section.

Section 16. 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 provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

EXHIBIT A

OFFICIAL NOTICE OF SALE

\$3,325,000

BROWN COUNTY, WISCONSIN

GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2001C

DATED: SEPTEMBER 1, 2001

SEALED BIDS will be received by the County Clerk, Brown County, Wisconsin for all but no part of its \$3,325,000 General Obligation Corporate Purpose Bonds, Series 2001C, in the office of Robert W. Baird & Co., Incorporated, Public Finance Department, 28th Floor, 777 East Wisconsin Avenue, Milwaukee, WI 53202, the County's financial advisor, until 1:00 p.m. (Central Time) on:

AUGUST 15, 2001

at which time the bids will be publicly opened and read. The bids should be directed to the County Clerk and plainly marked "Bid for Bonds". Bids may be faxed to Robert W. Baird & Co., Incorporated at (414)298-7354, or submitted electronically via BairdAuction, as described below, as long as the good faith check, required below, has been received by the County or its Financial Advisor at or before the time of opening of the bids or the bidder complies with the financial surety bond provisions discussed below. A meeting of the County Board will be held on August 15, 2001 for the purpose of taking action on such bids as may be received.

The Bonds will be dated September 1, 2001, and will mature serially on November 1 of each year, in the years and principal amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2002	140,000	2009	240,000
2003	175,000	2010	255,000
2004	185,000	2011	265,000
2005	195,000	2012	280,000
2006	205,000	2013	295,000
2007	220,000	2014	310,000
2008	230,000	2015	330,000

Interest is payable commencing on May 1, 2002 and semi-annually thereafter on November 1 and May 1 of each year.

Bids for the Bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds, provided that no serial bond may mature on or after the first mandatory sinking fund redemption date of any term bonds. All term bonds shall be subject to mandatory sinking fund redemption and must conform to the maturity schedule set forth above a price of par plus accrued interest to the date of redemption. In order to designate term bonds, the bid must

specify “Last Year of Serial Maturities” and “Years of Term Maturities” in the spaces provided on the Bid Form.

At the option of the County, the Bonds maturing on November 1, 2012 and thereafter shall be subject to redemption prior to maturity on November 1, 2011 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

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 will 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. Associated Trust Company, National Association, Green Bay, Wisconsin will act as the paying agent and will make payments of principal and interest on the Bonds on the dates set forth above, to DTC or its nominee as paying agent of the Bonds in next-day funds. Transfer of said payments to participants 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 said 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 said payments to beneficial owners of the Bonds.

In the event that the securities depository relationship with DTC for the Bonds is terminated and the County Board does not appoint a successor depository, the County Board 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 interest rate or rates then outstanding to the beneficial owners of the Bonds.

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 the cost of constructing and equipping the De Pere/Allouez library and paying the cost of highway improvements including reconstruction, bridge replacements and box culvert extension involving the CTH “O” (Allouez Avenue), CTH “B” (Crest Drive), CTH “U”, CTH “HH” (Hansen Road), CTH “EA” (Eastern Arterial), CTH “HHH” (Lombardi Avenue), CTH “EB” (Woodale Avenue) and CTH “SB” (South Bridge Arterial) projects.

The County will designate the Bonds as “qualified tax-exempt obligations” under the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Bids must be submitted either: (1) to Robert W. Baird & Co. as set forth herein; or (2) electronically via the BairdAuction website at www.BairdAuction.com, in accordance with the Rules of BairdAuction and this Official Notice of Sale. No provider of electronic bidding services other than BairdAuction will be accepted. If any provisions in this Notice are conflicting with the Rules of BairdAuction, this Notice shall control. For further information about Board Auction, including any fee charged and registered requirements, potential bidders may contact Robert W. Baird & Co., 28th Floor, 777 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, Ms. Tonia Morris, Vice President (414) 765-3827. The County assumes no responsibility or liability for bids submitted through BairdAuction.

To bid by BairdAuction, bidders must first visit the BairdAuction website where, if they have never registered with Muni Auction or one of its private label websites, they can register and then request admission to bid on the Bonds. Only NASD registered broker-dealers and dealer banks with DTC clearing arrangements will be eligible to bid.

An electronic bid shall be deemed an irrevocable offer to purchase the Bonds on the terms provided in the Official Notice of Sale, and shall be binding upon the bidder as if made by a signed bid delivered to the County. The County shall not be responsible for any malfunction or mistake made by, or as a result of the use of facilities of, BairdAuction, the use of such facilities being the sole risk of the prospective bidder.

The “Rules of BairdAuction” can be viewed on the BairdAuction website and are incorporated herein by reference. Bidders must comply with the Rules of BairdAuction in addition to the requirements of this Official Notice of Sale. In the event the Rules of BairdAuction conflict with this Official Notice of Sale, this Official Notice of Sale shall prevail.

For information purposes only, bidders are requested to state in their electronic bids the true interest cost to the County, as described in this Official Notice of Sale and in the written form of Official Bid Form. All electronic bids shall be deemed to incorporate the provisions of this Official Notice of Sale and the form of Official Bid Form.

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 interest rates may be bid but the spread between the highest and lowest interest rates shall not exceed one percent. All Bonds of the same maturity shall bear the same interest rate. No bid for less than \$3,325,000 or One Hundred Percent (100%) (a par bid) of the principal amount of the Bonds plus accrued interest to the date of delivery will be considered. The Bonds shall be awarded to a responsible bidder whose proposal results in the lowest true interest cost to the County (the “Purchaser”).

