

**ADJOURNED SESSION  
WINNEBAGO COUNTY BOARD OF SUPERVISORS MEETING  
TUESDAY, AUGUST 15, 2023**

**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 ZOOM.

**B. ROLL CALL**

The following Supervisors were present: 35 – Dowling, Nichols, Borchart, Eisen (via ZOOM), Horan, Defferding, Ellenberger, Wise, Nussbaum, Stafford, Albrecht, Gabert, Binder, Swan, Robinson, Floam, Gordon, Ponzer, Belville, Ernst, Hinz, Zellmer, Schellenger, Powers, Hanson, Cox, Gustafson, Youngquist, Farrey, Harrison, Zastera, Egan, Beem, Nelson and Miller; Excused: 1 – Buck.

**C. PLEDGE OF ALLEGIANCE**

The meeting was opened with the Pledge of Allegiance.

**D. INVOCATION**

Invocation by Supervisor Karen Powers

**E. ADOPT AGENDA**

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

**F. PUBLIC COMMENTS**

Bob Schmeichel, Town of Neenah Chairman spoke in opposition of consent calendar agenda items:

- Zoning Report No. 003 – Hot Head Properties; Town of Neenah
- Amendatory Ordinance No. 08/003/23 – Rezoning from B-3 (Regional Business) to I-1 (Light Industrial) for parcel no. 010-0203-03.

Mr. Schmeichel stated the Town of Neenah is not challenging the zoning but would ask the Board to please consider a deed restriction regarding this property.

Cheryl Brehmer voiced her concerns and spoke in opposition of Resolution No. 257-082023: "Authorize Acceptance of an \$80,083 Grant from the Wisconsin Department of Health Services for Public Health Harm Reduction Vending Machines Distributing Narcan and Fentanyl Test Strips".

Joel Rasmussen, Town of Algoma Chairman and a resident of the Town of Algoma spoke in support of the Resolution No. 258-082023: "Amending Resolution # 203-032023 Distributing Funds in the Amount of \$145,000 for Each Municipality or Town Primarily Located Within Winnebago County".

**G. COMMUNICATIONS. PETITIONS. MEMORIALS. ACCOUNTS. COMMENDATIONS. ETC.**

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

1. Commendations for Edina Dobric and Gayle Gilchrist

**H. REPORTS FROM COMMITTEES. COMMISSIONS & BOARDS**

Supervisor Powers stated she worked with Supervisor Hanson at the Winnebago County Fair. Supervisor Hanson was concerned about the lack of spiritual books at the Winnebago County Jail. Supervisor Powers received approval from the Sheriff that he would accept donations. She has received bibles from several organizations and churches that will be donated to the Winnebago County Jail.

Supervisor Binder gave a brief synopsis from the NACo conference that was held in Texas in July 2023. He attended a mental health/suicide prevention seminar that was very beneficial. There was information provided that included options, guidance and programs that could help individuals in need. It consisted of samples on how to recognize mental health and/or suicide issues.

Supervisor Robinson provided information on several different programs taking place within the county such as the Aging & Disability Resource Committee (ADRC), Oshkosh Area Community Foundation, Fox Valley Purple Project, Fox Valley Memorial Project, and a Specialized Transportation Program. These programs are powerful tools for people and/or caregivers who work with individuals that have specific needs or patients with diseases such as dementia.

Supervisor Floam provided an update on the Safe Streets Initiative that met on July 21, 2023. He also thanked the Winnebago County Fair Association for allowing County Board Supervisors to judge the barns and all the work the fair board does.

Supervisor Defferding attended the NACo Justice and Public Safety meeting on July 21, 2023. The resolutions that he had previously submitted have all passed now. One of the presentations he attended regarded information on how to utilize your criminal justice coordinating council. The next meeting is scheduled for October 27, 2023.

Supervisor Defferding also attended a Mental Health Summit luncheon that included fireside chats. He intends to utilize that information and knowledge going forward for Winnebago County.

