



**COUNTY BOARD OF SUPERVISORS MEETING MINUTES
TUESDAY, JUNE 18, 2024**

A. Call to Order

Chairman Thomas Egan called the meeting of the Winnebago County Board of Supervisors to order at 6:00 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, Egan, O'Brien, Nelson and Miller.

C. Pledge of Allegiance

The meeting opened with the Pledge of Allegiance.

D. Invocation

Supervisor Powers acknowledged the passing of a former County Board Supervisor and Chairman, David W. Albrecht.

Invocation by Supervisor Karen Powers

E. Communications from the County Clerk

Julie Barthels, Winnebago County Clerk, read two thank you cards to the board from scholarship winners.

- *Nate Marine – Omro High School*
- *Madison Nesterick – Oshkosh West High School*

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

- *Lafayette County – Resolution No. 8-24: Individual Health Decisions Pertaining to Covid-19 Government Lockdowns, Vaccine and Mask Mandates*
- *St. Croix County – Resolution No. 13 (2024): Resolution Supporting Wisconsin Senate Bill 916 Related to Refugee Resettlement*
- *St. Croix County – Resolution No. 14 (2024): Resolution Supporting the "Care Act" Proposed by Congressman Tom Tiffany Related to Amending Section 412 of the Immigration and Nationality Act*
- *St. Croix County – Resolution No. 15 (2024): Resolution Requesting an Immediate Pause on Refugee Resettlement in St. Croix County*

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

- *001 - Carven and Julie Blanck, Town of Black Wolf, rezone from R-1 (Rural Residential) to A-2 (General Agriculture) for proposed Lot 2 only, for tax parcel no. 004-0386-04-01(p)*
- *002 - Aaron Rickert, Town of Nekimi, rezone from A-1 (Agribusiness) to A-2 (General Agriculture) for tax parcel nos. 012-0527-04 & 012-0527-03*
- *003 - Richard & Jill Hughes, Town of Wolf River, rezone from A-3, A-2, & A-1 (General Agriculture, Agribusiness) to R-1 (Rural Residential) for tax parcel nos. 032-0670-01(p), 032-0670(p), and 032-0670-02(p)*
- *004 - JN Investment Properties, LLC, Town of Nekimi, rezone from A-2 (General Agriculture) to I-1 (Light Industrial) for tax parcel no. 012-0077-03*
- *005 - Brian & Melissa Pizon, Town of Omro, rezone from A-2 (General Agriculture) to B-3 (General Business) for tax parcel no. 016-0414-01-01*

Julie Barthels, Winnebago County Clerk, recognized Patty Francour and Cheryl Ryf for their employment with Winnebago County.

F. Reports from Committees, Commissions and Boards

Supervisor Karen Powers commented that turning down grants saves no taxpayer anything and may cost Winnebago County in the end. Ms. Powers stated no one will be reimbursed tax money paid if we turn these down. A lot of time has been wasted debating the acceptance of grant monies in the past, so she encouraged the board to remember that when items are presented later in the meeting for a vote.

Supervisor Swan stated that the UW Fox Cities Campus Board of Trustees will hold a meeting on June 24, 2024, at 1:00 pm. Mr. Swan hopes and encourages that the Winnebago and Outagamie County Executive will attend this meeting either in-person or virtually to comment on the current situation taking place for this campus. The UW Fox Cities Campus will close in June 2025.

Supervisor Binder informed everyone that fair tickets are available to purchase now. They can be purchased at Festival Foods, the Parks & Recreation Department and the County Clerk's Office. If you buy them in advance, they are \$12 or \$15 at the door.

Supervisor Hancock-Cooke voiced concerns from constituents regarding the UW Oshkosh Fox Cities Campus closing. A number of them have been involved in various activities within the planetarium, museum, and the music programs that happen there. They are very concerned about the closing of this campus; and what's going to happen to those facilities.

Supervisor Hancock-Cooke voiced concerns from constituents regarding the ongoing confusion of Spirit Funds and how the receipt of Spirit Funds to various municipalities remains unclear about what is required in order for them to receive their funds. Ms. Hancock-Cooke requested clarification from the County Executive and Finance Director on exactly what steps those municipalities need to take, and the timeline expected with those are so that there can be clarity on what Winnebago County is doing and how those funds are being disbursed.

Supervisor Schellenger informed the board that there would not be a Park View Health Center Committee meeting in June. The next meeting will take place on July 18, 2024, at 3:30 pm.