A Good Faith Deposit (“Deposit”) in the form of a certified check or cashier’s check or a Financial Surety Bond payable to the County Clerk in the amount of Sixty-Six Thousand Five Hundred Dollars (\$66,500) is required for each bid to be considered. If a check is used, it must accompany each bid. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Wisconsin, and such bond must be submitted to the

County or its Financial Advisor prior to the opening of the bids. The Financial Surety Bond must identify each bidder whose Deposit is guaranteed by such Financial Surety Bond. If the Purchaser utilizes a Financial Surety Bond, the Purchaser is required to submit its Deposit to the County or its Financial Advisor in the form of a cashier's check (or wire transfer such amount as instructed by the County or its Financial Advisor) not later than 3:30 p.m. on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the County to satisfy the Deposit requirement. No interest on the Deposit will accrue to the Purchaser. The Deposit will be applied to the purchase price of the Bonds. In the event the Purchaser fails to honor its accepted bid, the Deposit will be retained by the issuer.

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 sixty (60) 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.

The successful bidder will be furnished without cost, the unqualified approving legal opinion of Godfrey & Kahn, S.C. of Milwaukee, Wisconsin. A transcript of the proceedings relative to the issuance of the Bonds (including a No-litigation Certificate and a Continuing Disclosure Certificate) shall be furnished to the successful bidder without cost. CUSIP numbers will appear on the typewritten Bonds. The successful bidder will be responsible for the cost of obtaining CUSIP numbers.

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 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 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 together with such other information as may be required by the County to enable it to determine the "issue price" of the Bonds awarded to such bidder as defined in Section 1274 of the Internal Revenue Code of 1986.

Upon the sale of the Bonds, the County will publish a Final Official Statement in substantially the same form as the Preliminary Official Statement. Promptly after the sale date, but in no even later than seven business days after such date, the County will provide the successful bidder (i.e., the sole underwriter or the senior managing underwriter of the syndicate to which the Bonds are awarded) 50 copies of the Final Official Statement without cost.

In order to assist bidders in complying with S.E.C. Rule 15c2-12(b)(5), the County will undertake, pursuant to the Award Resolution and a Continuing Disclosure Certificate, to provide

annual reports and notices of certain events. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the Final Official Statement.

The County shall designate the successful bidder as its agent for purposes of distributing copies of the Final Official Statement to each Participating Underwriter, if any. Each underwriter executing and delivering an Official Bid Form with respect to the Bonds agrees thereby that if its bid is accepted by the County (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all participating Underwriters of the Bonds, if any, for purposes of assuring the receipt by each such Participating Underwriter of the Final Official Statement.

The successful bidder agrees to supply to the County all necessary pricing information and any Participating Underwriter identification necessary to complete the Final Official Statement within 24 hours after the award of the Bonds. Additional copies of the Final Official Statement may be purchased from Robert W. Baird & Co. Incorporated up to three months following the sale of the Bonds.

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

The internet address for the Preliminary Official Statement is: www.BairdAuction.com
Copies of the Preliminary Official Statement and additional information may be obtained by addressing inquiries to: ROBERT W. BAIRD & CO. INCORPORATED, 777 East Wisconsin Avenue, 28th Floor, Milwaukee, Wisconsin, 53202, Attention: Tonia G. Morris (414) 765-3827 or:

P. Terry Haut, Finance Manager, Brown County
305 East Walnut Street, Green Bay, WI 54305-3600
(920) 448-4046

EXHIBIT B

BROWN COUNTY Results of Competitive Bids

\$3,325,000 General Obligation Corporate Purpose Bonds, Series 2001C
Bids Taken at 1:00 p.m. CST
August 15, 2001

<u>Rank</u>	<u>Bidder</u>	<u>Premium</u>	<u>Net Interest Cost</u>	<u>True Interest Rate</u>
1	Morgan Stanley Dean Witter	7.45	1,211,990.47	4.2482%
2	Robert W. Baird	146.00	1,215,634.83	4.2526
3	Banc One Capital Markets Inc.	2,173.10	1,220,892.73	4.2700
4	Harris Trust & Savings Bank	29,304.70	1,227,012.38	4.2815
5	Stephens Inc.	0.00	1,225,302.08	4.2910
6	A.G. Edwards & Sons, Inc.	18.25	1,229,710.50	4.3029

7	Dain Rauscher Corporation	6,964.30	1,232,335.70	4.3086
8	U.S. Bancorp Piper Jaffray	0.00	1,234,878.54	4.3202
9	First Union National Bank	12.10	1,239,992.48	4.3427
10	Griffin, Kubik, Stephens & Thompson	894.25	1,243,906.17	4.3599

EXHIBIT D

UNITED STATES OF AMERICA
STATE OF WISCONSIN
REGISTERED BROWN COUNTY, WISCONSIN
NO. R-_____ GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2001C

ORIGINAL DATE OF
MATURITY DATE: ISSUE: INTEREST RATE: CUSIP:
NOVEMBER 1, 200_ SEPTEMBER 1, 2001 ._._____% 115511____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS
(\$ _____)

