

**ADJOURNED SESSION  
WINNEBAGO COUNTY BOARD OF SUPERVISORS MEETING  
TUESDAY, NOVEMBER 21, 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: 34 – Dowling, Nichols, Borchart, Eisen, Horan, Defferding, Wise, Nussbaum, Stafford, Albrecht, Gabert, Binder, Swan, Robinson, Floam, Gordon, Ponzer, Belville, Ernst, Hinz, Zellmer, Schellenger, Buck, Powers, Hanson, Cox, Gustafson, Bureau, Farrey (via ZOOM), Harrison, Zastera, Egan, Nelson and Miller; Excused: 1 – Ellenberger; Vacant: – 1.

**C. PRESENTATION OF FLAGS AND PLEDGE OF ALLEGIANCE – LED BY THE AMERICAN LEGION POST 364 – WINNECONNE AND SUPERVISOR DOUG NELSON**

The meeting was opened with the Presentation of Flags and Pledge of Allegiance.

**D. INVOCATION**

Invocation by Supervisor Karen Powers

**E. ADOPT AGENDA**

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

**F. COUNTY BOARD CHAIRMAN'S APPOINTMENT**

**Winnebago County Board of Supervisors. District 34**

Chairman Egan asked for the board's approval of his appointment of Edward S. Jeziorny to Supervisor District No. 34. Edward S. Jeziorny will complete the unexpired term of Jeffrey Beem who has resigned from this position. The term will begin immediately and end on April 16, 2024.

Motion by Supervisor Eisen, seconded by Supervisor Zastera, to accept. CARRIED BY VOICE VOTE.

Chairman Egan administered the Oath of Office to Edward S. Jeziorny, and he was seated as Winnebago County Board Supervisor District 34.

**G. PUBLIC COMMENTS**

The following people spoke in support of Resolution No. 282-112023: "Approving \$500,000 from the Spirit Fund's Government Identified Community Projects Category to Assist in the Purchase of the Beach Building for Christine Ann Domestic Abuse Services, Inc.":

- Emily James, Grant and Stewardship Specialist at Christine Ann Domestic Abuse Services
- Alicia Wenger, Executive Director of Christine Ann Domestic Abuse Services
- Mitchell Heider, Christine Ann Domestic Abuse Services Board Treasurer
- Sarah Freiburger, Christine Ann Domestic Abuse Services Board Member
- Deb Hansen, Executive Committee Member
- Beth Miller, Christine Ann Domestic Abuse Services Facility Manager
- Anise, Christine Ann Domestic Abuse Services Volunteer and Outreach Specialist
- Jacob Klaameyer, Winnebago County Resident
- Ken Sperling, Winnebago County Resident

Shanah Zastera, speaking as a citizen, spoke in opposition of Resolution No. 282-112023: "Approving \$500,000 from the Spirit Fund's Government Identified Community Projects Category to Assist in the Purchase of the Beach Building for Christine Ann Domestic Abuse Services, Inc."

Steve Gawersky, President of the Winnebago County Fire Chiefs' Association, spoke in support of Resolution No. 281-112023: "Approving Up to \$2,100,000 of the Spirit Fund to be Appropriated for Purchasing Radios and Radio Equipment by the Winnebago County Fire Chiefs' Association, to be Distributed Equitably Among Association Member Fire Departments".

Supervisor Kay Horan reiterated that the county board previously passed a resolution to pay each municipality \$145,000. In order to receive that money, each municipality had to identify a project that had a one-time expense with a legacy. The project could be reimbursable. Ms. Horan stated that Neenah is recommending the resurfacing of Hunt Avenue, Brook Drive and Fairwood Drive project as the reimbursable one-time expense with a legacy project to receive the Spirit Fund money. This neighborhood will benefit from that project for some time. She just wanted everyone to know that Neenah is going to be using their money in a fine way.

Highway Commissioner, Bob Doemel, asked for support of Resolution No. 277-112023: "Honoring Winnebago County Employee Paul DeLap in Memoriam".

The following people spoke in opposition of Ordinance No. 288-112023: "Amend 11.08(4) of the Winnebago County General Code Setting Forth Definitions of Individual and General Orders":

- Lois Gruetzmacher, Citizen Member of the Board of Health
- Toby VandenHeuvel, Citizen Member of the Board of Health
- Deb Martin, Winnebago County Resident
- Mary Ann Offer, Winnebago County Resident

The following people spoke in support of Ordinance No. 288-112023: "Amend 11.08(4) of the Winnebago County General Code Setting Forth Definitions of Individual and General Orders":

- Bill Pollnow Winnebago County Resident
- Jenifer Koser, Winnebago County Resident
- Diane Koser, Winnebago County Resident

The following people spoke in opposition of Ordinance No. 289-112023: "Amend 11.08(6)(d)(2) of the Winnebago County General Code Involving General Orders made by the Winnebago County Health Officer":