Supervisor Hanson echoed Supervisor Hancock-Cooke's comments on the Spirit Funds.

Supervisor Hanson informed the board that the Ad-Hoc Task Force on the Written Rules of the 2024-2026 Winnebago County Board of Supervisors had their second meeting now. Their next meeting is scheduled for Monday, July 15, 2024, at 4:30 pm in the Susan T. Ertmer Conference Room 120 at the David W. Albrecht Administration Building. The Task Force has agreed to take the rules and address them in each section. The Task Force will be focusing on Sections 0, 1, 2, 3 and 9 at the next meeting. Chairman Hanson of the Task Force encourages County Board Supervisors to attend.

G. Adopt Agenda

Motion by Supervisor Farrey, seconded by Supervisor Cox, to adopt the agenda for tonight's meeting. CARRIED BY VOICE VOTE.

H. Public Comments

Kay Horan, Neenah, voiced her concerns regarding the Spirit Funds not being disbursed in a timely manner. There are a number of projects that were approved by the County Board back in November and December 2023 and March 2024, and these various entities have not received their funds.

I. County Executive's Report and Appointments

County Executive Doemel started his report by paying respect and remembering former Supervisor David Albrecht. He offered his condolences to his family.

County Executive Doemel stated this is the first time that Winnebago County government will officially observe Juneteenth Day, which is June 19, 2024. There will be two identical county observations taking place on Wednesday, June 19, 2024. These will take place at the Winnebago County Courthouse Jackson Street Entrance at noon and the Winnebago County Neenah Human Services Building at 4:00 pm. There will be a reading of the Emancipation Proclamation and Galveston General Orders No. 3 from Major General Gordon Granger. Mr. Doemel encouraged the board to attend.

County Executive Doemel informed everyone that Sheriff John Matz will read the Declaration of Independence on Thursday, July 4, 2024, at 8:00 a.m. on the Courthouse steps.

County Executive Doemel commented on the closing of the UW Oshkosh Fox Cities Campus in June 2025. Mr. Doemel will be meeting with the Outagamie County Executive soon to discuss what the next steps should be. They both agreed that the highest and best use for this space is a priority, as well as keeping the Arts and Communication Center, the Barlow Planetarium, the Weis Earth Science Museum and the Campus Childcare Center intact.

Executive Doemel addressed concerns about the Spirit Fund allocations. Mr. Doemel ensured everyone that the county is doing everything they can to expedite these agreements. He stated the county is still on task of administering the vast majority of these funds by the end of the month.

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

- **Director of Solid Waste:** Ms. Kathryn Hutter
Motion by Supervisor Nelson, seconded by Supervisor Buck, to accept. CARRIED BY VOICE VOTE.
- **East Central Regional Planning Commission:** Mayor Austin Hammond of the City of Menasha
- **Winnebago County Housing Authority:** Mr. Robert Keller of the Town of Black Wolf
- **Board of Health:** Supervisor Kate Hancock-Cooke representing the City of Neenah

Motion by Supervisor Farrey, seconded by Supervisor Cox, to accept. CARRIED BY VOICE VOTE. (Abstain: Hanson)

J. County Board Chair's Report and Appointments

Chairman Egan stated there were no absences; all County Board of Supervisors were in attendance.

Chairman Egan informed the Board that the Personnel & Finance Committee approved the County Board Laptop Computers in their June 6, 2024, meeting and the board should receive them in July or August 2024.

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

2. Report and Zoning Amendatory Ordinance: 001 - Eric W. Hoffman, Town of Algoma, rezone from A-2 (General Agriculture) to R-2 (Suburban Low Density Residential) for tax parcel no. 002-0172

3. RESOLUTION 012-062024: Commendation of Patty Francour

WHEREAS, Patty Francour has been employed with the Winnebago County Information Technology Department, for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, she was instrumental in the construction, management, and maintenance of over 40 miles of a dedicated fiber optic network; and

WHEREAS, having served as Director for the last eighteen years has demonstrated exceptional leadership, dedication, and ingenuity in guiding us through unprecedented challenges including swiftly transitioning the majority of our workforce to a remote work environment, ensuring seamless operations and continuity of services; and

WHEREAS, she has consistently demonstrated a commitment to innovation, cybersecurity, and the optimization of IT resources, thereby enhancing the county's operational efficiency and resilience; and

WHEREAS, Patty Francour has now retired from those duties, and it is appropriate for

the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors, that sincere appreciation and commendation is extended to Patty Francour for the fine services she has rendered to Winnebago County in leading our Information Technology Department.