Supervisor Horan informed the Board they should have received an email from the UW-Extension Office. It contained a newsletter that included how to check your credit report, highlights from 4-H, a virtual Grant Writing Workshop, Back Yard Gardener and other news from the Extension Office.

#### **I. COUNTY EXECUTIVE'S REPORT**

Executive Assistant Ethan Hollenberger read the County Executive's report that was provided to him by the County Executive that reported on the following topics:

- There are two new employees in the County Executive Office.
  1. Adam BellCorelli. This is a shared position with administration.
  2. Casey Bryant will be replacing Hailey Fox, who is currently the County Executive's second year intern.
- The Pyrotechnics Guild International (PGI) convention is occurring at the Sunnyview Expo Center. The County Executive Office received some complaints, compliments and one threatening voicemail. Special events and conventions like PGI attract visitors to come and enjoy all that Winnebago County has to offer. The community hosts special events each year and work hard to ensure that these events have an overall positive effect on the community.
- He commended the Sunnyview staff and the Winnebago County Fair Association for the quick work on turning from the fair to PGI. The fair was another success.
- The second county employee family night is Tuesday, August 22, 2023, at 5:00 pm at the Sunnyview Expo Center.

#### **J. COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Egan reported that Supervisor Buck is excused from tonight's meeting and Supervisor Eisen will be attending via Zoom.

Chairman Egan reminded everyone that after Resolution No. 259-082023, they will convene into Closed Session. If there is anyone here at that time and are not involved with that, they will be asked to leave.

Chairman Egan mentioned that the Task Force for Per Diems, the Task Force for Committee Structure and possibly the Citizen Review Work Group regarding the Spirit Fund Programs will be presenting at the September 5, 2023, Special Orders Session.

#### **K. CONSENT CALENDAR**

**Consent Calendar Items are those items of a Routine Administrative Nature that are Voted on by the Winnebago County Board of Supervisors in a Single Roll Call Vote. Staff Recommends Approval of all Items. Any Winnebago County Board of Supervisor may Request that 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 if a satisfactory answer is provided.**

1. APPROVAL OF PROCEEDINGS: Approval of Proceedings from the July 18, 2023, Adjourned Session of the Winnebago County Board of Supervisors.

#### **ZONING REPORTS & ORDINANCES**

2. Report No. 001 – Stephen Kratz; Town of Algoma
3. Amendatory Ordinance No. 08/001/23 – Rezoning from A-2 (General Agriculture) to R-2 (Suburban Low Density Residential) for tax parcel nos. 002-0161 & 002-0161-01 (Effective Date: August 28, 2023)
4. Report No. 002 – Lindsay Bahn, ETAL; Town of Utica
5. Amendatory Ordinance No. 08/002/23 – Rezoning from A-2/R-2 (General Agriculture/ Suburban Low Density to A-2/R-2 (General Agriculture / Suburban Low Density Residential (An R-2 area is being rezoned to A-2 and an A-2 area is being rezoned to R-2) for tax parcel nos. 024-0181-02(p) and 024-0181-01(p) (Effective Date: August 28, 2023)
8. Report No. 004 – Steven Cottrell; Town of Vinland
9. Amendatory Ordinance No. 08/004/23 – Rezoning from R-1 (Rural Residential) to A-2 (General Agriculture) for tax parcel no. 026-0496-02 (Effective Date: August 28, 2023)

**RESOLUTIONS & ORDINANCES**

**10. RESOLUTION NO. 250-082023: Commendation for Edina Dobric**

WHEREAS, Edina Dobric has been employed with Park View Health Center for the past twenty years, and during

that time, has been a most conscientious and devoted County employee; and

WHEREAS, Edina Dobric has now completed 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 Edina Dobric 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 Edina Dobric.

Submitted by: PERSONNEL & FINANCE COMMITTEE

**11. RESOLUTION NO. 251-082023: Commendation for Gayle Gilchrist**

WHEREAS, Gayle Gilchrist has been employed with Park View Health Center for the past thirty-three years, and during that time, has been a most conscientious and devoted County employee; and

WHEREAS, Gayle Gilchrist 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 Gayle Gilchrist 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 Gayle Gilchrist.

