

**WINNEBAGO COUNTY BOARD OF SUPERVISORS**  
**JUDICIARY & PUBLIC SAFETY COMMITTEE**  
In person & via Zoom/Telephone

DATE: AUGUST 8, 2022

TIME: 6:00 P.M.

PLACE: WINNEBAGO COUNTY SHERIFF'S OFFICE  
RICHARD MEYER COMMUNITY RESOURCE ROOM  
4311 JACKSON STREET, OSHKOSH

PRESENT: BRYAN STAFFORD  
JACOB FLOAM  
PAUL EISEN  
BRIAN DEFFERDING  
CONLEY HANSON

ALSO PRESENT: TODD CHRISTOPHERSON – SHERIFF'S  
TOM EGAN – COUNTY SUPERVISOR  
MARY ANNE MUELLER – CORPORATION COUNSEL  
SCOTT WOLDT – BRANCH 2  
MORRIS COX – COUNTY SUPERVISOR  
MICHAEL NORTON – COUNTY SUPERVISOR  
JIM PONZER – COUNTY SUPERVISOR  
MELANIE BOELTER – CORPORATION COUNSEL  
ERIC SPARR – DISTRICT ATTORNEY

**1. Call to order**

**2. Consideration of Minutes of July 11, 2022 meeting**

A motion to approve the July 11, 2022 minutes was made by Supervisor Floam, seconded by Supervisor Hanson. Carried 5-0.

**3. Chair comments on meeting and agenda organization by Supervisor Stafford**

Chairman Stafford explained the two public comment sections on the agenda. The first public comments are for agenda items only. The second public comment section is for non-agenda items.

**4. Public comments on agenda items**

Supervisor Norton spoke in favor of Item #11 which refers to amending Winnebago County General Code Section 1.12(10) to provide per diem payment and expense reimbursements to non-supervisors who serve on the ARPA Commission and the Diversity Affairs Commission.

Judge Woldt introduced himself to the committee.

Supervisor Egan spoke in favor of a few of the agenda items to include items #10 which discusses the Sheriff's Office to accept a reimbursement grant of up to \$150,000 for Medication-Assisted Treatment Program from the Wisconsin Department of Justice Division of Law

Enforcement Services, Comprehensive Opioid, Stimulant and Substance Abuse site-based program and item #11 which discusses the Winnebago County General Code Section 1.12 (10) to provide per diem payment and expense reimbursements to non-supervisors who serve on the ARPA Commission and the Diversity Affairs Commission and item #12 which discusses Requesting the State of Wisconsin Review and Revise the Entry Level Compensation Rate for Assistant District Attorneys.

Morris Cox spoke in favor of item #10 which discusses the Sheriff's Office to accept a reimbursement grant of up to \$150,000 for Medication-Assisted Treatment Program from the Wisconsin Department of Justice Division of Law Enforcement Services, Comprehensive Opioid, Stimulant and Substance Abuse site-based program.

**5. Communications shared by Committee Members**

Supervisor Floam went to the Department of Human Services Opioid Round Table today and found the information presented to be very eye opening and informative. Also, this past weekend he attended the Winnebago County Fair and judged in the 4H exhibits.

Supervisor Defferding attended a dinner with the EXPO group where community leaders met and discussed things that could be improved in Winnebago County.

**6. NACo National Conference Update by Supervisor Defferding**

Supervisor Defferding attended the National Conference in Adams County Denver, CO. While there he spoke with other county supervisors and commissioners and enjoyed learning their processes for meetings and decision-making steps. There were several presentations at the conference to include one on Restorative Justice and also a presentation regarding connecting those charged with a crime who have a mental illness to other services.

**7. JPS Workshop on Committee Structure Rightsizing Update by Supervisor Defferding**

Supervisor Defferding discussed the Wisconsin Counties Association presentation and webinar regarding committee structure rightsizing that was presented in December of 2021. The presentation can be viewed on the Wisconsin Counties Association website. This is a topic that should be reviewed in length before a group discussion takes place and he encouraged everyone to view the presentation before a committee structure rightsizing is discussed between supervisors.

**8. Status Update on the Office of Corporation Counsel – Mary Anne Mueller**

Mary Anne Mueller gave an update on the Corporation Counsel office. She stated the office handled 8 jury trials since January of 2022 and 2 court trials. Some of the other areas the Corporation Counsels office handles are Chapter 51 mental health commitments, easements with the WIOUWASH Trail, updating the General Code for Winnebago County, Civil Forfeitures, Assisting DA's office with release of records in criminal cases & Protective Placement cases. She then discussed the Friends of Frame Park vs City of Waukesha case with the committee.

**9. Sheriff's Report**

Chief Deputy Christopherson discussed the jail count of 218.

Chief Deputy Christopherson discussed EAA and handed out an after-action review.

Chief Deputy Christopherson discussed the budget review with the county executive. The Sheriff's Office will present the budget to the committee in September.