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

Submitted by:

PERSONNEL & FINANCE COMMITTEE

4. RESOLUTION 013-062024: Commendation of Cheryl Ryf

WHEREAS, Cheryl Ryf has been employed with the Winnebago County Sheriff Department, for the past twenty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, most recently, she has served as Financial Associate I assigned to the Health Services Unit of the Jail where she maintains medical financial records, administers the medical copayment program, schedules inmate medical appointments, and tracks statistical health information for the inmate population; and

WHEREAS, Cheryl has a keen eye for detail and does an excellent job ensuring inmates receive timely physical assessments, communicable disease testing, and counseling services; and

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors, that sincere appreciation and commendation is extended to Cheryl Ryf for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the County Clerk send a copy of this Resolution to Cheryl Ryf.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

5. RESOLUTION 014-062024: Authorizing Winnebago County to Enter into the Settlement Agreement with The Kroger Co., Agree to the Terms of the Participation Agreement, and Authorize Execution of the Participation Agreement

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

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

6. RESOLUTION 015-062024: Authorizing the Naming of Highway Department Rooms after Paul Delap and John Schnyder

WHEREAS, Paul Delap had been employed with the Winnebago County Highway Department for the past 31 years, and during that time had been a most conscientious and devoted County employee; and

WHEREAS, Paul Delap unexpectedly passed away on September 1, 2023; and WHEREAS, John Schnyder had been employed with the Winnebago County Highway Department for the past 45 years, and during that time had been a most conscientious and devoted County employee; and

WHEREAS, John Schnyder has retired from those duties in March 2022 ; and

WHEREAS, The Winnebago County Highway Department and the Winnebago County Highway Commission wish to show their sincere appreciation and commendation for the service they rendered; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby Approves the naming of the second floor Training/Conference Room (Room 201) be named for Paul Delap and that the Employee Lunch Room (Room 130) be named for John Schnyder.

Submitted by:

*FACILITIES & PROPERTY MANAGEMENT COMMITTEE
HIGHWAY COMMITTEE*

Motion by Supervisor Holt, seconded by Supervisor Bureau, to adopt the consent calendar excluding:

5. Resolution: 014-062024 Authorizing Winnebago County to Enter into the Settlement Agreement with The Kroger Co., Agree to the Terms of the Participation Agreement, and Authorize Execution of the Participation Agreement.

VOTE ON CONSENT CALENDAR: CARRIED BY VOICE VOTE.

ITEM REMOVED FROM CONSENT CALENDAR

5. Resolution 014-062024: Authorizing Winnebago County to Enter into the Settlement Agreement with The Kroger Co., Agree to the Terms of the Participation Agreement, and Authorize Execution of the Participation Agreement

WHEREAS, in Resolution No. 230-122017, the Winnebago County Board of Supervisors authorized Winnebago County to enter into an engagement agreement with von Briesen & Roper, s.c., Crueger Dickinson LLC, and Simmons Hanly Conroy LLC (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for Winnebago County's expenditure of vast money and resources to combat the opioid epidemic; and

WHEREAS, on behalf of Winnebago County, the Law Firms filed a lawsuit against the Opioid Defendants; and

WHEREAS, the Law Firms filed similar lawsuits on behalf of 66 other Wisconsin counties and all Wisconsin cases were coordinated with thousands of other lawsuits filed against the same or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned In re: Opioid Litigation, MDL 2804 (the "Litigation"); and

WHEREAS, four (4) additional Wisconsin counties (Milwaukee, Dane, Waukesha, and Walworth) hired separate counsel and joined the Litigation; and

WHEREAS, since the inception of the Litigation, the Law Firms have coordinated with counsel from around the country (including counsel for Milwaukee, Dane, Waukesha, and Walworth Counties) to prepare Winnebago County's case for trial and engage in extensive settlement discussions with the Opioid Defendants; and

WHEREAS, in addition to the \$26 billion in settlements with the Big 3 Distributors and Johnson and Johnson, which as 2022, began making payments across the country, and the \$20+ billion nationwide settlement agreements with 3 pharmacies (CVS, Walgreens, and Walmart) and 2 pharmaceutical manufacturers (TEVA and Allergan), there is now an additional proposed national settlement agreement; and

WHEREAS, this proposed nationwide settlement agreement was recently reached with The Kroger Co.; and

WHEREAS, the settlement agreement requires the Kroger Co. to pay \$1.2 billion to abate the opioid epidemic. Of the \$1.2 billion settlement, approximately \$1.02 billion will be used by participating states and subdivisions to remediate and abate the impact of the opioid crisis; and