- Lois Gruetzmacher, Citizen Member of the Board of Health
- Leah Kitz, Winnebago County Resident
- Toby VandenHeuvel, Citizen Member of the Board of Health
- Deb Martin, Winnebago County Resident
- Mary Ann Offer, Winnebago County Resident

The following people spoke in support of Ordinance No. 289-112023: "Amend 11.08(6)(d)(2) of the Winnebago County General Code Involving General Orders made by the Winnebago County Health Officer":

- Jenifer Koser, Winnebago County Resident
- Diane Koser, Winnebago County Resident

Jeremy Pingel spoke in support of Resolution No. 283-112023: "Approving \$500,000 from the Spirit Fund's Government Identified Community Projects Category to Renovate and Expand St. Vincent de Paul Neenah Menasha".

Rosemary Barnard spoke in support of Resolution No. 285-112023: "Amend Sections 23.0, 23.1, 24.0 and Creates Sections 23.2 and 26.0 of the Rules of the Winnebago County Board of Supervisors to Create Seven Standing Committees and Two Major Boards, and Make the Legislative Committee a Special Committee".

#### **H. COMMUNICATIONS. PETITIONS. MEMORIALS. ACCOUNTS. COMMENDATIONS. ETC.**

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

1. The following Resolution from an Other County has been referred to the Legislative Committee:
  - Kenosha County – Resolution No. 60 – "Resolution on the Individual Health Decisions Pertaining to COVID 19 Government Lockdowns, Vaccine, and Mask Mandates"
2. The following Petition for a Zoning Amendment has been referred to the Planning and Zoning Committee:
  - 001 – Lisa Kuznacki and Steve and Kathleen Rieth, Town of Winneconne; rezone from R-2 for Lot 1 (Suburban Residential District for Lot 1) & R-2 & R-1 for Lot 2 (Suburban Residential District and Rural Residential District for Lot 2) to R-2 for Lot 1 and R-1 for Lot 2 (Suburban Residential District for Lot 1 and Rural Residential District for Lot 2) for tax parcel nos. 030-0053-05 & 030-0813
3. Memorial for Paul DeLap

#### **I. REPORTS FROM COMMITTEES. COMMISSIONS & BOARDS**

Supervisor Ponzer asked if there would be an update and report on the ARPA Strategy and Outcomes Commission. He had thought the board had previously voted to have a monthly report or update regarding the Spirit Funds.

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

Executive Doemel reported on the following topics:

- Executive Doemel wished everyone a "Happy Thanksgiving" and enjoy time with their families.
- Executive Doemel commented and asked for support on the following resolutions and ordinances:
  - Resolution No. 281-112023; Approving Up to \$2,100,000 of the Spirit Fund to be Appropriated for Purchasing Radios and Radio Equipment by the Winnebago County Fire Chiefs' Association, to be Distributed Equitably Among Association Member Fire Departments.
  - Resolution No. 282-112023; Approving \$500,000 from the Spirit Fund's Government Identified Community Projects Category to Assist in the Purchase of the Beach Building for Christine Ann Domestic Abuse Services Inc.
  - Resolution No. 283-112023; Approving \$500,000 from the Spirit Fund's Government Identified Community Projects Category to Renovate and Expand St. Vincent de Paul Neenah Menasha
  - Resolution No. 284-112023; Requesting \$314,600 of the Spirit Fund to be Appropriated for Construction that Removes Existing Officer's Stations from Direct Supervision One and Direct Supervision Two and Combines the Officer's Area in the Existing Program Rooms
  - Resolution No. 285-112023; Amend Sections 23.0, 23.1, 24.0 and Creates Sections 23.2 and 26.0 of the Rules of the Winnebago County Board of Supervisors to Create Seven Standing Committees and Two Major Boards, and Make the Legislative Committee a Special Committee
  - Resolution No. 287-112023; Amend Human Resources Policies to Adopt Paid Time Off (PTO) Plan
  - Ordinance No. 286-112023; Amend Winnebago County General Code Section 11.01 (County Human Services Board) and Repeal Winnebago County General Code Section 11.06 (County Board of Health) to Create the Winnebago County Health and Human Services Board
  - Ordinance No. 288-112023; Amend 11.08(4) of the Winnebago County General Code Setting Forth Definitions of Individual and General Orders
  - Ordinance No. 289-112023; Amend 11.08(6)(d)(2) of the Winnebago County General Code Involving General Orders made by the Winnebago County Health Officer
- Executive Doemel thanked the Board for the opportunity to serve them and wished everyone a Happy Thanksgiving once again.

