



**COUNTY BOARD OF SUPERVISORS MEETING MINUTES
TUESDAY, SEPTEMBER 17, 2024**

A. Call to Order

Chairman Thomas Egan called the meeting of the Winnebago County Board of Supervisors to order at 6:10 P.M. from the Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin and virtually by TEAMS.

B. Roll Call

The following Supervisors were present: 36 – Dowling, Laux, Ulbricht, Lutz, Holt, Reinke, Hancock-Cooke, Wise, Nussbaum, Stafford, Paterson, Gabert, Binder, Swan, Gilbertson, Mueller, Halbur, Ponzer, Belville, Macho, Hinz, Zellmer, Schellenger, Buck, Powers, Hanson, Cox, Gustafson, Bureau, Farrey, Harrison, Frassetto (via TEAMS), Egan, O'Brien, Nelson and Miller.

C. Pledge of Allegiance

The meeting opened with the Pledge of Allegiance.

D. Invocation

Invocation by Supervisor Karen Powers

E. Adopt Agenda

Motion by Supervisor Hanson, seconded by Supervisor Nussbaum, to adopt the agenda with an amendment. Amend the order of the items to reflect the correct order as it should be according to the County Board Rules. Move items G. Adopt Agenda, and H. Public Comments, before Communications from the County Clerk. Move item I. Consent Calendar, after County Board Chair's Report and Appointments. CARRIED BY VOICE VOTE.

F. Public Comments

There were no public comments.

G. Communications from the County Clerk

Julie Barthels, Winnebago County Clerk, presented the following communications:

The following Petitions for Zoning Amendments have been referred to the Planning and Zoning Committee.

- *001 - Nathan Cromy, Town of Clayton, rezone from A-2 (General Agriculture District) to R- 1 (Rural Residential District) for tax parcel no. 006-0018-01.*

The following Resolutions from Other Counties have been referred to the Legislative Committee.

- *Jackson County – Resolution No. 30-08-2024: Advocating for an Inpatient Behavioral Health Facility for Northern Wisconsin*
- *Jackson County – Resolution No. 31-08-2024: Support of State Investment for Mental Health Funding*

Julie Barthels, Winnebago County Clerk, recognized David Schmitz for his employment with Winnebago County.

H. Reports from Committees, Commissions and Boards

Supervisor Hinz stated that the next Facilities & Property Management Committee meeting will take place on Wednesday, September 18, 2024, at 12:00 p.m. Mr. Hinz mentioned that there will be two items that will be discussed that may be coming to the board in October. These items included: Amending Winnebago County General Code Chapter 9 to Create Section 9.42 Governing Loitering in Winnebago County and Amending Winnebago County General Code Chapter 9 to Create Section 9.43 Governing Camping on Winnebago County Property. Mr. Hinz encouraged

the board to attend, appear virtually or view the recording of the upcoming Facilities & Property Management Committee meeting to educate themselves pertaining to these items to make things go smoother when it comes to the board. These items were previously discussed at the Judiciary & Public Safety Committee meeting and have received a lot of public input on the matter.

Supervisor Gustafson attended the Industrial Development Board workshop and learned a lot of the policy and procedures. He learned that IDB has a fund balance of \$2,682,528, and feels they need to start utilizing these funds.

Supervisor Paterson announced that the Veterans Service Commission had changed their meeting date, time, and location. They will now be meeting on the 2nd Thursday of each month at 11:00 a.m. at the James P. Coughlin Center.

Supervisor Hanson stated the Ad-Hoc Task Force on County Board Rules next meeting will take place on Thursday, September 26, 2024, at 4:30 p.m. at the David W. Albrecht Administration Building in the Susan T. Ertmer Conference Room 120. They will be discussing Supervisor Cox's 3.8 Rule amendment and Supervisor Swan's 3.4 Rule Change. Mr. Hanson encourages board members to weigh in. They will also be discussing definitions at the next meeting.

Supervisor Harrison announced that the Board of Health will be meeting on Friday, September 20, 2024, at 7:30 a.m. in Neenah. They will unveil the Public Health Vending Machine in Neenah at 9:00 a.m. Mr. Harrison also commented on the previous presentation of foster care parents at the last Human Services Board meeting.

Supervisor Schellenger announced that the Park View Health Center Committee will meet on Thursday, September 19, 2024, at 3:30 p.m. at the James P. Coughlin Center. A report will be addressed by Baker Tilly.

Supervisor Swan announced that the UW Oshkosh Fox Cities Campus Board of Trustees will meet on September 23, 2024, at 1:00 p.m. at the Fox Cities Campus, Room 1553, 1478 Midway Road, Menasha, WI 54952.