KNOW ALL MEN BY THESE PRESENTS, that Brown 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 register 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 commencing on May 1, 2002 and semi-annually thereafter on November 1 and May 1 of each year 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 by Associated Trust Company, National Association, Green Bay, Wisconsin, the fiscal agent appointed by the County pursuant to the provisions of Section 67.10(2), Wisconsin Statutes, to act as bond registrar and paying agent (the “Bond Registrar”). The principal of this Bond shall be payable only upon presentation and surrender of the Bond at the office of the Bond Registrar. 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 Bond Registrar at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the “Record 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 \$3,325,000, 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 the cost of constructing and equipping the De Pere/Allouez library (not to exceed \$500,000) and paying the cost of highway improvements including reconstruction, bridge replacements and box culvert extensions involving the CTH "O" (Allouez Avenue), CTH "B" (Crest Drive), CTH "U", CTH "HH" (Hansen Road), CTH "EA" (Eastern Arterial), CTH "HHH" (Lombardi Avenue), CTH "EB" (Woodale Avenue) and CTH "SB" (South Bridge Arterial) projects (not to exceed \$2,825,000), all as authorized by resolutions of the County Board duly adopted by said governing body at meetings held on July 18, 2001 and August 15, 2001. 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 November 1, 2012 and thereafter are subject to redemption prior to maturity on November 1, 2011 or on any date thereafter. Said Bonds are redeemable as a whole or in part from maturities selected by the County 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 Bonds are in book-entry-only form, the County shall direct the Bond Registrar to give official notice of the redemption 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. If less than all the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected 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 Depository 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 irrepealable 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 designed 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 Bond Registrar. In the event that the Depository does not continue to act as depository for the Bonds, and the County Board appoints another depository, new fully registered Bonds in the same aggregate principal amount shall be issued to the new depository upon surrender of the Bonds to the Bond Registrar, in exchange therefore 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 Bond Registrar shall not be obligated 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 and the Bond Registrar 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, Brown County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the signatures of its duly qualified County Board Chairperson and County Clerk; and to be sealed with its official or corporate seal, all as of the 1st day of September, 2001.

BROWN COUNTY, WISCONSIN

BY: _____
Keith Watermolen
County Board Chairperson

(SEAL)

BY: _____
Darlene K. Marcelle
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 Bond and all rights there under and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company or Securities Firm)

(Depository or its Nominee Name)

(Authorized Officer)

NOTICE: The above-named Depository or its Nominee Name must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

EXHIBIT E

FISCAL AGENCY AGREEMENT

THIS AGREEMENT is made and entered into the __ day of September, 2001, by and between Brown County, Wisconsin (the "County"), and Associated Trust Company, National Association, a national banking association with trust powers located in Green Bay, Wisconsin (the "Agent").

WITNESSETH:

WHEREAS, the County has authorized the borrowing of the sum of THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$3,325,000) pursuant to Section 67.05, Wisconsin Statutes, and resolutions adopted by the County Board on July 18, 2001 and August 15, 2001 and has authorized the issuance and sale of \$3,325,000 principal amount of general obligation corporate purpose bonds to evidence such indebtedness (the "Obligations"). The Obligations shall be designated "General Obligation Corporate Purpose Bonds, Series 2001C"; shall be dated September 1, 2001; shall bear interest at the rates set forth below; and shall mature on November 1 of each year, in the years and principal amounts as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2002	140,000	-._____ %
2003	175,000	-._____
2004	185,000	-._____
2005	195,000	-._____
2006	205,000	-._____
2007	220,000	-._____
2008	230,000	-._____
2009	240,000	-._____
2010	255,000	-._____
2011	265,000	-._____
2012	280,000	-._____
2013	295,000	-._____
2014	310,000	-._____
2015	330,000	-._____

Interest shall be payable commencing on May 1, 2002 and semi-annually thereafter on November 1 and May 1 of each year until the principal of the Obligations is paid in full or discharged;

WHEREAS, the County is issuing the Obligations in registered form pursuant to Section 149 of the Internal Revenue Code of 1986, as amended, and any applicable income tax regulations; and

WHEREAS, pursuant to the aforesaid resolution or resolutions and Section 67.10(2), Wisconsin Statutes, the County Board of the County has authorized the appointment of the Agent

as Fiscal Agent of the County for the purpose of performing any or all of the following functions with respect to the Obligations: paying the principal of and interest on the Obligations; accounting for such payments; registering, authenticating, transferring, and canceling the Obligations; and maintaining a registration book in addition to other applicable responsibilities in all accordance with the provisions of Section 67.10(2), Wisconsin Statutes.

NOW, THEREFORE, the County and the Agent do hereby agree as follows:

I. APPOINTMENT

The Agent is hereby appointed Fiscal Agent of the County with respect to the Obligations for the purpose of performing such of the responsibilities stated in Section 67.10(2)(a), Wisconsin Statutes, as are delegated herein or as may be otherwise specifically delegated in writing to the Fiscal Agent by the County.

II. INVESTMENT RESPONSIBILITY

The Fiscal Agent shall not be under any obligation to invest funds held for the payment of interest or principal on the Obligations.

III. PAYMENTS

At least one (1) business day before each semi-annual interest payment date (commencing with the first interest payment date and continuing thereafter until the principal of and interest on the Obligations should have been fully paid or prepaid in accordance with their terms) the County agrees to and shall pay to the Fiscal Agent, in immediately available funds, a sum equal to the amount payable as principal of and the premium, if any, and interest on the Obligations on such semi-annual interest payment date. Said semi-annual interest and/or principal payment dates and amounts are set forth in Exhibit A-1 which is attached hereto and incorporated herein by this reference.