Submitted by: PERSONNEL & FINANCE COMMITTEE

**12. RESOLUTION NO. 252-082023: Approve a Budget Transfer in the Amount of \$60,462 for the Purchase of a Wheelchair Transportation Van**

WHEREAS, a former Park View Health Center resident bequeathed \$60,462 to Park View Health Center for general use; and

WHEREAS, Park View Health Center is in need of a wheelchair transportation van; and

WHEREAS, Park View Health Center desires to use the \$60,462 bequeathed amount towards the purchase of wheelchair transportation van.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby accepts the bequeathed amount and approves a budget transfer in the amount of \$60,462 to the Park View Health Center capital equipment account for the purchase of a wheelchair transportation van.

Submitted by: PARK VIEW HEALTH CENTER COMMITTEE

PERSONNEL & FINANCE COMMITTEE

**14. RESOLUTION NO. 254-082023: Authorize the Winnebago County Emergency Management Department to Accept the Donation of a Mobile Morgue Unit from Fox Valley Healthcare Emergency Readiness Coalition**

WHEREAS, Winnebago County and the Region have a limited capacity to store decedents of a mass casualty incident; and

WHEREAS, the acceptance of this donation will increase capacity in the event of a mass casualty incident; and

WHEREAS, mass casualty incidents are increasing in frequency and severity; and

WHEREAS, there will be no financial impacts to Winnebago County in accepting this unit.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Emergency Management Department to accept the donation of a mobile morgue unit from Fox Valley Healthcare Emergency Readiness Coalition.

Submitted by: JUDICIARY & PUBLIC SAFETY COMMITTEE

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Dowling and seconded by Supervisor Horan, to adopt the consent calendar excluding:

Supervisor Farrey requested that these items be pulled from the Consent Calendar.

6. Report No. 003 – Hot Head Properties; Town of Neenah.

7. Amendatory Ordinance No. 08/003/23 – Rezoning from B-3 (Regional Business) to I-1 (Light Industrial) for parcel no. 010-0203-03.

**CONSENT CALENDAR (cont.)**

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

13. Resolution No. 253-082023: Authorize the Three-Year Renewal of the Konexus /Alertsense Alerting Software Contract

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

15. Resolution No. 255-082023: Authorize \$917,217 to be Added to the Pioneer Road County Highway T Capital Project with Funds Transferred from Three Facilities and Property Management Capital Projects (Courthouse Masonry, Neenah Human Services Building, and Highway Masonry) Together with a \$125,000 Budget Transfer from the General Fund into Capital Improvement Projects for Highway Construction.

Vote on Consent Calendar: CARRIED BY VOICE VOTE.

**6. Report No. 003 – Hot Head Properties; Town of Neenah**

This item was pulled from the Consent Calendar by Supervisor Farrey.

Motion by Supervisor Hinz, seconded by Supervisor Swan, to adopt.

Motion by Supervisor Ellenberger, seconded by Supervisor Beem, to call the question. CARRIED BY VOICE VOTE.

Vote on Report No. 003 – Hot Head Properties; Town of Neenah: AYES: 30; NAYES: 4 – Albrecht, Gordon, Ernst, and Farrey; ABSENT: 1 – Buck. ZOOM: 1 – Eisen. PASSED.

**7. Amendatory Ordinance No. 08/003/23 – Rezoning from B-3 (Regional Business) to I-1 (Light Industrial) for parcel no. 010-0203-03 (Effective Date: August 28, 2023)**

This item was pulled from the Consent Calendar by Supervisor Farrey.

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

**13. RESOLUTION NO. 253-082023: Authorize the Three-Year Renewal of the Konexus / Alertsense Alerting Software Contract**

WHEREAS, the Winnebago County Emergency Management Department and the Winnebago County Sheriff's Office wish to renew its contract with Konexus / Alertsense for a three-year period; and

WHEREAS, Konexus / Alertsense is the core system for emergency alerting and for internal team call-outs in Winnebago County; and

WHEREAS, Konexus / Alertsense serves as the platform for our usage of FEMA's Integrated Public Alert Warning System (IPAWS) program; and

WHEREAS, the Winnebago County Emergency Management Department and the Winnebago County Sheriff's Office have reviewed the contract and recommend its approval.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the three-year service contract with Konexus / Alertsense.