## **K. COUNTY EXECUTIVE'S APPOINTMENTS**

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

- Local Emergency Planning Committee
  - Re-appointments: Audrey Erdmann, American Red Cross; Janell Tatro, Fox River Valley Ethanol, LLC; Beth McCormick, Valley Environmental Response; and Sean Prust, Hydrite Chemical.
  - Appointments: Shawn Bordeaux, Fox Crossing Fire Department; Stephanie Spence, Advocate Aurora Medical Center.Motion by Supervisor Albrecht, seconded by Supervisor Horan, to accept. CARRIED BY VOICE VOTE.
- Advocap Board of Directors – Edward Jeziorny, Supervisor District 34  
Motion by Supervisor Dowling, seconded by Supervisor Gustafson, to accept. CARRIED BY VOICE VOTE.

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

Chairman Egan reported that Supervisors Ellenberger and Farrey are excused from tonight's meeting. Chairman Egan wished everyone and their families a "Happy Thanksgiving".

## **M. COUNTY BOARD CHAIRMAN'S APPOINTMENT**

Chairman Egan asked for the board's approval of his appointment of Supervisor Edward Jeziorny to the Aviation Committee. Supervisor Jeziorny will complete the unexpired term of Jeffrey J. Beem who resigned from the board. The term will begin immediately and end on April 16, 2024.

Motion by Supervisor Bureau, seconded by Supervisor Nussbaum, to accept. CARRIED BY VOICE VOTE.

## **N. 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 from the October 17, 2023, Adjourned Session of the Winnebago County Board of Supervisors

**ZONING & ORDINANCES**

2. Report No. 001 – Scholar Ridge Estates, Town of Clayton
3. Amendatory Ordinance No. 11/001/23 – Rezoning from A-2 (General Agriculture) to R-2, R-3, and R-4 (Suburban Low Density Residential, Suburban Medium Density Residential and Suburban High Density Residential) for tax parcel nos. 006-0617 (pt), 006-0632 (pt) and 006-0618 (pt)

**RESOLUTIONS & ORDINANCES**

4. **Resolution No. 277-112023:**      **Honoring Winnebago County Employee Paul DeLap in Memoriam**

WHEREAS, Paul DeLap had been employed with the Highway Department for the past thirty-one 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.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation is extended in memory of Paul DeLap for the fine services he has rendered to Winnebago County.

Submitted by: PERSONNEL & FINANCE COMMITTEE

5. **Resolution No. 278-112023:**      **Authorize 3 Year Use Renewal Agreement between Take a Kid Hunting Foundation dba Bob & Rocco Gun Show and Winnebago County**

WHEREAS, Winnebago County has been approached by Take a Kid Hunting Foundation dba Bob & Rocco Gun Show to enter into a three (3) year use renewal agreement for property located on the exposition center grounds; and

WHEREAS, for more than twenty-three (23) years Take a Kid Hunting Foundation dba Bob & Rocco Gun Show has been a tenant in good standing with Winnebago County; and

WHEREAS, Take a Kid Hunting Foundation dba Bob & Rocco Gun Show performs a tremendous service to the community by providing free organized and guided hunting opportunities to the youth of Winnebago County and beyond; and

WHEREAS, it is in the best interest of Winnebago County to help accommodate the long-range scheduling of said events by allowing Take a Kid Hunting Foundation dba Bob & Rocco Gun Show to secure essential programming agreements well ahead of time to continue to support their mission.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Parks Department to enter into a three (3) year use renewal agreement with Take a Kid Hunting Foundation dba Bob & Rocco Gun Show so that the organization may continue to provide the opportunity to experience the Wisconsin outdoors safely.

Submitted by: PARKS & RECREATION COMMITTEE

6. **Resolution No. 279-112023:**      **Authorize 5 Year Use Renewal Agreement between Winnegamie Dog Club and Winnebago County**

WHEREAS, Winnebago County has been approached by Winnegamie Dog Club to enter into a five (5) year use renewal agreement for property located on the exposition center grounds; and

WHEREAS, for more than sixteen (16) years Winnegamie Dog Club has been a tenant in good standing with Winnebago County; and

WHEREAS, Winnegamie Dog Club performs a tremendous service to the community by offering valuable training, conformation, testing and trials; and

WHEREAS, it is in the best interest of Winnebago County to help accommodate the long-range scheduling of said events by allowing Winnegamie Dog Club to secure essential programming agreements well ahead of time to satisfy the needs of local, regional, state and national accreditations.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Parks Department to enter into a five (5) year use renewal agreement with Winnegamie Dog Club so that the organization may continue to provide the opportunity to train, certify and test all breeds of dogs.

Submitted by: PARKS & RECREATION COMMITTEE

**CONSENT CALENDAR (cont.)**

**7. Resolution No. 280-112023: Authorize Electric Underground Easement Between Winnebago County and Wisconsin Public Service**

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 and natural gas lines on the Winnebago County Expanded 980 Residential Facility 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 Residential Facility; and

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 Expanded 980 Residential Facility. Said Agreement is attached hereto and made a part of this Resolution herein by reference.