I. County Executive's Report and Appointments

Executive Doemel commented and asked for support on the following ordinance:

Ordinance 031-092024: Amend Winnebago County General Code Chapter 19.24(11) "Boat Landing Trailer Parking Permit Fees" to include the Proposed Modifications by Replacing Boat Landing Trailer Parking Permits with Boat Launch Use Permit Fees.

Executive Doemel asked for the board's approval of the following appointments:

- **Fox Valley Workforce Development Board at the request of FVWDB:** Mr. Dustin Delsman, Kaukauna; and Mr. Jose Martinez, Oshkosh with terms ending 06/30/2027.

Motion by Supervisor Buck, seconded by Supervisor Schellenger to approve. CARRIED BY VOICE VOTE.

J. County Board Chair's Report and Appointments

Chairman Egan reported there were no absences; all the County Board of Supervisors were in attendance for tonight's meeting.

Chairman Egan addressed the board about the importance of notifying their committee chairs and members if they could not be in attendance for their committee's meetings. Mr. Egan reminded the board that if a member cannot be at a meeting, they can always call Chairman Egan or Vice-Chairman Farrey to attend in their place. This prevents a committee meeting from being canceled due to lack of a quorum, and/or important items that need to be addressed and voted on, are not delayed for another month or longer.

Chairman Egan announced at an earlier county board meeting that there was enough interest in having a fall County Board Tour. Mr. Egan informed the board that the County Clerk's Office had started scheduling those arrangements. The tour will take place on Monday, October 14, 2024, with the bus departing from the James P. Coughlin Center at 3:00 p.m. The tour will consist of taking a tour of the Omro Community Center; Waukau Dam; 5:00 p.m. dinner at Woodeyes in Winneconne; then a drive-by of the Winneconne Park Projects and the future site of the Rockwall. Julie Barthels, Winnebago County Clerk, did a roll call vote on who would be attending to provide an approximate number in attendance.

K. Consent Calendar

Consent Calendar Items are those items which are voted on by the Winnebago County Board of

Supervisors in a single roll call vote. Committees recommend approval of all items. Any Winnebago County Board of Supervisor may request an Item be removed from the Consent Calendar for discussion. Questions relating to items on the Consent Calendar do not require the item be removed from the Consent Calendar.

1. **Approval of Proceedings from August 20, 2024, Adjourned Session of the Winnebago County Board of Supervisors**
2. **Report and Zoning Amendatory Ordinance 08/001/24 - Wm. Brennand Jr. and Brian & Rebecca Morgan; Town of Winneconne; Rezone from A-2 (General Agricultural District) to R-1A (Residential District) for tax parcels 030-0108-03-04 & 030-0110-02.**
3. **Report and Zoning Amendatory Ordinance 08/002/24 - Michael Pamer; Town of Winneconne; Rezone from A-2 (General Agricultural District) to R-1A (Residential District) for tax parcels 030-0088-01-02 & 030-0088-01-03.**
4. **Report and Zoning Amendatory Ordinance 09/001/24 - Robert & Carol Beiser; Town of Winneconne; Rezone from A-2 (General Agricultural District) to C-1 (Commercial) for tax parcels 030-0135-02-03 & 030-0135-02-04.**
5. **Report and Zoning Amendatory Ordinance 09/002/24 - Ronald & Cindy Dercks and Thomas and Joanne Christianson; Town of Winchester; Rezone from A-2 (General Agricultural District) to R-1 (Rural Residential District) for tax parcel 028-0920-04.**
6. **Amend Winnebago County General Code Chapter 19.24(11) "Boat Landing Trailer Parking Permit Fees" to Include the Proposed Modifications by Replacing Boat Landing Trailer Parking Permits with Boat Launch Use Permit Fees**
Submitted by:
PARKS & RECREATION COMMITTEE

Supervisor Hanson requested that this item be pulled from the Consent Calendar.

7. **RESOLUTION 032-092024: Approval of Easement with Wisconsin Public Service for Electric Utilities for the Morgue/Evidence Building**
WHEREAS, The Wisconsin Public Service Corporation has requested that Winnebago County grant it an easement for the installation of underground electric utilities, operation, maintenance, repair, replacement and extension of electrical lines on the Winnebago County Morgue/Evidence Building grounds; and
WHEREAS, your undersigned Facilities and Property Management Committee believes that granting said easement is appropriate and necessary to provide electrical service to the Morgue/Evidence Building.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes execution of the Electric Underground Easement Agreement between Winnebago County and the Wisconsin Public Service Corporation on that property described within the agreement for the purpose of providing electrical service to the Morgue/Evidence Building. Said Agreement is attached hereto and made a part of this resolution herein by reference.
Submitted by:
FACILITIES & PROPERTY MANAGEMENT COMMITTEE
8. **Resolution 033-092024: Disallow Notice of Claim for Ryan Janssen**
WHEREAS, your Personnel and Finance Committee has had the claim of Ryan Janssen referred to it for review; and
WHEREAS, your Committee has investigated the claim and recommends it be disallowed by Winnebago County.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of Ryan Janssen, filed with the County Clerk on July 16, 2024, is hereby disallowed since there is no basis for liability on the part of Winnebago County.
Submitted by:
PERSONNEL & FINANCE COMMITTEE