IV. CANCELLATION

In every case of the surrender of any Obligation for the purpose of payment, the Fiscal Agent shall cancel and destroy the same and deliver to the County a certificate regarding such cancellation, setting forth an accurate description of the Obligation, specifying its number, date, purpose, amount, rate of interest, and payment date and stating the date and amount of each payment of principal or interest thereon. The Fiscal Agent shall also cancel and destroy Obligations presented for transfer or exchange and deliver a certificate with respect to such transfer or exchange to the County. The Fiscal Agent shall be permitted to microfilm, or otherwise photocopy and record said cancelled Obligations.

V. REGISTRATION BOOK

Fiscal Agent shall maintain in the name of the County a Registration Book containing the names and addresses of all registered owners of the Obligations. The Fiscal Agent shall keep

confidential said information in accordance with applicable banking and governmental regulations.

VI. INTEREST PAYMENT

Payment of each installment of interest shall be made to the registered owner who shall appear on the Registration Book at the close of business on the 15th day of the calendar month next preceding the interest payment date and shall be paid by check or draft of the Fiscal Agent mailed to such registered owner at his address as it appears in such Registration Book or at such other address as may be furnished in writing by such registered owner to the Fiscal Agent.

VII. PAYMENT OF PRINCIPAL

Principal shall be paid to the registered owner of an Obligation upon surrender of the Obligation on or after its maturity or redemption date.

VIII. REDEMPTION NOTICE

In the event the County exercises its option to redeem the Bonds prior to maturity, as long as the Bonds are in book-entry-only form, the County shall direct the Bond Registrar to give official notice of the redemption 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 the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notices 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 Depository 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.

IX. UTILIZATION OF THE DEPOSITORY TRUST COMPANY

The Depository Trust Company's Book-Entry-Only system is to be utilized for the obligations. The Fiscal Agent agrees to comply with the provisions of the attached Blanket Issuer Letter of Representation which has been executed and delivered to The Depository Trust Company by the County.

X. TRANSFER AND EXCHANGE OF OBLIGATIONS

The Fiscal Agent shall transfer Obligations upon presentation of a written assignment duly executed by the registered owner or by such owner's duly authorized legal representative. Upon such transfer, a new registered Obligation of authorized denomination or denominations in the same aggregate principal amount shall be issued to the transferee in exchange thereof, and the

name of such transferee shall be entered as the new registered owner in the Registration Book. Upon request of the registered owner, the Fiscal Agent shall exchange Obligations of the issue for a like aggregate principal amount of Obligations of the same maturity in authorized whole integral multiples of \$5,000.

The Obligations shall be numbered 1 and upward. Upon any transfer or exchange, the Obligation or Obligations issued shall bear the next highest consecutive unused number or numbers.

XI. STATEMENTS

The Fiscal Agent shall furnish the County with an accounting of payments received and made and funds on hand annually.

XII. FEES

The County agrees to pay the Fiscal Agent fees in accordance with the fee schedule provided by the Fiscal Agent which is attached hereto as Exhibit B-1 and incorporated herein by this reference until the final principal payment (or redemption date in the event the County exercises its option, if any, to redeem the Obligations). Such fees are payable on the dates principal is due or pursuant to statements provided to the County by the Fiscal Agent. In the event the County exercises its option, if any, to redeem the Obligations, the Fiscal Agent shall be reimbursed for mailing costs related therewith.

XIII. MISCELLANEOUS

(a) Nonpresentment of Checks. In the event the check or draft mailed by the Fiscal Agent to the registered owner is not presented for payment within six years of its date, then the monies representing such nonpayment shall be returned to the County or to such board, officer or body as may then be entitled by law to receive the same, together with the name of the registered owner of the Obligation and the last mailing address of record. Thereafter, the Fiscal Agent shall not be responsible for the payment of such check or draft.

(b) Resignations; Successor Fiscal Agent. Fiscal Agent may at any time resign by giving not less than sixty days written notice to County. Upon receiving such notice of resignation, the County shall promptly appoint a successor Fiscal Agent by an instrument in writing executed by order of its governing body. If no successor Fiscal Agent shall have been so appointed and have accepted appointment within sixty days after such notice of resignation, the resigning Fiscal Agent may petition any court of competent jurisdiction for the appointment of a successor fiscal agent. Such court may thereupon, after such notice, if any, as it may deem proper and prescribes, appoint a successor fiscal agent.

Any successor fiscal agent shall be qualified to act pursuant to Section 67.10(2), Wisconsin Statutes, as amended.

Any successor fiscal agent shall execute, acknowledge and deliver to the County and to its predecessor fiscal agent an instrument accepting such appointment hereunder, and thereupon the resignation of the predecessor fiscal agent shall become effective and such successor fiscal agent, without any further act, deed or conveyance, shall become vested with all the rights, powers, trusts, duties and obligations of its predecessor, with like effect as if originally named as fiscal agent herein; but nevertheless, on written request of County, or on the request of the successor, the fiscal agent ceasing to act shall execute and deliver an instrument transferring to such successor fiscal agent, all the rights, powers and trusts of the fiscal agent so ceasing to act. Upon the request of any such successor fiscal agent, the County shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor fiscal agent all such rights, powers and duties. Any predecessor fiscal agent shall pay over to its successor fiscal agent any funds of the County.