Submitted by: FACILITIES & PROPERTY MANAGEMENT COMMITTEE

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

**O. RESOLUTIONS & ORDINANCES**

**1. Resolution No. 281-112023: Approving Up to \$2,100,000 of the Spirit Fund to be Appropriated For Purchasing Radios and Radio Equipment by the Winnebago County Fire Chiefs Association, to be Distributed Equitably Among Association Member Fire Departments**

WHEREAS, the Winnebago County Fire Chiefs Association is the professional organization representing each fire department in the county; and

WHEREAS, radio equipment is an essential and life-saving component of firefighting equipment, for both the First Responders and the community members they serve; and

WHEREAS, professional and volunteer fire departments often use radios and radio components long past their recommended useful life due to the expense of replacing these systems; and

WHEREAS, the Winnebago County Fire Chiefs Association compiled a list of the needs for Fire Department replacement radios and radio components, receiving quotes ranging from \$2,031,578.20 to \$3,200,000 from local vendors representing different electronics brands.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates up to \$2,100,000 of Spirit Fund dollars to the Winnebago County Fire Chiefs Association to be used to purchase radios and radio components.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that upon completion, Winnebago County Fire Chiefs Association will submit supporting documentation to the Winnebago County Finance Director outlining the expenditures. The documentation will be submitted within ~~6 months of the completion of the project but not to exceed 5 years from date of disbursement~~ **1 year of the date of disbursement.**

Submitted by: ARPA STRATEGY AND OUTCOMES COMMISSION

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

Motion by Supervisor Buck, seconded by Supervisor Zastera, to make an amendment to the resolution.

On Line 22, amend verbiage to read, "BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Fire Chiefs Association shall be responsible for reimbursement to Winnebago County for any dispersed funds which are determined by Winnebago County to have been misused or misappropriated. Any reimbursement of funds which is required by Winnebago County shall be due within 45 days after giving written notice to recipient of such misuse or misappropriation."

Vote on amendment to the resolution: FAILED BY VOICE VOTE.

Motion by Supervisor Horan to amend the resolution to add verbiage, "In the future, they need to fund their own radios and communication equipment". This motion dies for lack of a second.

Motion by Supervisor Nelson, seconded by Supervisor Zastera, to make an amendment on line 21. Add the following verbiage after the word components, ", to be distributed equitably among 15 Association Member Fire Departments". Also, add "15" after the word Among in the title of the resolution.

After discussion, Supervisor Zastera withdrew her second on the motion to amend.



Motion by Supervisor Eisen, seconded by Supervisor Nussbaum, to call the question on the original resolution.

Vote on call the question: AYES: 31; NAYES: 3 – Nichols, Schellenger, and Buck; ABSTAIN: 0; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

Vote on resolution. AYES: 25; NAYES: 6 – Defferding, Binder, Hinz, Schellenger, Powers and Nelson; ABSTAIN: 3 – Horan, Floam and Gustafson; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

**2. Resolution No. 282-112023: Approving \$500,000 from the Spirit Fund's Government Identified Community Projects Category to Assist in the Purchase of the Beach Building for Christine Ann Domestic Abuse Services, Inc.**

WHEREAS, Christine Ann Domestic Abuse Services (hereinafter "Christine Ann") mission is to "Empower individuals and families through education, safety and support, and lead our community to reduce the incidents and the effects of domestic abuse and dating violence"; and

WHEREAS, since being established in 1984, Christine Ann has educated the community on the dynamics of abuse and provided resources and a safe space for individuals and families to escape dangerous relationships and environments; and

WHEREAS, Christine Ann's current building has one bedroom that sleeps 7 individuals and two bedrooms that sleep 5 individuals. The other seven bedrooms are limited to 2-4 individuals; and

WHEREAS, Only 3 of the 10 bedrooms are ADA accessible. Additionally, this configuration limits the number of large families, disabled, older, and pregnant survivors Christine Ann can accept; and

WHEREAS, The Beach Building addresses all of Christine Ann current limitations. It is a 3-story, 36,000 sq. foot building and is fully ADA compliant.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that \$500,000 from the Spirit Fund's Government Identified Community Project category be approved to assist in the purchase of the Beach Building for Christine Ann Domestic Abuse Services, Inc., **and contingent on Christine Ann remaining committed to its mission to strengthen the lives of individuals, families, and the community.**

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that upon completion, Christine Ann Domestic Abuse Services, Inc. will submit supporting documentation to the Winnebago County Finance Director outlining the expenditures. The documentation will be submitted within 6 months of the completion of the project but not to exceed 5 years from date of disbursement.