WHEREAS, Winnebago County is a Participating Subdivision in the Settlement Agreements and has the opportunity to participate in the benefits associated with the Settlement Agreements provided Winnebago County (a) approves the Settlement Agreements; (b) agrees to the terms of the Participation Agreement, a copy of which is attached to this Resolution (the "Participation Agreement") and (c) authorizes execution of the Participation Agreement; and

WHEREAS, 2021 Wisconsin Act 57 created Section 165.12 of the Wisconsin Statutes relating to the settlement of all or part of the Litigation; and

WHEREAS, Wis. Stat. § 165.12(4)(b)2. provides the proceeds from the Settlement Agreement must be deposited in a segregated account (the "Opioid Abatement Account") and may be expended only for approved uses for opioid abatement as provided in the Settlement Agreements; and

WHEREAS, Winnebago County Resolution 242-122021 established the Opioid Abatement Account for the receipt of the proceeds of the Opioid Settlement Agreements; and

WHEREAS, Winnebago County's Opioid Abatement Account shall be separate from Winnebago County's general fund, shall not be commingled with any other County funds, and

shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements.

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

1. The execution of Settlement Agreement with Kroger and all documents ancillary thereto and authorizes the Winnebago County Executive to execute same.
2. The terms of the Participation Agreement.
3. The execution of the Participation Agreement by the Winnebago County Executive.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that all actions heretofore taken by the Winnebago County Board of Supervisors and other appropriate public officers and agents of Winnebago County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

BE IT FURTHER RESOLVED that all proceeds from the Settlement Agreement not otherwise directed to the Attorney Fees Account shall be deposited in Winnebago County's Opioid Abatement Account. The Opioid Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreement.

BE IT FURTHER RESOLVED that Winnebago County hereby authorizes the establishment of an account separate and distinct from any account containing funds allocated or allocable to Winnebago County which shall be referred to by Winnebago County as the "Attorney Fees Account." An escrow agent shall deposit a sum equal to up to, but in no event exceeding, an amount equal to 20% of Winnebago County's proceeds from the Settlement Agreement into the Attorney Fees Account. If the payments to Winnebago County are not enough to fully fund the Attorney Fees Account as provided herein because such payments are made over time, the Attorney Fees Account shall be funded by placing up to, but in no event exceeding, an amount equal to 20% of the proceeds from the Settlement Agreement attributable to Local Governments (as that term is defined in the MOU) into the Attorney Fees Account for each payment. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and disbursements owed to the Law Firms pursuant to the engagement agreement between Winnebago County and the Law Firms provided, however, the Law Firms shall receive no more than that to which they are entitled under their fee contract when considering the amounts paid the Law Firms from the fee fund established in the Settlement Agreement and allocable to Winnebago County. The Law Firms may make application for payment from the Attorney Fees Account at any time and Winnebago County shall cooperate with the Law Firms in executing any documents necessary for the escrow agent to make payments out of the Attorney Fees Account.

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

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

Motion by Supervisor Wise, seconded by Supervisor Stafford, to make an amendment adding two, "Be It Resolved" clauses.

BE IT FURTHER RESOLVED that all proceeds from the Settlement Agreement not otherwise directed to the Attorney Fees Account shall be deposited in Winnebago County's Opioid Abatement Account. The Opioid Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreement.

BE IT FURTHER RESOLVED that Winnebago County hereby authorizes the establishment of an account separate and distinct from any account containing funds allocated or allocable to Winnebago County which shall be referred to by Winnebago County as the "Attorney Fees Account." An escrow agent shall deposit a sum equal to up to, but in no event exceeding, an amount equal to 20% of Winnebago County's proceeds from the Settlement Agreement into the Attorney Fees Account. If the payments to Winnebago County are not enough to fully fund the Attorney Fees Account as provided herein because such payments are made over time, the Attorney Fees Account shall be funded by placing up to, but in no event exceeding, an amount equal to 20% of the proceeds from the Settlement Agreement attributable to Local Governments (as that term is defined in the MOU) into the Attorney Fees Account for each payment. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and

disbursements owed to the Law Firms pursuant to the engagement agreement between Winnebago County and the Law Firms provided, however, the Law Firms shall receive no more than that to which they are entitled under their fee contract when considering the amounts paid the Law Firms from the fee fund established in the Settlement Agreement and allocable to Winnebago County. The Law Firms may make application for payment from the Attorney Fees Account at any time and Winnebago County shall cooperate with the Law Firms in executing any documents necessary for the escrow agent to make payments out of the Attorney Fees Account.