Submitted by: JUDICIARY & PUBLIC SAFETY COMMITTEE

This item was pulled from the Consent Calendar by Supervisor Nelson.

Motion by Supervisor Stafford, seconded by Supervisor Floam, to adopt. CARRIED BY VOICE VOTE.

**15. RESOLUTION NO. 255-082023: Authorize \$917,217 to be Added to the Pioneer Road County Highway T Capital Project with Funds Transferred from Three Facilities and Property Management Capital Projects (Courthouse Masonry, Neenah Human Services Building, and Highway Masonry) Together with a \$125,000 Budget Transfer from the General Fund into Capital Improvement Projects for Highway Construction**

WHEREAS, the Pioneer Road County Highway T Capital Project converts Pioneer Rd to County Highway T; and  
WHEREAS, the land purchase and original design work for the Pioneer Road County Highway T Capital Project was approved by the Winnebago County Board in January 2021. The Board allotted \$100,000 for the work; and

WHEREAS, \$1,000,000 in construction costs associated with the Pioneer Road County Highway T Capital Project was approved by the Winnebago County Board in May 2022; and

WHEREAS, a budget transfer of \$48,880.67 from two Highway projects to the Pioneer Road County Highway T Project was completed in December 2022; and

WHEREAS, as of May 2023 the amount spent on the Pioneer Road County Highway T Capital Project totals \$1,890,878.36 with an original total budgeted amount of \$1,148,880.67, resulting in the project being over budget by \$741,997.69; and

WHEREAS, there is one Facilities and Property Management capital project under spent (Courthouse Masonry - \$406,617.00) and two Facilities and Properties Management capital projects that are not moving forward (Neenah Human Services Building - \$276,000 and Highway Masonry - \$109,600); and

WHEREAS, the three aforementioned Facilities and Property Management capital projects total \$792,217;

and

WHEREAS, transferring the funds available from the Facilities and Property Management capital projects to the overspent Pioneer Road County Highway T Capital Project together with a \$125,000 budget transfer from the General Fund will provide coverage for cost overruns.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it authorizes an additional \$917,217 to be added to the Pioneer Road County Highway T Capital Project with funds transferred from three Facilities and Property Management Capital Projects together with a \$125,000 budget transfer from the General Fund into Capital Improvement Projects for Highway Construction.

Submitted by: HIGHWAY COMMITTEE  
FACILITIES & PROPERTY MANAGEMENT COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

This item was pulled from the Consent Calendar by Supervisor Nichols.

Motion by Supervisor Albrecht, seconded by Supervisor Floam, to adopt. CARRIED BY VOICE VOTE.

## L. RESOLUTIONS & ORDINANCES

### 1. RESOLUTION NO. 256-082023: Authorize Acceptance of a \$421,600 Grant from the Wisconsin Department of Health Services for Lead Abatement in Homes in Winnebago County

WHEREAS, the Winnebago County Public Health Department runs a lead abatement/hazard reduction program; and

WHEREAS, lead poisoning remains a preventable threat to children due to lead in Winnebago County homes. The Winnebago County Public Health Department has and continues to identify lead poisoned children and homes with lead hazards; and

WHEREAS, Wisconsin Department of Health Services (hereinafter "DHS") has offered a funding opportunity to cover the costs of lead abatement in eligible homes; and

WHEREAS, DHS has approved the Winnebago County Public Health Department request for additional funding.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it authorizes approval to accept \$421,600 from Wisconsin Department of Health Services to abate lead in more Winnebago County homes.

Submitted by: BOARD OF HEALTH  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Youngquist, seconded by Supervisor Gordon, to adopt. CARRIED BY VOICE VOTE.