Submitted by: ARPA STRATEGY AND OUTCOMES COMMISSION

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

Motion by Supervisor Horan, seconded by Supervisor Binder, to make an amendment, adding an additional amount of \$250,000, changing the amount on the resolution from \$500,000 to \$750,000.

Motion by Supervisor Eisen, seconded by Supervisor Floam, to call the question on the amendment.

Vote on call the question: AYES: 28; NAYES: 5 – Nussbaum, Albrecht, Belville, Hinz, and Schellenger; ABSTAIN: 1 - Hanson; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

Vote on the amendment to increase the funding amount from \$500,000 to \$750,000.

AYES: 8 – Horan, Binder, Ponzer, Zellmer, Powers, Cox, Harrison and Egan; NAYES: 22; ABSTAIN: 4 – Stafford, Floam, Hanson and Gustafson; ABSENT: 2 – Ellenberger and Farrey. MOTION FAILED.

Motion by Supervisor Gustafson, seconded by Supervisor Stafford, to call the question on the original resolution.

Vote on call the question: AYES: 31; NAYES: 2 – Nichols and Schellenger; ABSTAIN: 1 - Hanson; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

Vote on resolution. AYES: 28; NAYES: 3 – Dowling, Defferding and Zastera; ABSTAIN: 3 – Floam, Hanson and Gustafson; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

**3. Resolution No. 283-112023: Approving \$500,000 from the Spirit Fund's Government Identified Community Projects Category to Renovate and Expand St. Vincent de Paul Neenah Menasha**

WHEREAS, Feeding America Eastern WI (hereinafter "Feeding America") shows food insecurity rates around 7.5% in Winnebago County, with 57.8% of the Menasha School District and 34.7% of the Neenah School District students on free and reduced lunch; and

WHEREAS, Feeding America has also identified a need for a food pantry in the Neenah area; and

WHEREAS, St. Vincent de Paul has been unable to make the impact the community needs given the food pantry being relegated to a small corner of the store; and

WHEREAS, currently, St. Vincent de Paul has one, standard size house freezer, which makes it impossible to store meat, dairy, and other frozen products in any significant quantity; and

WHEREAS, St. Vincent de Paul has purchased a larger, adjoining space to make the food pantry larger and have a private entrance, but there is still a need to purchase walk-in coolers and freezers and increase storage capacity. These purchases will allow St. Vincent's to expand their services to more families and address food insecurity in the community,

build up families' resiliency, and increase the availability of volunteer hours for community members to give back to their community.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that \$500,000 from the Spirit Fund's Government Identified Community Project category be approved to renovate and expand St. Vincent de Paul Neenah Menasha, **and contingent on St Vincent de Paul remaining committed to its mission to strengthen the lives of individuals, families, and the community.**

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that upon completion, St. Vincent de Paul Neenah Menasha will submit supporting documentation to the Winnebago County Finance Director outlining the expenditures. The documentation will be submitted within 6 months of the completion of the project but not to exceed 5 years from date of disbursement.

Submitted by: ARPA STRATEGY AND OUTCOMES COMMISSION

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

Vote on resolution. AYES: 27; NAYES: 4 – Dowling, Defferding, Swan and Zastera; ABSTAIN: 2 – Hanson and Gustafson; ABSENT: 3 – Eisen, Ellenberger and Farrey. MOTION PASSED.

**4. Resolution No. 284-112023: Requesting \$314,600 of the Spirit Fund to be Appropriated for Construction that Removes Existing Officer's Stations from Direct Supervision One and Direct Supervision Two and Combines the Officer's Area in the Existing Program Rooms**

WHEREAS, the current Direct Supervision Housing Units place the deputies directly in pods with the inmates offering no separation; and

WHEREAS, combination of the officer's areas in the Direct Supervision Housing Units will provide the same protection afforded in other assignment areas; and

WHEREAS, the workload will be shared by the deputies assigned to the Direct Supervision Housing Units; and

WHEREAS, this construction will eliminate the need for other staff to assist thereby allowing for flexibility of staffing and potentially reducing overtime needs for the facility; and

WHEREAS, the cost of the engineering, demolition, and relocation totals \$314,600.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$314,600 of Spirit Funds dollars to be used to pay for the engineering, demolition, relocation, and construction of the Direct Supervision One and Direct Supervision Two Housing Units and combine the officer's areas in the existing Programs Rooms.

Submitted by: ARPA STRATEGY AND OUTCOMES COMMISSION

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

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

Vote on call the question: AYES: 32; NAYES: 1 – Schellenger; ABSTAIN: 0; ABSENT: 3 – Nichols, Ellenberger and Farrey. MOTION PASSED.