Vote on amendment. CARRIED BY VOICE VOTE.

Motion by Supervisor Buck, seconded by Supervisor Reinke to adopt resolution as amended. CARRIED BY VOICE VOTE. (Nay: Farrey)

L. Business Items, Resolutions, and Ordinances

1. ORDINANCE 01-062024: Amending the Winnebago County General Code to Create 8.06: Public Works Building Naming Policy

WHEREAS, Over the course of time, various buildings and facilities in Winnebago County have been named in honor of a Winnebago County resident or to enhance the public image of the facility; and

WHEREAS, there has not been a consistent procedure for designating a facility name; and

WHEREAS, this procedure shall be applicable to all Winnebago County departments that are involved in the naming of a facility, whether or not owned by the County, except for those facilities for which naming rights have been sold; and

WHEREAS, The department involved in the naming of a Winnebago County facility shall start the naming process with the department's committee of jurisdiction. The department shall present the committee a list of suggested names. The committee shall review the names and forward the name or names it wants considered for the facility; and WHEREAS, The names should reflect what the facility is used for and sufficiently indicate it is a County facility; and

WHEREAS, if a facility is to be named as recognition for a person, that person should have been a prominent Winnebago County Elected Official, Employee or leader in the community or have done something of significant noteworthiness; and

WHEREAS, The originating committee of jurisdiction shall forward the name to be considered to the Facilities and Property Management Committee for review; and

WHEREAS, The Facilities and Property Management Committee shall review the name to be considered and shall forward the name and comments to the Winnebago County Board for consideration; and

WHEREAS, The Winnebago County Board shall review the name and decide the final naming selection; and

WHEREAS, Any changes to facilities names once adopted must follow the same process to change a name, even if to reflect a change in facility use; and

WHEREAS, this process does not affect Winnebago County facilities for which naming rights have been sold;

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby approves the attached language and creates 8.06 of the Winnebago County General Code relating to Public Works Building Naming Policy.

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

Submitted by:

FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Hinz, seconded by Supervisor Buck, to adopt. CARRIED BY VOICE VOTE.

2. ORDINANCE 02-062024: Amending the Winnebago County Code 11.06: Board of Health Membership and Terms

WHEREAS, Wisconsin State Statutes 251.03, 251.04 and Winnebago County General Code 11.06 govern the Winnebago County Board of Health; and

WHEREAS, changes in the law and challenges to required state law appointments have necessitated the need for the Winnebago County Board of Supervisors to review the membership of its Board of Health; and

WHEREAS, the current Winnebago County General Code does not reflect implementation of 2021 Wisconsin Act 192, which allows for appointment of a physician assistant or advanced practice registered nurse if a physician or registered nurse is not found to serve; and

WHEREAS, state law requires staggered terms, which are not reflected in the county code; and

WHEREAS, the county code is overly restrictive on residency requirements, which has caused challenges to filling the designated state law required physician and registered nurse slots; and

WHEREAS, the Winnebago County Board of Health recommends changing 11.06 of the Winnebago County General Code to comply with state statute.

NOW, THEREFORE, THE WINNEBAGO COUNTY BOARD OF SUPERVISORS ORDAINS AS FOLLOWS;

11.06 (2) MEMBERSHIP:

(a) The Winnebago County Board of Health shall consist of nine (9) members. ~~At least three (3)~~ Four (4) of the members shall be persons who are not elected officials or employees of Winnebago County and who have a demonstrated interest or competence in the field of public health or community health. ~~No more than Five (5) members shall be elected Winnebago County Board Supervisors.~~

~~(b) Members shall be appointed in accordance with Wisconsin Statute 251.03. The required registered nurse and physician appointees or alternates shall not be elected officials or employees of Winnebago County. Of those members of the Board of Health who are not elected officials or employees, a good faith effort shall be made to appoint a registered nurse and a physician to the Board.~~

~~(c) Membership on the Winnebago County Board of Health shall reflect the diversity those served by the Winnebago County Health Department.~~