(c) Termination. This Agreement shall terminate six years after the last principal payment on the Obligations is due whether by maturity or earlier redemption or the final discharge of the County's responsibilities for payment of the Obligations, whichever is later. The parties realize that any funds hereunder as shall remain upon termination shall be turned over to the County after deduction of any unpaid fees and disbursements of Fiscal Agent. Termination of this Agreement shall not, of itself, have any effect on County's obligation to pay the outstanding Obligations in full in accordance with the terms thereof.

(d) Execution. This Agreement shall be executed on behalf of the County and the Agent by their duly authorized officers. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement, being duly authorized so to do, each in the manner most appropriate to it, on the date first above written.

SIGNATURE PAGE TO THE FISCAL AGENCY AGREEMENT

BROWN COUNTY, WISCONSIN

BY: _____
Keith Watermolen
County Board Chairperson

(SEAL)

BY: _____
Darlene K. Marcelle
County Clerk

SIGNATURE PAGE TO THE FISCAL AGENCY AGREEMENT

ASSOCIATED TRUST COMPANY, NATIONAL
ASSOCIATION

GREEN BAY, WISCONSIN

(SEAL)

BY: _____

AND: _____

A motion was made by Supervisor Collins and seconded by Supervisor Kuehn to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: /s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

**No. 10h -- RESOLUTION REGARDING: REQUESTING WISCONSIN
LEGISLATION TO EXEMPT EMPLOYEE HEALTH CARE COST
INCREASES FROM THE OPERATING LEVY RATE CALCULATION**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, effective October 1, 1994, the State of Wisconsin enacted legislation establishing property tax levy rate limits upon Wisconsin Counties; and

WHEREAS, each year the State provides a preprinted worksheet for each county to complete to determine the allowable increase in operating levy rates and debt levy rates; and

WHEREAS, the operating levy is that portion of the County levy which is utilized for operating purposes including salaries, fringe benefits, and other non debt operating costs excluding special purpose levies; and

WHEREAS, the percentage increase in the operating levy rates is limited by the percentage increase in the County's equalized valuation; and

WHEREAS, all Wisconsin counties and private businesses have experienced double digit increases in health care costs over the past several years; and

WHEREAS, Wisconsin counties have minimal control over the dramatic rise in health care costs for employees; and

WHEREAS, the State of Wisconsin should recognize the problems caused by rising employee health care costs and modify the law to afford counties immunity from employee health care costs increases in computing the operating tax levy rate.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors respectfully requests the State Assembly and Senate to draft and enact legislation to provide for

exemption of employee health costs increases from the formula for computing the County operating tax levy rate.

BE IT FURTHER RESOLVED that a copy of the resolution be transmitted to Governor McCallum, State Senators, State Assembly Representatives, and the Wisconsin Counties Association and all Wisconsin Counties.

Respectfully submitted,
LEGISLATIVE SUBCOMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Fleck and seconded by Supervisor Krueger to adopt Vote taken. Roll Call #10h(1):

Ayes: Antonneau, Bunker, Krueger, Queoff, Vanden Plas, Collins, Clancy, Fleck, Schillinger, Schadewald, Schmitz, Schmitt, Haefs, Bicoy, Johnson, Kuehn, Marquardt, Zima, Simons, Williquette

Nays: Kaye, Moynihan

Total Ayes: 20 Total Nays: 2 Excused: 2

Motion carried.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 10i -- RESOLUTION REGARDING: FOR TOWNSHIPS AND COUNTIES SUPPORTING A PROHIBITION OF THE USE OF CYANIDE IN WISCONSIN MINES

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, mining companies are increasingly using cyanide to extract gold, silver, copper, zinc, and other metals from metallic ore; and

WHEREAS, the proposed Crandon zinc-copper mine near the Wolf River would use as much as 18 to 20 tons of sodium cyanide each month during its operation; and Wisconsin is known to contain other gold deposits that would likely require cyanide for processing; and

WHEREAS, cyanide poses serious environmental risks – from transportation on our roadways, from storage and use at the proposed Crandon mine site, and from residuals disposed in waste dumps; and

WHEREAS, cyanide is highly toxic, with tiny traces fatal to human beings, fish, and wildlife, and acts as a powerful solvent that can release other toxins; and

WHEREAS, cyanide has been the cause of recent environmental disasters at U.S. mines (in Colorado, Nevada, Montana, Idaho, California, South Dakota, and South Carolina), and at

many foreign mines (such as in Romania, Guyana, Canada, and other countries), resulting in massive fish kills and contaminated drinking water; and

WHEREAS, in 1998, Montana voters banned cyanide for mining and, in 2000, the Czech Republic did the same; and

WHEREAS, Wisconsin must have the strongest mining laws in the nation in order to protect our abundance of clean water; and

WHEREAS, the new company in charge of the Crandon project is the South African Mining Company Billiton, based in London; and

WHEREAS, Billiton's Senior Manager of Corporate Affairs has said his company does not "like to be where we are not wanted".

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors supports a prohibition on the use of cyanide reagents in Wisconsin mines and metallic ore processing facilities.