**10. Consideration/Vote: Resolution – "Authorize the Sheriff's Office to accept a reimbursement grant of up to \$150,000 for Medication-Assisted Treatment Program from the Wisconsin Department of Justice Division of Law Enforcement Services, Comprehensive Opioid, Stimulant and Substance Abuse site-based program". – Sheriff John Matz**

Chief Deputy Christopherson discussed in order to optimize the operational period, the grant was moved to personal and finance committee first and then to the judiciary committee. There was a recommended change to line 3 of the resolution to remove the words "up to". This grant money is part of the comprehensive recovery act. Chief stated this is a voluntary program for those who wish to participate to fight their addiction and is a site-based program. The Health Services Unit within the jail would have to go through a training to administer the drug but that training is included with the grant.

A motion to "Authorize the Sheriff's Office to accept a reimbursement grant of up to \$150,000 for Medication-Assisted Treatment Program from the Wisconsin Department of Justice Division of Law Enforcement Services, Comprehensive Opioid, Stimulant and Substance Abuse site-based program" was made by Supervisor Floam, seconded by Supervisor Defferding.

A motion to approve the amendment to the resolution to take out the wording "up to" in line 3 and line 22 was made by Supervisor Floam, seconded by Supervisor Defferding. Carried 5-0.

A motion to approve the amended resolution to "Authorize the Sheriff's Office to accept a reimbursement grant of \$150,000 for Medication-Assisted Treatment Program from the Wisconsin Department of Justice Division of Law Enforcement Services, Comprehensive Opioid, Stimulant and Substance Abuse site-based program" was made by Supervisor Eisen, seconded by Supervisor Defferding. Carried 5-0.

**11. Consideration/Vote: Ordinance – "Amend Winnebago County General Code Section 1.12 (10) to provide per diem payment and expense reimbursements to non-supervisors who serve on the ARPA Commission and the Diversity Affairs Commission".**

A motion to discuss the amendment to Winnebago County General Code Section 1.12 (10) to provide per diem payment and expense reimbursements to non-supervisors who serve on the ARPA Commission and the Diversity Affairs Commission was made by Chairman Stafford, seconded by Supervisor Defferding.

Supervisor Eisen stated it is incomplete and he agrees with the need to identify it but after examining the general code commissions and committees, there are dozens of citizen members receiving per diem that are not identified. Eisen would like it postponed until the next Judiciary meeting to allow for Supervisor Binder to speak on the ordinance since he is the one who presented it to the committee.

Mary Anne Mueller stated this was brought forward by Supervisor Binder to add ARPA and Diversity Affairs to the ordinance. Mary Anne stated since Supervisor Binder could not be at tonight's meeting, it might be wise for the committee to table the ordinance until Supervisor Binder is present to discuss the agenda item and to what he would like to see done with it.

Supervisor Floam would like to see the financial impact this would make before making any decisions on this change to the ordinance.

A motion to postpone the ordinance to Amend Winnebago County General Code Section 1.12 (10) to provide per diem payment and expense reimbursements to non-supervisors who serve

on the ARPA Commission and the Diversity Affairs Commission until the next Judiciary meeting was made by Chairman Stafford, seconded by Supervisor Defferding. Carried 5-0.

**12. Consideration/Vote: Resolution – "Requesting the State of Wisconsin Review and Revise the Entry Level Compensation Rate for Assistant District Attorneys" – County Board Supervisor Jacob Floam**

A motion to introduce the resolution requesting the State of Wisconsin Review and Revise the Entry Level Compensation Rate for Assistant District Attorneys was made by Supervisor Floam, seconded by Chairman Stafford.

Supervisor Floam stated this would not affect the county's levy but would like for the state to review the entry level compensation rate. A competitive pay study is currently being conducted with the state but he feels it is prudent for the state to examine the DA salary problem. Supervisor Floam reviewed the documents he provided regarding the high turnover with positions within the DA's offices and the possible solution to the problem.

Supervisor Eisen stated this is an ongoing issue and was brought forward at the Wisconsin Counties Association. He would like to see this passed and then forwarded to the Legislative Committee as they work with the state representatives and they can then look into this issue further.

A motion to amend line 34 to read "LET IT FURTHER BE RESOLVED to send it to Winnebago County Legislative committee." was made by Supervisor Eisen, seconded by Supervisor Defferding.

A motion to pass the resolution requesting the State of Wisconsin Review and Revise the Entry Level Compensation Rate for Assistant District Attorneys with the amendment to line 34 was made by Supervisor Floam, seconded by Supervisor Defferding Carried 5-0.

**13. Consideration/Vote: Resolution – "Amend Rule 10.2 of the Winnebago County Board of Supervisors to limit the time supervisors may speak on a subject".**

A motion to introduce the resolution to amend Rule 10.2 of the Winnebago County Board of Supervisors to limit the time supervisors may speak on a subject was made by Supervisor Floam, seconded by Chairman Stafford.