### 2. RESOLUTION NO. 257-082023: Authorize Acceptance of an \$80,083 Grant from the Wisconsin Department of Health Services for Public Health Harm Reduction Vending Machines Distributing Narcan and Fentanyl Test Strips

WHEREAS, the Winnebago County Public Health Department runs a substance use harm reduction program; and

WHEREAS, increasing the availability of Narcan and Fentanyl Test Strips will help reduce opioid overdose deaths; and

WHEREAS, the Wisconsin Department of Health Services (hereinafter "DHS") offered a statewide funding opportunity statewide for public health vending machines; and

WHEREAS, DHS has approved the Winnebago County Public Health Department's application for the installation of two vending machines on county owned property in Oshkosh and Neenah to distribute Narcan and fentanyl test strips.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it authorizes approval to accept \$80,083 from the Wisconsin Department of Health Services to implement the Public Health Harm Reduction Vending Machine grant distributing Narcan and fentanyl test strips.

Submitted by: BOARD OF HEALTH  
PERSONNEL & FINANCE COMMITTEE

This resolution was pulled by Supervisor Youngquist.

### 3. RESOLUTION NO. 258-082023: Amending Resolution #203-032023 Distributing Funds in the Amount of \$145,000 for Each Municipality or Town Primarily Located Within Winnebago County

WHEREAS, on March 21, 2023 the Winnebago County Board of Supervisors passed Resolution 203-032023 allocating \$145,000 per each Winnebago County municipality; and

WHEREAS, the conditions precedent to receipt of the money hampers the distribution of said money.

WHEREAS, the County Board desires that the distribution of the funds be made as soon as possible.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors hereby amends those conditions precedent to Resolution 203-032023 to add the phrase "subsequent to receipt and expenditure of the allocation" on line 31, strike the phrase "allocations are desired to be spent" on line 32 and strike the phrase "which will



serve as the request for the allocation" on line 34 and insert the phrase "the distribution of said funds be made no later than September 1, 2023."

"BE IT FURTHER RESOLVED that all municipalities or towns receiving an allocation shall comply with all of the following subsequent to receipt and expenditure of the allocation

- (1) Identify by governing body vote the projects on which the allocations are desired to be spent
- (2) Provide a short narrative on how the project or projects follow the framework document created by the ARPA Strategy and Outcomes Commission which will serve as the request for the allocation;
- (3) Ensure all projects are completed within the boundaries of Winnebago County;
- (4) Provide documentation that all required local and federal procurement procedures are followed;
- (5) Provide documentation as required by county administration to comply with subsequent Spirit Fund reporting and auditing requirements;
- (6) Sign a standard agreement prepared by the county to ensure equal treatment;
- (7) Spend the allocation by December 31, 2024.

BE IT FURTHER RESOLVED THAT THE DISTRIBUTION OF SAID FUNDS BE MADE NOT LATER THAN SEPTEMBER 1, 2023.

BE IT FURTHER RESOLVED that municipalities or towns may request allocation be transferred to other municipalities or towns, and that the funds may be used only for a government purpose and shall not be sub-granted by the municipalities or towns.

Submitted by: SUPERVISOR PAUL EISEN, District 4  
SUPERVISOR MORRIS COX, District 27  
SUPERVISOR CHUCK FARREY, District 30

Motion by Supervisor Farrey, seconded by Supervisor Gordon, to layover and bring back to the September 19, 2023, business meeting.

After discussion, Supervisor Farrey withdrew his motion to layover.

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

Motion by Schellenger, seconded by Ellenberger to make an amendment to the resolution.

- Strike lines 27-28
- Add the following verbiage to line 10: "Whereas, the County Board desires that the distribution of the funds be made as soon as possible."
- A friendly amendment to strike out all verbiage on line 13 after the numeral 32 all the way through line 15.

Motion by Nussbaum, seconded by Robinson to call the question. Vote on call the question. AYES: 30; NAYES: 4 – Nichols, Albrecht, Cox, and Farrey; ABSENT: 1 – Buck; ZOOM: 1 - Eisen. MOTION PASSED.

Vote on amendment to the resolution. CARRIED BY VOICE VOTE.