~~(c)(d) At least four (4) three (3) members of the Winnebago County Board of Health shall be residents of, or in the case of a Winnebago County Board Supervisor represent a district with wards located in the City of Oshkosh. At least two (2) members of the Winnebago County Board of Health shall be residents of, or in the case of a Winnebago County Board Supervisor, represent a district with wards located in the City of Neenah. The three (3) two (2) remaining members of the Board of Health shall be from the service area of the Winnebago County Health Department, not including the Cities of Neenah or Oshkosh, prior to its consolidation with the Health Departments of the City of Neenah and the City of Oshkosh. The Winnebago County Board may adjust the foregoing membership requirements periodically based upon the population of the areas served by the Winnebago County Health Department. The required physician and registered nurse, or allowed alternates, shall reside within Winnebago County.~~

11.06 (3) TERMS:

(a) All members of the Winnebago County Board of Health shall serve a term of two years ~~except~~ as provided below:

1. Citizen members appointed under 11.06(d) shall serve a term ending on the third Tuesday of April of the odd numbered year. ~~The initial term of the persons appointed to the Winnebago County Board of Health to serve a term commencing on July 1, 2012, shall expire on April 30, 2014. Thereafter, persons appointed to the Winnebago County Board of~~

~~Health shall serve a term of two (2) years.~~

2. Winnebago County Board Supervisors shall serve a term concurrent with his or her elected board term, which concludes on the third Tuesday of April of the even-numbered year. Should a Winnebago County Board Supervisor who is also a member of the Winnebago County Board of Health resign or be removed from his or her office as a Winnebago County Board Supervisor, said supervisor's term as a member of the Winnebago County Board of Health shall also automatically terminate.

3. In the case of a vacancy, the County Executive shall appoint a replacement to serve the remainder of the vacant term, subject to the Winnebago County Board of Supervisors' confirmation.

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

Submitted by:
BOARD OF HEALTH

Motion by Supervisor Harrison, seconded by Supervisor Dowling, to adopt. CARRIED BY VOICE VOTE.

3. **RESOLUTION 016-062024: Approval of a Budget Amendment in the Amount of \$60,000 from the Solid Waste Management Reserve Fund to the Solid Waste Operating Category for a Rental Chiller**

WHEREAS, in February 2024, a chiller cooling the gas to the solid waste generators failed due to low refrigerant; and

WHEREAS, facilities staff responded to the failure and was able to return the chiller to operational status; and

WHEREAS, in mid-March 2024, the chiller failed yet again and a non-repairable leak to the cooling coil was discovered; and

WHEREAS, a rental chiller was installed to get the generators back online; and

WHEREAS, the loss of generating capacity by an inactive chiller is estimated to equal \$250,000 in income. The rental chiller cost is \$7571.00 per month. The five-month rental cost for the chiller totals approximately \$37,855.00 coupled with delivery/return charges of \$2684.00 and refundable equipment insurance (upon return) of approximately \$1,390.05. The total cost, including additional time in the event of a delay, equals \$60,000.

WHEREAS, a new chiller is planned for delivery in July 2024 as part of the flare system modification project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a budget amendment in the amount of \$60,000 from the Solid Waste Management Reserve Fund to the Solid Waste Operating Category for a rental chiller.

Submitted by:
SOLID WASTE MANAGEMENT BOARD
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Nelson, seconded by Supervisor Farrey, to adopt. CARRIED BY VOICE VOTE.

4. **RESOLUTION 017-062024: Approval and Acceptance of \$40,000 Routine Immunization Community Engagement (RICE) Grant from the Wisconsin Department of Health Services**

WHEREAS, the Wisconsin Department of Health Services has made available grant funding to help address disparities in vaccination rates; and

WHEREAS, vaccination rates in Winnebago County have been declining and are a critical tool in preventing and mitigating the spread of diseases within the community; and

WHEREAS, in Winnebago County racial/ethnic identity, insurance status, rurality, and poverty are drivers of disparities in routine vaccination uptake ; and

WHEREAS, engaging community partners is effective in ensuring that vaccines are accessible to communities that face barriers accessing medical care and to people who have historical mistrust of the medical community and vaccines.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby accepts \$40,000 from the Routine Immunization Community Engagement (RICE) grant from WI DHS and amends the 2024 budget to appropriate the grant.

Submitted by:

BOARD OF HEALTH

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Harrison, seconded by Supervisor Holt, to adopt.

Motion by Supervisor Hanson, seconded by Supervisor Swan, to postpone until the County Board's September 17, 2024, meeting.

Motion by Supervisor Halbur, seconded by Supervisor Stafford, to call the question.

Vote on call the question: CARRIED BY VOICE VOTE.

Vote on postponing resolution until the County Board's September 17, 2024, meeting. AYES: 8 - Nussbaum, Swan, Hinz, Hanson, Gustafson, Bureau, Frassetto and O'Brien; NAYES: 28; ABSTAIN: 0; ABSENT: 0. MOTION FAILED.