Vote on resolution. AYES: 30; NAYES: 1 – Defferding; ABSTAIN: 3 – Nichols, Binder and Cox; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

**5. Resolution No. 285-112023: Amend Sections 23.0, 23.1, 24.0 and Creates Sections 23.2 and 26.0 Of the Rules of the Winnebago County Board of Supervisors to Create Seven Standing Committees and Two Major Boards, and Make the Legislative Committee a Special Committee**

WHEREAS, Resolution 30-042022 provided in pertinent part, "All Winnebago County Board of Supervisors rule changes affecting committee structure shall be postponed to a later time and the Winnebago County Board of Supervisors shall adhere to the usually organizational majority voting requirement at said meeting(s)"; and

WHEREAS, the Ad Hoc Structure Review Task Force (hereafter "Task Force") was established in March 2023 to propose a right-sized suite of solutions for structure of the Winnebago County Board; and

WHEREAS, the current structure consists of twelve standing committees and three boards associated with large departments; and

WHEREAS, the Task Force members have spoken with other counties and asked for feedback from the Winnebago County Board Supervisors and Winnebago County Department heads in the form of questionnaires; and

WHEREAS, the Task Force has reviewed the responses; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it amends sections 23.0, 23.1, 24.0 and creates sections 23.2 and 26.0 of the Rules of the Winnebago County Board of Supervisors to create seven standing committees and two major boards, and make the Legislative Committee a special committee with the wording below:

**23.0 STANDING COMMITTEES AND MAJOR BOARDS**

**23.1 Standing Committees of the Winnebago County Board**

**A) Public Works**

**This committee consists of 5 6 County Board Supervisors.**

B) Judiciary and Public Safety

This committee consists of 5 County Board Supervisors.

C) Finance and Administration

This committee consists of 5 County Board Supervisors.

D) Natural Resources

This committee consists of 5 County Board Supervisors

E) Planning and Zoning

This committee consists of 5 County Board Supervisors

F) Aviation

This committee consists of 5 County Board Supervisors

G) Land Conservation

This Committee consists of 5 County Board Supervisors and two citizen members, one who is a person engaged in an agricultural use as defined under Wis. Stat 91.01(2)(a)1-7.

23.2 Major Boards of the Winnebago County Board

A) Solid Waste Management Board

This Board consists of five Winnebago County Board Supervisors and four citizen members, all appointed for three-year terms by the Winnebago County Executive and confirmed by the Winnebago County Board of Supervisors. Membership includes: two members from the Neenah-Menasha area, two members from the Oshkosh area, one member from the North/Central area, one member from the South/Central area, one member from the Western area, two members at large.

B) Health and Human Services Board

This Board consists of ~~six~~ five Winnebago County Board Supervisors and ~~three~~ four citizen members appointed by the Winnebago County Executive and confirmed by the Winnebago County Board of Supervisors. At least one member of the Board should be a physician and registered nurse, and if unable to locate, a good faith effort to appoint a physician assistant and nurse practitioner, or both. Additionally, one member shall be an individual who receives or has received services from the Human Services departments or a family member of the same. Additionally, an at large member shall be named.

24.0 GENERAL DUTIES OF STANDING COMMITTEES AND MAJOR BOARDS

24.1 NATURAL RESOURCES COMMITTEE

The committee consists of five Winnebago County Board Supervisors. At least two members of this Committee are members of the Land Conservation Committee. The committee:

- A. The committee reviews policy issues relating to the Winnebago County University Extension Program, Winnebago County Library Services, and the Winnebago County Fair, Winnebago County parks and recreation areas, including boat landings, recreational greenways, general parkland, Sunnyview Exposition Center, and associated programs and wildlife preservation areas and shall **advise** and recommend appropriate policy goals and legislative actions to be taken by the Winnebago County Board.
- B. The committee establishes procedure and makes recommendations to the Winnebago County Board of Supervisors as to the award of college scholarships from the College Scholarship Fund to students who are Winnebago County residents.
- C. **Two members of this committee shall function as Winnebago County members of the Board of Trustees of The University of Wisconsin – Fox Valley campus.**

Wis. Stats. 59.56

24.2 AVIATION COMMITTEE

The committee consists of five Winnebago County Board Supervisors. The committee reviews policy issues relating to Wittman Regional Airport and other aviation matters of concern to Winnebago County and **shall advise and recommend** appropriate policy goals and legislative action to be taken by the Winnebago County Board.

24.3 PUBLIC WORKS COMMITTEE

The committee consists of ~~five~~ **six** Winnebago County Board Supervisors. **Pursuant to Wis Stat. 83.015(1)(c) members of the Public Works Committee shall be appointed and hold office in the same manner as provided for other standing committees. The committee:**

- A. **Makes and reviews policy relating to the Winnebago County Highway Department and other highway matters of concern to Winnebago County and shall advise and recommend appropriate policy goals and legislative action to be taken by the Winnebago County Board.**
- B. **Reviews policy issues and goals relating to the Winnebago County Facilities and Property Management Department and all Winnebago County owned or leased facilities and develops long range plans for buildings, grounds, and office space and shall advise and recommend appropriate policy goals and legislative action to be taken by the Winnebago County Board.**
- C. **The committee shall have the duties and responsibilities of a county highway committee under Section 83.015 Wis. Stats.**

Wis. Stat. 83.015.