Vote on resolution as amended. AYES: 28; NAYES: 5 – Nichols, Defferding, Binder, Cox, and Nelson; ABSTAIN: 1 – Albrecht; ABSENT: 1 – Buck; ZOOM: 1 - Eisen. MOTION PASSED.

#### **4. RESOLUTION NO. 259-082023: Procedure for Naming Winnebago County Facilities**

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 Winnebago 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 to the Facilities and Property Management Committee for review; and

WHEREAS, the names should reflect what the facility is used for and sufficiently indicate it is a Winnebago County facility; and

WHEREAS, if a facility is to be named in recognition of a person, that person should be (or have been) a prominent Winnebago County elected official, employee or leader in the community or have accomplished something of significant noteworthiness; 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 procedure to change a name, even if to reflect a change in facility use; and

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the attached procedure for facility naming be adopted.

Submitted by: FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Wise, seconded by Supervisor Floam, to adopt. CARRIED BY VOICE VOTE.

**5. CLOSED SESSION:**

- a. Pursuant to Section 19.85(1)(g), Wisconsin Statutes, at this point in the meeting the Board shall consider a motion to convene into closed session for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved as it relates to Snell Road Landfill Claim for Groundwater Drawdown Event

Motion by Supervisor Farrey, seconded by Supervisor Floam, at 8:45 p.m. to convene into closed session. AYES: 34; NAYES: 0; ABSTAIN: 0; ABSENT: 1 – Buck; ZOOM: 1 - Eisen. PASSED.

**6. RETURN TO OPEN SESSION AND RESUME REGULAR BUSINESS**

Motion by Supervisor Swan, seconded by Supervisor Robinson, at 9:32 p.m. to return to open session. AYES: 34; NAYES: 0; ABSTAIN: 0; ABSENT: 1 – Buck; ZOOM: 1 - Eisen. PASSED.

**7. RESOLUTION NO. 260-082023: Resolve Claims Arising from a 2016 Drawdown Event at the Snell Road Landfill and Authorize Agents to Finalize Negotiations and Terms of a Final Settlement and Settlement Amount with the Concurrence of the Winnebago County Solid Waste Management Board**

WHEREAS, AECOM undertook professional consulting services for the City of Oshkosh (hereinafter "the City") relating to the City's dewatering permit applications for high-capacity dewatering on the City's sanitary sewer interceptor and lift station construction project at the Snell Road Sanitary Lift Station (hereinafter "the work"); and

WHEREAS, PTS Contractors was the general contractor performing the work; and

WHEREAS, Winnebago County owns the Snell Road Landfill (hereinafter "the Landfill") located at 3390 Walter Street, Oshkosh Wisconsin; and

WHEREAS, on February 23, 2022, Winnebago County sent AECOM and PTS Contractors Notices of Claim alleging that the dewatering drew contaminated groundwater into new wells on the Landfill property and off the Landfill property into areas that had not been previously contaminated; and

WHEREAS, Winnebago County alleges that it has incurred costs and may continue to incur costs for engineering, investigations, drilling, construction, monitoring and other work to address contamination issues resulting from AECOM and PTS Contractors work; and

WHEREAS, AECOM and PTS Contractors deny liability and responsibility for the work and costs. AECOM asserts that AECOM performed the work in accordance with the applicable standard of care in the profession and laws and that costs are attributable to ongoing remediation efforts and or parties unaffiliated with AECOM; and

WHEREAS, the parties desire to resolve an existing dispute between them in connection with the work

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claims arising from a 2016 drawdown event are resolved and the Winnebago County Board of Supervisors authorizes agents to finalize negotiations and terms of a final settlement and settlement amount with the concurrence of the Winnebago County Solid Waste Management Board

Submitted by: SOLID WASTE MANAGEMENT BOARD

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

**M. ADJOURNMENT**

Motion by Supervisor Albrecht, seconded by Supervisor Cox, to adjourn until the Special Orders Session on Tuesday, September 5, 2023, at 6:00 p.m. The meeting was adjourned at 9:33 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 regular meeting held August 15, 2023.

Cassie J. Smith-Gregor  
Winnebago County Deputy Clerk