Back to the Original Resolution.

Motion by Supervisor Farrey, seconded by Supervisor Holt, to call the question.

Vote on call the question: CARRIED BY VOICE VOTE.

Vote on Resolution: AYES: 24; NAYES: 10 - Dowling, Nussbaum, Gabert, Mueller, Hanson, Gustafson, Bureau, Frassetto, O'Brien and Miller; ABSTAIN: 2 - Swan and Belville; ABSENT: 0. MOTION PASSED.

5. RESOLUTION 018-062024: Approval and Acceptance of \$101,200 Immunization Supplement Grant from the Wisconsin Department of Health Services

WHEREAS, the Wisconsin Department of Health Services is awarding Winnebago County funding to support the County's Immunization Program services; and

WHEREAS, Winnebago County is at increased risk of preventable disease and disease outbreaks due to declining immunization rates; and

WHEREAS, those most impacted by and susceptible to diseases preventable by immunization are less likely to have a primary care provider, health insurance and are harder to reach; and

WHEREAS, Winnebago County is a critical service provider for the aforementioned populations.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves acceptance of the \$101,200 Immunization Supplement Grant from the Wisconsin Department of Health Services funding and amends the 2024 budget to appropriate the grant.

Submitted by:

BOARD OF HEALTH

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Harrison, seconded by Supervisor Powers, to adopt.

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

Vote on call the question: CARRIED BY VOICE VOTE.

Back to the Original Resolution.

Vote on Resolution: AYES: 24; NAYES: 11 - Dowling, Nussbaum, Gabert, Swan, Mueller, Hinz, Hanson, Gustafson, Bureau, Frassetto and O'Brien; ABSTAIN: 1 - Belville; ABSENT: 0. MOTION PASSED.

6. RESOLUTION 019-062024: Approval of Four Positions in the Long-Term Support Division of the Department of Human Services and Corresponding Budget Amendment

WHEREAS, through a home and community-based waiver reauthorized by the federal government in 2022, the Children's Long-Term Support (CLTS) program serves children with disabilities and their families; and

WHEREAS, children who are eligible for the program work with support and service

coordinators employed by the county in the Department of Human Services; and
WHEREAS, Winnebago County is facing a backlog of about 75 children on a waiting list;
and

WHEREAS, adding three more support and service coordinators and a supervisor is essential to operate an effective program for Winnebago County children and families.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that four additional positions are approved and added to the table of organization in the Department of Human Services for the purposes of eliminating a backlog of the Children's Long Term Support (CLTS) Waiver Program and maintaining services for those families.

BE IT FURTHER RESOLVED that the Winnebago County Board of Supervisors amends the 2024 County Budget for the Department of Human Services to include \$228,000 in new revenue and \$203,732 in Salary Category Expense and \$24,268 in Operating Category Expense.

Submitted by:

HUMAN SERVICES BOARD

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Harrison, seconded by Supervisor Cox, to adopt. CARRIED BY VOICE VOTE.

7. RESOLUTION 020-062024: Appropriation of Improvements to County Highway I and Moving the Project from the 2025 Capital Improvement Plan to 2024

WHEREAS, in 2020, Winnebago County planned to replace County Road I from Ripple Avenue to W. Waukau Avenue, which was last constructed in 1975; and

WHEREAS, through intergovernmental agreements, Winnebago County has secured funding support from the City of Oshkosh and Wisconsin Department of Transportation; and

WHEREAS, Winnebago County had planned for the project in the summer of 2025 and the project was included in the Capital Improvement Planned approved by the Winnebago County Board of Supervisors; and

WHEREAS, the Highway Department has received notification from the Wisconsin DOT that the project will be advanced to the summer of 2024 through the Surface Transportation Program (STP-Urban); and

WHEREAS, it is necessary for Winnebago County to officially appropriate the project with the other government partners.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes additional capital improvement project funding for Project 4803 in the amount of \$400,000. This will bring Winnebago County's share of the project to \$800,000 of the total \$4,543,347.30 cost of the state project. Project 4803 will receive a transfer from the Unassigned General Fund balance in the amount of \$400,000 and project funding will either reduce the Unassigned General Fund balance or will be later reimbursed by a prior or subsequent bond issue.

Submitted by:

HIGHWAY COMMITTEE

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Nussbaum, seconded by Supervisor Halbur, to adopt. CARRIED BY VOICE VOTE.