Supervisor Egan stated the time limit is so everyone is able to speak for 2 minutes on a topic to save time at the County Board meetings but up to 4 minutes on one topic for questions or clarification.

Supervisor Eisen is opposed to the supervisor limit to 2 minutes and suggested other avenues to make this work. Supervisor Eisen suggested going to 5 minutes to give everyone the freedom of speech as when you represent the people in the community, you should be able to speak for them when they bring up issues they want to be discussed.

Chairman Stafford stated there are other counties in the surrounding area that have time limits on agenda items. Chairman Stafford sees it as a positive to having people make their points heard within a time limit instead of people getting off topic due to how long people spend speaking. His concern is having someone else decide what is or isn't important and the timeline of topics for freedom of speech.

A motion to pass the resolution to amend Rule 10.2 of the Winnebago County Board of Supervisors to limit the time supervisors may speak on a subject was made by Supervisor Floam, seconded by Supervisor Hanson. Carried 3-2.

**14. Consideration/Vote: Resolution – "Create Rule 18.8 of the Winnebago County Board of Supervisors to allow any member of any committee, commission or board to vote remotely except for any meeting involving the Winnebago County Board of Supervisors (e.g. Organizational, Business, Budget, Special Orders)".**

A motion to discuss the resolution Create Rule 18.8 of the Winnebago County Board of Supervisors to allow any member of any committee, commission or board to vote remotely except for any meeting involving the Winnebago County Board of Supervisors (e.g. Organizational, Business, Budget, Special Orders) was made by Chairman Stafford, seconded by Supervisor Eisen.

Supervisor Norton spoke in regards to citizen members on committees and them being allowed to vote remotely if they are unable to attend in person.

Chairman Stafford reviewed a situation where a committee member was participating in a meeting virtually and the technology issues that were had due to them traveling at the time of the meeting caused the voting to be particularly difficult as they were cutting in and out.

Supervisor Eisen discussed the meetings prior to the pandemic and the reluctance of going to virtual meetings via zoom as they were always in person meetings for voting. He opposes the resolution.

Supervisor Eisen called the question, seconded by Supervisor Floam. Carried 5-0.

A motion to approve the Resolution to "Create Rule 18.8 of the Winnebago County Board of Supervisors to allow any member of any committee, commission or board to vote remotely except for any meeting involving the Winnebago County Board of Supervisors (e.g. Organizational, Business, Budget, Special Orders)", was made by Chairman Stafford, seconded by Supervisor Floam. Motion failed 0-5.

**15. Discussion: "Formal Process for raising an issue or lodging a complaint regarding compliance with County Board Rules"**

Chairman Stafford discussed a formal process for raising an issue for complaints regarding the compliance of county board rules. Chairman Stafford would like a formal process in place for recommending the next steps when lodging complaints.

Supervisor Eisen stated there is a process. Anyone that has a complaint needs to go to the Chairman of the Board and that process is also written in Roberts Rules.

Mary Anne Mueller suggested that during the chairman of the boards section during the county board meetings he could address anyone who has complaints to bring those complaints to him.

**16. Discussion: "Add Section 26 (Role of the County Board Supervisor) to the Rules of the Winnebago County Board of Supervisors. This was Resolution 29-042022 that was pulled from the Organizational Meeting due to the meeting running late but wanted to bring it forward again. – Supervisor Bryan Stafford**

Chairman Stafford wanted the committee's opinion to see if this would be of value. When reviewing the other rules for other county boards, most had something similar to this

resolution's language. Chairman Stafford stated he obtained the wording from either Sheboygan County or Fond du Lac County.

Supervisor Eisen stated Chairman Stafford should go back and make it the preamble to the rules as the wording is that good.

Supervisor Floam agreed that it should be put into the preamble to the rules and would like to see it come back as a change to the rules of the county board.

**17. Public comments on non-agenda items but within jurisdiction of committee**

Supervisor Ponzer spoke in regards to the second amendment sanctuary and asked the committee members to clarify the red flag law and its legality.

Supervisor Norton spoke about county board supervisors not attending committee meetings and would like to look at creating a rule for those supervisors to be removed from a committee.

Chief Deputy Christopherson handed out an overdose fatality review synopsis.

**18. Next Meeting Date: Monday, September 12, 2022 at 6:00 pm**

- Deadline for agenda items due Monday, August 29, 2022, 10:00 am. Please forward those requests to Chairman Bryan Stafford for approval. Thank you.

Chairman Stafford suggested moving the Judiciary meetings to the first Monday of every month to accommodate agenda items meeting the deadline for the county board agenda. All committee members agreed to the change the meeting date to the first Monday of the month starting at the October Judiciary meeting.

**19. Adjourn**

A motion to adjourn was made at 8:51 pm Supervisor Defferding, seconded by Supervisor Floam. Carried 5-0.

Respectfully Submitted:

Kimberly Delcore  
Winnebago County Sheriff's Office