24.4 PLANNING AND ZONING COMMITTEE

The committee consists of five Winnebago County Board Supervisors, at least one but not more than two from an incorporated area. The committee:



- A. Reviews policy issues relating to the Winnebago County Planning and Zoning Department and Winnebago County Register of Deeds and shall advise and recommend appropriate policy goals and legislative action to be taken by the Winnebago County Board.
- B. Determines the broad outlines and principles governing the administrative powers and duties specified in Wis. Stat. 59.69, and is a quasi-judicial body with decision-making power including, but not limited to conditional use, planned unit development and rezoning.
- C. Bears responsibility for all matters of procedure relating to the Winnebago County Zoning Ordinance including but not limited to basic zoning provisions, floodplain/shoreland provisions and airport zoning provisions, except those designated to Zoning Board of Adjustment's jurisdiction.
- D. Creates and maintains Winnebago County's development plan.

Wis. Stats. 59.69, 59.694, 59.43

#### 24.5 JUDICIARY & PUBLIC SAFETY COMMITTEE

The committee consists of five Winnebago County Board Supervisors. The committee:

- A. Reviews policy issues relating to the Office of the Winnebago County Clerk of Courts, Winnebago County Sheriff's Office, Winnebago County District Attorney's Office, Winnebago County Medical Examiner's Office, Winnebago County Corporation Counsel, Winnebago County Family Court Commissioner, Winnebago County Court Commissioners, Winnebago County Emergency Management Department, and Winnebago County Child Support Office and shall advise and recommend appropriate policy goals and legislative action to be taken by the Winnebago County Board.
- B. Submits recommendations for Winnebago County Board rules to be considered at the Winnebago County Board organization meeting or at other Winnebago County Board meetings.
- C. Submits recommendations for apportionment of supervisory districts in Winnebago County.

Wis. Stat. 323.14

#### 24.6 FINANCE AND ADMINISTRATION COMMITTEE

The committee consists of five Winnebago County Board Supervisors. The committee:

- A. Reviews policy issues relating to the Winnebago County Department of Administration, Winnebago County Treasurer's Office, Winnebago County Finance Department, Winnebago County Human Resources Department, Winnebago County Clerk's Office, and Winnebago County Information Technology Department and shall advise and recommend appropriate policy goals and legislative action to be taken by the Winnebago County Board.
- B. Receives all personnel requests for study and recommendation.
- C. Reviews proposed personnel policies and amendments as submitted by the Director of Human Resources and Winnebago County Executive and submits recommendations to the Winnebago County Board for consideration and legislative action.
- D. Reviews personnel actions in all Winnebago County departments as reported by the Director of Human Resources.
- E. Recommends to the Winnebago County Board, prior to the earliest time for filing nomination papers, a salary schedule for elected officials, appointed officials and other employees of Winnebago County unless otherwise determined by agreement or law.
- F. Authorizes budgetary alterations as permitted in Wis Stat. 65.90(5) in any of the following situations:
  1. A transfer of funds between budgeted items of an individual county department if such budgeted items have been separately appropriated, and
  2. Supplementation of appropriations for a particular office or department by transfer from the Contingency Fund. The limitation on the dollar amount set aside in the budgetary alteration shall be the amount set aside in the Contingency Fund or the sum of \$40,000.00, whichever is the lesser sum, and
  3. Notwithstanding subsection (2), above, to accept gifts for any Winnebago County Department and appropriate monies received from said gifts to their intended purpose provided that the total amount of said appropriation does not exceed 10% of the total amount of funds budgeted for such office department or activity for that budgetary year.

The committee may refuse to authorize a budgetary alteration in whole or in part or may grant any such alteration conditionally as it deems appropriate.

G. Reviews all financial reports submitted to the Winnebago County Board by the Winnebago County Executive, by Winnebago County officials and by auditors retained by Winnebago County. (The County Executive is charged with the responsibility to examine, settle and allow all general accounts against Winnebago County and to have issued Winnebago County orders therefor.)

H. Advises the Winnebago County Director of Finance and Winnebago County Executive in the matter of investment of county funds and reports to the Winnebago County Board from time to time regarding Winnebago County finances.

I. Examines all claims filed against Winnebago County for illegal taxes of any kind and shall make a report to the Winnebago County Board and submit a recommendation on all matters pertaining to illegal taxes.

J. Performs such responsibilities as are indicated in Sec. 3.03 of the Winnebago County General Code concerning properties taken by Winnebago County by tax deed.