BE IT FURTHER RESOLVED that the Wisconsin State Legislature is urged to pass legislation to prohibit the use of cyanide in Wisconsin mines and metallic ore processing facilities.

BE IT FURTHER RESOLVED that no company planning to use cyanide or other toxic chemicals in a mine near the pristine Wolf River will be "wanted" by communities in the Wolf River watershed.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the State Representative and State Senator representing Brown County, the DNR Secretary, the Governor, and the Wisconsin Counties Association.

Respectfully submitted,
LEGISLATIVE SUBCOMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Kaye and seconded by Supervisor Krueger to adopt. Supervisor Marquardt explained at length, giving details, why she cannot support this resolution. Supervisor Krueger spoke in support of this resolution citing information from an EPA Report.

Vote taken. Roll call 10i(1):

Ayes: Bunker, Krueger, Queoff, Collins, Clancy, Fleck, Schillinger, Schadewald, Schmitt, Haefs, Kaye, Bicoy, Johnson, Kuehn, Zima, Moynihan, Williquette

Nays: Antonneau, Vanden Plas, Schmitz, Marquardt, Simons

Total Ayes: 17 Total Nays: 5 Excused: 2

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 10j -- **RESOLUTION REGARDING: APPROVING PAYMENT FOR SERVICES AGREEMENT BETWEEN BROWN COUNTY AND THE ONEIDA TRIBE OF INDIANS OF WISCONSIN**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Oneida Nation owns property within Brown County, and the County, under the laws of the State of Wisconsin and the United States of America, may be required to provide certain services to the Oneida Nation trust properties; and

WHEREAS, the County derives revenue, among other things, from the taxation of real property, and the Oneida Nation trust lands are exempt from County taxation due to the trust status of the land; and

WHEREAS, the County and the Tribe have been negotiating an agreement by which the County receives payment for services provided to these trust lands, while the Tribe has received credit for the services for which it provides to the same trust lands; and

WHEREAS, a copy of the negotiated agreement is attached hereto and made part hereof as though fully set forth.

NOW, THEREFORE, BE IT RESOLVED that the BROWN COUNTY BOARD OF SUPERVISORS hereby endorses and approves of the negotiated agreement between Brown County and the Oneida Tribe of Indians of Wisconsin as set forth in the agreement attached in this resolution.

Respectfully submitted,
EXECUTIVE COMMITTEE

**BETWEEN
ONEIDA TRIBE OF INDIANS OF WISCONSIN
And
BROWN COUNTY, WISCONSIN**

THIS AGREEMENT, entered into in duplicate, by and between the ONEIDA TRIBE OF INDIANS OF WISCONSIN, a federally recognized and treaty tribe, P.O. Box 365, Oneida, Wisconsin, 54155, hereinafter referred to as "Oneida Nation", and Brown County, a local government organized under the laws of the State of Wisconsin, 305 E. Walnut St., Green Bay, Wisconsin 54301, hereinafter referred to as "County".

WITNESSETH:

WHEREAS, the Oneida Nation owns property within Brown County; and

WHEREAS, the County, under the laws of the State of Wisconsin and the United States of America, may be required to provide certain services to the Oneida Nation trust properties; and

WHEREAS, the County derives revenue, among other things, from the taxation of real property; and

WHEREAS, the Oneida Nation trust lands are exempt from County taxation due to the trust status of the land; and

WHEREAS, the Oneida Nation and the County enjoys a relationship of mutual trust and respect; and

WHEREAS, the Oneida Nation is willing to pay for services provided to it by the County, and the County is willing to pay for services provided to it by the Oneida Nation.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida Nation and the County mutually agree on the terms and conditions as follows:

1. **Term.** The term of this Agreement begins on September 1, 2001 and will terminate with the term of the Gaming Compact between the Oneida Nation and the State of Wisconsin, which expires on November 7, 2003 (“Gaming Compact”).
2. **Applicability.** This Agreement applies only to those parcels of land and improvements thereon which are held in trust by the United States of America for the benefit of the Oneida Nation located within the boundaries of the County hereinafter referred to as “trust property”, unless said trust property is the subject of another agreement between the Tribe and the County for payment of governmental services.
3. **County Governmental Services.** The County will provide all services currently provided to like properties within the County, hereinafter referred to as “governmental services” until such a time, if at all, the Oneida Nation requests or is able to provide any of the above enumerated services to lands of the Oneida Nation within the County. In the event the Oneida Nation provides any governmental service, the Oneida Nation will be the primary provider and hold the County harmless for said governmental service.
4. **Oneida Nation Governmental Services.** The Oneida Nation will provide governmental services currently offered by the Oneida Nation to property within the County, if requested by the County.
5. **Compensation.** Fair and equitable compensation for the above-mentioned governmental services provided to the Oneida Nation will be a fee of \$350,000 due and payable by January 31, 2002 and a fee of \$350,000 due and payable by January 31, 2003.
6. **Credit for Oneida Governmental Services.** The parties expressly recognize the authority of the Oneida Nation to provide governmental services to all its trust property. Credit for such services was factored into the determination of the fee for governmental services mentioned in Paragraph 5 above.