9. **Resolution 034-092024: Disallow Notice of Claim for Dustin Brill**
WHEREAS, your Personnel and Finance Committee has had the claim of Dustin Brill referred to it for review; and
WHEREAS, your Committee has investigated the claim and recommends it be disallowed by Winnebago County.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of Dustin Brill, filed with the County Clerk on June 26, 2024 is hereby disallowed since there is no basis for liability on the part of Winnebago County.
Submitted by:
PERSONNEL & FINANCE COMMITTEE
10. **Resolution 035-092024: Disallow Notice of Claim for Kelly Small**
WHEREAS, your Personnel and Finance Committee has had the claim of Kelly Small referred to it for review; and
WHEREAS, your Committee has investigated the claim and recommends it be disallowed by Winnebago County.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of Kelly Small, filed with the County Clerk on July 5, 2024, is hereby disallowed since there is no basis for liability on the part of Winnebago County.
Submitted by:
PERSONNEL & FINANCE COMMITTEE
11. **Resolution 036-092024: Disallow Notice of Claim for Phillip E. Burton, Jr.**
WHEREAS, your Personnel and Finance Committee has had the claim of Phillip E. Burton, Jr. referred to it for review; and
WHEREAS, your Committee has investigated the claim and recommends it be disallowed by Winnebago County.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of Phillip E. Burton, Jr., filed with the County Clerk on July 18, 2024, is hereby disallowed since there is no basis for liability on the part of Winnebago County.
Submitted by:
PERSONNEL & FINANCE COMMITTEE
12. **Resolution 037-092024: Disallow Notice of Claim for Soloman Nuell**
WHEREAS, your Personnel and Finance Committee has had the claim of Soloman Nuell referred to it for review; and
WHEREAS, your Committee has investigated the claim and recommends it be disallowed by Winnebago County.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of Soloman Nuell, filed with the County Clerk on July 25, 2024, is hereby disallowed since there is no basis for liability on the part of Winnebago County.
Submitted by:
PERSONNEL & FINANCE COMMITTEE
13. **Resolution 038-092024: Commendation for David Schmitz**
WHEREAS David Schmitz has been employed with the Winnebago County Sheriff Department, for the past thirty-four years, and during that time has been a most conscientious and devoted County employee; and
WHEREAS, David Schmitz has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his years of service.
NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation is extended to David Schmitz for the fine services he has rendered to Winnebago County.
BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to David Schmitz.
Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Farrey, seconded by Supervisor Hinz to adopt the consent calendar excluding:

6. Amend Winnebago County General Code Chapter 19.24(11) "Boat Landing Trailer Parking Permit Fees" to include the Proposed Modifications by Replacing Boat Landing Trailer Parking Permits with Boat Launch Use Permit Fees.

VOTE ON CONSENT CALENDAR: CARRIED BY VOICE VOTE.

ITEM REMOVED FROM CONSENT CALENDAR

6. Ordinance 031-092024: Amend Winnebago County General Code Chapter 19.24(11) "Boat Landing Trailer Parking Permit Fees" to include the Proposed Modifications by Replacing Boat Landing Trailer Parking Permits with Boat Launch Use Permit Fees.

WHEREAS, the Winnebago County Parks Department is proposing to modify Winnebago County Code to replace all language that refers to trailer parking fees with boat launch use fees; and

WHEREAS, the Winnebago County Parks Department will now enforce the permit fee for all users of Winnebago County boat landings that launch a boat at one of Winnebago County's seven landings; and

WHEREAS, the Wisconsin Department of Natural Resources informed staff that per state code NR 1.91, Winnebago County should not charge for parking but can charge for boat launching; and

WHEREAS, the Winnebago County Parks Department would also like to make this modification to enforce the purchase of a Boat Launch Use Permit Fee so that all users must pay for the use of the boat launch facility.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby approves the modifications to Chapter 19.24(11) "Boat Landing Trailer Parking Permit Fees" to Include the proposed modifications by replacing Boat Landing Trailer Parking Permits with Boat Launch Use Permit Fees (see attached).