8. RESOLUTION 021-062024: Approval to Changes to Human Resources Policy 8.05: Solicitations

WHEREAS, county employees from time-to-time seek opportunities to further serve their community through fundraising; and

WHEREAS, fellow county employees frequently and organically collect funds or gifts to appreciate and recognize the efforts of their co-workers; and WHEREAS, the current solicitation policy is written as an absolute and discourages county employees from valuing each other and participating in community fundraisers; and

WHEREAS, it is, however, necessary to protect employees from feeling required to contribute to voluntary solicitations; and

WHEREAS, it is even more imperative the Winnebago County organization is not perceived as endorsing organizations which may be controversial, support political candidates, or do not directly impact our community; and

WHEREAS, the Personnel and Finance Committee has reviewed the current solicitation policy and recommends changes for enforcement clarity.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves and amends Human Resources Policy 8.05: Solicitations

8.05 Solicitations

Generally while on county time. ~~No~~ an employee or group of employees may not solicit at any County facility funds or other things of value from firms, persons, or corporations or other organizations without first obtaining a written ~~permit~~ authorization from the County Executive and County Board Chair ~~committee or committees having jurisdiction over the facility in which the solicitation is to occur, over the department employing the persons conducting the solicitation, and over the department having employees or members of the public being solicited.~~

Exemptions to a written authorization include:

- Employee appreciation, recognition, celebration, and the like

- United Way contributions

- Organizations which are affiliated with the county through programs or services

- Organizations of which the county is a member

- Organizations for which the county provides financial resources

- Passive solicitations (ex. signup sheet left in a break room)

-

Authorization may not be given to solicit for organizations:

- That are known to advocate for candidates for public office,

- That do not have a local affiliate which enhance the Winnebago County community,

or

- When it can be reasonably assumed the money will not serve the community.

~~No approval is required for the annual United Way campaign or for passive solicitations (signup sheet left in a break room) for youth group fundraisers.~~

~~The rights of employees~~ Employees have the right to ~~to not contribute to any~~ refrain from contributing to solicitations. ~~are protected.~~ No employee will ~~suffer any~~ incur an adverse consequence as the result of a contribution decision.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Harrison, seconded by Supervisor Schellenger, to adopt.
CARRIED BY VOICE VOTE.

9. RESOLUTION 022-062024: Endorsing Sawyer County Resolution 2023-27 – "Resolution on Enhanced Wake Regulations"

WHEREAS, the lakes of Winnebago County, Wisconsin are integral to the recreational base of the economy in Winnebago County; and

WHEREAS, Legislation has been proposed to regulate wakesurfing and wakeboarding; and

WHEREAS, the legislation as currently written fails to set minimum standards for the protection of private property, public safety and enjoyment, and aquatic environments; and

WHEREAS, the legislation fails to include a standard related to wake depth that would protect water quality in lakes from scouring by enhanced wakes; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby recommends that the Wisconsin Legislature engage in meaningful discussions to pass standards that balance the right of everyone to recreate on waters of the State of Wisconsin, by affirming that;

Wisconsin's local governments deserve local control to set their own standards beyond state minimums, of at least 700 feet from the shore, and to prohibit enhanced wake creation in

waters shallower than at least 30 feet in depth.

Submitted by:

SUPERVISOR KOBY SCHELLENGER, District 23

Motion by Supervisor Farrey, seconded by Supervisor Wise, to adopt.

Motion by Supervisor Schellenger, seconded by Supervisor Wise, to make an amendment to the resolution which is identified by the proposed resolution included in the packet. The amendment is to take the language from Sawyer County; change the instances of Sawyer County to Winnebago County and delete lines 9-11 from the Sawyer County Resolution which references actions that towns in Sawyer County have already taken.

Motion by Supervisor Swan to make an amendment to line 19 on the proposed amended resolution; to reduce 30 ft to 19 ft in depth.

After further discussion, Supervisor Swan withdrew his motion to amend.

Vote on Proposed Amendment Resolution. CARRIED BY VOICE VOTE.

Motion by Supervisor Buck, seconded by Supervisor Reinke, to vote on Resolution as amended. CARRIED BY VOICE VOTE.

M. Adjourn

Motion by Supervisor Farrey, seconded by Supervisor Lutz, to adjourn until the Board's next meeting on Tuesday, July 16, 2024, at 6:00 p.m. The meeting was adjourned at 8:25 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 June 18, 2024.

Cassie J. Smith-Gregor

Winnebago County Deputy Clerk