7. **Past Services Payment.** The Oneida Nation agrees to compensate the County for past governmental services in the total amount of \$300,000. Said compensation for past governmental services will be \$150,000 due and payable by January 31, 2002 and \$150,000 due and payable by January 31, 2003.
8. **Dispute Resolution for Agreement.** In the event that either party believes the other party has failed to comply with any requirements of this Agreement, it may evoke the following procedures:
 - a. The party asserting noncompliance will serve written notice on the other party to the County Executive or the Oneida Tribal Chairperson. The notice will identify the specific statutory, regulatory, or Agreement provisions alleged to have been violated and will specify the factual basis for the alleged noncompliance. The County and the Oneida Nation will thereafter meet within fifteen (15) days in an effort to resolve the dispute.
 - b. In the event the dispute is not resolved to the satisfaction of the parties within thirty (30) days after the service of the notice, the dispute will be referred to a panel of arbitrators whose arbitration will be governed by Chapter 788 of the Wisconsin Statutes. The arbitration panel will consist of one person selected by the Oneida Nation and one person selected by the County, these two arbitrators to select a third. The decision of any two of the panel will be final and binding on both parties hereto. Each party hereto will pay one half of the expense of such arbitration.
 - c. The County and Oneida Nation consent to suit in Brown County Circuit Court for enforcement of any arbitration award rendered pursuant to this Agreement and any other action that may arise in relation to the validity or enforcement of this Agreement. The Oneida Nation, under this Agreement, specifically waives its right to sovereign immunity but only for the limited purpose of permitting the County to secure enforcement of this Agreement. The Oneida Nation, under this Agreement, specifically waives its right to sovereign immunity but only for the limited purpose of permitting the County to secure enforcement of this Agreement and any arbitration award rendered pursuant to this Agreement. In any such proceedings or actions under this Agreement, the Oneida Nation agrees not to raise sovereign immunity as a defense.
9. **Entire Agreement.** This Agreement contains the entire agreement of the parties and supersedes all prior oral and written agreements between the parties on the subject matter of governmental services.
10. **Modification/Termination.** No modification of this Agreement will be effective unless set forth in writing, signed by both parties. No termination of this Agreement will be effective unless set forth in writing.
11. **Notice.** Notice provided under this Agreement will be in writing and must be sent by Certified Mail, Return Receipt Requested, to the parties at the following addresses, unless otherwise stated in this Agreement:

ONEIDA NATION
Chairperson
P.O. Box 365
Oneida, WI 54155

BROWN COUNTY
County Executive
P.O. Box 23600
Green Bay, WI 54305-3600

12. **Severability.** In the event that any provision is held to be invalid, the invalidity of any such provision shall in no way affect any other provision herein contained.
13. **Intent.** This Agreement is interpreted within the scope of matters specifically addressed herein. Nothing is intended to restrict or limit the jurisdiction or responsibilities of the parties unless specifically addressed.

[Remainder of the page intentionally left blank.]

IN WITNESS WHEREOF the parties have set their hands and seal on the date below listed.

Date

BROWN COUNTY
By: _____
Nancy Nusbaum, County Executive

Date

By: _____
Darlene Marcelle, County Clerk

Date

ONEIDA NATION IN WISCONSIN
By: _____
Gerald Danforth, Chairman

Date

By: _____
Julie Barton, Secretary

**Seal of the Sovereign
Nation of the Oneida**

A motion was made by Supervisor Schadewald and seconded by Supervisor Johnson to adopt. Supervisor Schadewald explained this is a 2-year agreement for current property in trust. After 2 years a new contract will be negotiated. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 10k -- RESOLUTION REGARDING: ESTABLISHING THE BROWN COUNTY DIVERSITY AFFAIRS COUNCIL

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the ethnic and racial diversity of Brown County has dramatically increased over the last ten years offering our community a unique set of assets, issues and opportunities; and

WHEREAS, this diversity is not limited to the confines of the City of Green Bay but is a part of virtually every community within Brown County; and

WHEREAS, no strong and vibrant County-wide forum exists to facilitate communication, advocacy, and education among diverse peoples and the greater community; and

WHEREAS, such a forum would not provide special treatment but rather work to ensure equal access and opportunity for diverse peoples in Brown County.

NOW, THEREFORE, BE IT RESOLVED that the BROWN COUNTY BOARD OF SUPERVISORS hereby establishes the Brown County Diversity Affairs Council, operating under the auspices of the Executive Committee of the County Board.

BE IT FURTHER RESOLVED that the Brown County Diversity Affairs Council be comprised of nine members, each serving not more than three years, appointed by the County Executive and subject to confirmation by the County Board.

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Schadewald and seconded by Supervisor Johnson to adopt. Supervisor Antonneau asked who makes these appointments. County Executive Nancy Nusbaum replied she will have names submitted to her. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 10L -- RESOLUTION REGARDING: AMENDING ADVANCE LAND ACQUISITION LOAN FOR AIRPORT PURPOSES

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, on August 18, 1999 the Brown County Board of Supervisors adopted a resolution entitled "Advance Land Acquisition Loan for Airport Purposes", and this resolution provided for the purchase of land in the vicinity of Austin Straubel Airport for airport improvements and/or approach clearance for protection from encroachment and for the safety of aircraft using the airport; and

WHEREAS, the airport wishes to add the following parcel of land to the loan program:

Airport Parcel No. 106.D.Carter, Legal Parcel Number: HB-68-6

WHEREAS, no additional County funding is required to amend the Advance Land Acquisition Loan Program in order to add this parcel to the program.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby authorizes amending the Advance Land Acquisition Loan for Airport Purposes by hereby adding the above described parcel to the program.