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that said amendment to the Winnebago County General Code shall become effective on the date following the date of publication.

Submitted by:

PARKS & RECREATION COMMITTEE

Motion by Supervisor Powers, seconded by Supervisor Hanson, to adopt item removed from consent calendar.

Motion by Supervisor Gustafson, seconded by Supervisor Nelson, to refer back to the Parks & Recreation Committee.

After further discussion, Supervisor Gustafson withdrew his motion to refer back to committee, seconded by Supervisor Dowling.

Back to the original resolution. The board continued discussion.

Motion by Supervisor Cox, seconded by Supervisor Gustafson, to call the question.

Vote on call the question: CARRIED BY VOICE VOTE.

Vote on resolution. AYES: 32; NAYES: 2 – O'Brien and Nelson; ABSTAIN: 1 – Gustafson; ABSENT: 1 – Frassetto. MOTION PASSED.

L. Business Items, Resolutions, and Ordinances

1. Resolution 039-092024: Authorizing the Borrowing of Not to Exceed \$8,120,000; and Authorizing the Issuance and Sale of General Obligation Promissory Notes Therefor

WHEREAS, the Winnebago County Board of Supervisor hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the public purpose of paying the cost of constructing, remodeling and improving roads, highways, parking lots, buildings, parks and sites and acquiring furnishings, fixtures and equipment (collectively, the "Project"), and there are insufficient funds on hand to pay said costs;

and

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

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

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes in the aggregate amount of not to exceed \$8,120,000 should be issued, and it is now necessary and desirable to authorize their issuance and sale.

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

Section 1. Authorization of the Notes. For the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal sum of not to exceed EIGHT MILLION, ONE HUNDRED TWENTY THOUSAND DOLLARS (\$8,120,000).

Section 2. Sale of the Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell, on behalf of and in the name of the County, general obligation promissory notes aggregating a principal amount not to exceed EIGHT MILLION, ONE HUNDRED TWENTY THOUSAND DOLLARS (\$8,120,000) (the "Notes"). The sale of the Notes shall be negotiated with Robert W. Baird & Co. Incorporated ("Baird"), and the terms of the Notes, including the dating, interest rates, maturity schedule and other details with respect to the Notes, shall be subject to approval by subsequent resolution of the County Board of Supervisors. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on the Notes.

Section 3. Official Statement. The County Clerk shall cause an Official Statement concerning the Notes to be prepared by Baird. The appropriate County officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Official Statement under this Resolution.

Section 4. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Section 5. Reimbursement. The County Board of Supervisors hereby officially declares its intent pursuant to Treasury Regulation Section 1.150-2 to reimburse any expenditures made in connection with the Project prior to the issuance of the Notes with the proceeds of the Notes in an amount not to exceed \$8,120,000.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Cox, seconded by Supervisor Schellenger to adopt.

Vote on Resolution: AYES: 29; NAYES: 5 - Dowling, Lutz, Swan, Macho and Hanson; ABSTAIN: 1 - O'Brien; ABSENT: 1 - Frassetto. MOTION PASSED.

2. **Resolution 040-092024: Fixing the Compensation of the County Executive for the Four-Year Term Commencing on April 15, 2025**

WHEREAS, the next four-year term of elected office for the Winnebago County Executive will begin in April 2025; and

WHEREAS, Wis. Stat. 59.17 requires any change in the compensation for this elected position to be adopted by the Winnebago County Board of Supervisors at least 90 days prior to any election held to fill the office; and WHEREAS, since the 2025 Executive Budget is being prepared for presentation to the Winnebago County Board, it is advantageous to establish the compensation so that it can be accurately budgeted; and

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the annual salary rates for the Winnebago County Executive for the term commencing April 2025 shall be as follows:

April 2025 through March 2026: \$126,583

April 2026 through March 2027: \$129,747

April 2027 through March 2028: \$132,991 April 2028

through the end of term: \$136,316

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

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

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Cox, seconded by Supervisor Hanson to adopt.

Vote on Resolution: AYES: 33; NAYES: 1 - Swan; ABSTAIN: 1 - Gustafson;

ABSENT: 1 - Frassetto. MOTION PASSED.

M. Adjourn

Motion by Supervisor Farrey, seconded by Supervisor Gustafson, to adjourn until the Board's next meeting on Tuesday, October 15, 2024, at 6:00 p.m. The meeting was adjourned at 7:45 p.m.

Submitted by:

Cassie J. Smith-Gregor

Winnebago County Deputy Clerk

State of Wisconsin)

County of Winnebago) ss

I, Cassie J. Smith-Gregor do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their Business Meeting held September 17, 2024.

Cassie J. Smith-Gregor

Winnebago County Deputy Clerk