Respectfully Submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Williquette and seconded by Supervisor Kaye to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 10m -- ORDINANCE REGARDING: DEALING WITH REVISION OF SPEED ZONE ON COUNTY TRUNK HIGHWAY “ZZ”, TOWNS OF ROCKLAND & WRIGHTSTOWN, BROWN COUNTY, STATE OF WISCONSIN

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1: A traffic and engineering investigation having been made on the following described highway, the maximum permissible speed at which vehicles may be operated on said highway, which speed herewith established as reasonable and safe pursuant to Section 349.11, Wisconsin Statutes, shall be as set forth within, and upon the erection of standard signs giving notices thereof.

Section 2: Section 340.0003, Schedule A of the Brown County Code is hereby amended as follows:

Add: County Trunk Highway “ZZ”, Towns of Rockland and Wrightstown

Forty-five miles per hour, from its intersection with Masse Circle, southerly to the intersection of Mallard Road.

Section 3: This ordinance shall take effect upon passage and publication. Adopted this 15th day of August 2001.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Clancy and seconded by Supervisor Williquette to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

Approved by: \s\ Darlene K. Marcelle, County Clerk Date: 8/28/2001

Approved by: \s\ Keith Watermolen, Board Chairman Date: 8/29/2001

No. 10n -- ORDINANCE REGARDING: DEALING WITH REVISION OF SPEED ZONE ON COUNTY TRUNK HIGHWAY "K", TOWN OF GREEN BAY, BROWN COUNTY, STATE OF WISCONSIN

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1: A traffic and engineering investigation having been made on the following described highway, the maximum permissible speed at which vehicles may be operated on said highway, which speed herewith established as reasonable and safe pursuant to Section 349.11, Wisconsin Statutes, shall be as set forth within, and upon the erection of standard signs giving notice thereof.

Section 2: Section 340.0003, Schedule A of the Brown County Code is hereby amended as follows:

CTH :K:, Town of Green Bay, Wisconsin:

Remove: Thirty-five miles per hour from a point 0.60 of a mile west of its intersection with County Trunk Highway "P", westerly for a distance of 0.24 of a mile.

Add: Thirty-five miles per hour from a point 0.38 of a mile west of Depeau Road to the intersection of Depeau Road in the unincorporated place know as Champion.

Forty-five miles per hour from its intersection with Depeau Road, easterly to the intersection of North CTH "P",

Section 3: This ordinance shall take effect upon passage and publication. Adopted this 15th day of August, 2001.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Antonneau and seconded by Supervisor Williquette to adopt. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

Approved by: \s\ Darlene K. Marcelle, County Clerk Date: 8/28/2001

Approved by: \s\ Keith Watermolen, Board Chairman Date: 8/29/2001

**No. 10o -- RESOLUTION REGARDING: UPGRADING THE SALARY RANGE
FOR THE POSITION OF AIRPORT DIRECTOR**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the current Airport Director is retiring at the end of July, 2001; and

WHEREAS, the current top salary for this position is \$62,452.00; and

WHEREAS, the present candidates for this position have an average salary of \$77,000;
and

WHEREAS, the proposed salary range for this position under the new classification and
compensation plan would be from \$67,000 to \$80,000; and

WHEREAS, it is hoped that a new salary range will be sufficient to attract a qualified
candidate at this time until this position and many others can be adjusted under the new
classification and compensation plan; and

THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that the
salary grade for the position of Airport Director be moved to grade 40.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Williquette and seconded by Supervisor Queoff to adopt.
Vote taken. Roll Call #10o(1):

Ayes: Antonneau, Bunker, Krueger, Queoff, Vanden Plas, Collins, Clancy, Fleck, Schillinger,
Schadewald, Schmitz, Schmitt, Kaye, Bicoy, Johnson, Kuehn, Marquardt, Moynihan,
Simons, Williquette

Nays: Haefs, Zima

Total Ayes: 20 Total Nays: 2 Excused: 2

Motion carried.

Approved by: \s\ Nancy J. Nusbaum, County Executive Date: 8/27/2001

No. 11 -- Such other matters as authorized by law.

Supervisor Zima commented on County Executive State of the County address. He disputes her
mentioning the good tax rate for the County as a sign of good government.

No. 12 -- Bills over \$10,000 for periods ending August 1, 2001.

A motion was made by Supervisor Collins and seconded by Supervisor Schmitt to pay the bills over \$10,000. Vote taken. Motion carried unanimously with no abstentions.

No. 13 -- Closing Roll Call:

Present: Antonneau, Bunker, Krueger, Queoff, Vanden Plas, Collins, Clancy, Fleck, Schillinger, Schadewald, Schmitz, Schmitt, Haefs, Kaye, Bicoy, Johnson, Kuehn, Marquardt, Zima, Moynihan, Simons, Williquette

Excused: Hansen, Watermolen

Total Present: 22 Total Excused: 2

No. 14 -- ADJOURNMENT TO WEDNESDAY, SEPTEMBER 19, 2001 AT 7:00 P.M., LEGISLATIVE ROOM, 100 N. JEFFERSON STREET, GREEN BAY, WISCONSIN.

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Johnson to adjourn to the above date and time. Vote taken. Motion carried unanimously with no abstentions.

\s\ Darlene K. Marcelle
Brown County Clerk