K. Advises with the Winnebago County **Director of Administration** and Winnebago County Executive in matters establishing appropriate insurance coverages for Winnebago County.

L. Reviews all claims filed against Winnebago County pursuant to Wis Stats. ~~59.76~~ and Sec. 893.80 and submits its recommendation to the Winnebago County Board for consideration and legislative action. Submits an annual report on the disposition of all claims.

M. Reviews and adopts affirmative action plans submitted by the Affirmative Action **Commission**.

N. Studies, recommends, and forwards all grant applications **acceptances** to the **Winnebago** County Board.

~~O. Reviews all proposals and needs relating to Winnebago County's present and future information systems and technologies related thereto.~~

#### 24.7 LAND CONSERVATION COMMITTEE

Land Conservation consists of 5 Winnebago County Board Supervisors and two citizen members, one who is-a person engaged in an agricultural use as defined under Wis. Stat 91.01(2)(a)1-7. Two members shall be members of the **Natural Resources** Committee. **The Winnebago County Board shall designate a representative from the Winnebago County Planning and Zoning Committee and the Winnebago County Solid Waste Management Board.** The committee:

**A. Is a policy making body determining the broad outlines and principles governing administration of Winnebago County soil and water conservation. The committee reviews policy issues relating to the Winnebago County soil and water conservation programs and shall advise and recommend appropriate policy goals and legislative action to be taken by the Winnebago County Board.**

~~B. Is the committee of jurisdiction for the Land and Water Conservation Department.~~

B. Develops and adopts standards and specifications for management practices to control erosion, sedimentation, and nonpoint source water pollution throughout Winnebago County.

C. Distributes and allocates federal, state and county funds made available to the committee for cost sharing programs or other incentive programs for improvements and practices relating to soil and water conservation on private or public lands.

D. Carries out prevention and control measures and works of improvement for flood prevention and for conservation, development, utilization and control of water within Winnebago County. These preventative and control measures and works of improvement may be carried out on lands owned or controlled by that state or any of its agencies, with the cooperation of the agency administering and having jurisdiction of the land, and on any other lands within Winnebago County upon obtaining the consent of the landowner or the necessary rights or interests in the land.

E. Prepares long range plans which include inventories of natural resources in Winnebago County, a description of present natural resource uses and a projection of future trends, an assessment of resource conservation problems in relation to use practices and actions necessary to correct those problems including specific goals and provisions for the development, management, and conservation of soil, water and related natural resources.

F. Enters into agreements with, or furnishes financial, technical, planning, or other assistance to any agency, governmental or otherwise, or any landowner, or land user, within the incorporated or unincorporated parts of Winnebago County, in carrying out resource conservation operations and works of improvement for flood prevention or for the conservation, development, utilization and protection of soil and water resources within Winnebago County.

G. Encourages soil and water conservation research and educational information and public service outreach programs.

Wis. Stats. 92.06, 92.07, and 92.09

#### 24.8 HEALTH AND HUMAN SERVICES BOARD

**The Health and Human Services Board includes six five Winnebago County Board Supervisors and three-four citizen members who** are appointed by the Winnebago County Executive and confirmed by the Winnebago County Board of Supervisors.

A. The Board determines the broad outlines, principles and policies governing the administration and scope of the health and human services array of public health, human services, nursing home services, veteran services, and recommends budgetary and legislative action to be taken by the Winnebago County Board as it relates to the departments under its jurisdiction.

**B. The Health and Human Services Board is authorized to act as the Winnebago County Board of Health pursuant to Wis. Stat. 251.03(1)**

Wis. Stats. 46.23(4), 45.81 and 251.03.

#### 24.9 SOLID WASTE MANAGEMENT BOARD

This Board consists of nine members, five of whom are Winnebago County Board Supervisors and four citizen members, all appointed by the Winnebago County Executive and confirmed by the Winnebago County Board of Supervisors. **Subject to the rules and regulations established and amended by the Winnebago County Board and the Winnebago County Executive in their respective areas of responsibility,** the Solid Waste Management Board:

a) Develops a plan for a solid waste management system.

b) Collects, transports, disposes of, destroys or transforms wastes, including without limitation because of enumeration, garbage, ashes or incinerator residue, municipal, domestic, agricultural, industrial and commercial rubbish, waste or refuse material, including explosives, pathological wastes, chemical wastes, herbicide and pesticide wastes.

c) Acquires lands within Winnebago County by purchase, lease, donation or eminent domain for use in the solid waste management system.

d) Authorizes employees or agents to enter upon lands to conduct reasonable and necessary investigations and tests to determine the suitability of sites for solid waste management activities whenever permission is obtained from the property owner.

e) Acquires by purchase, lease, donation or eminent domain such easements or other limited interests in lands as are desired or needed to assure compatible land uses in the environs of any site that is part of the solid waste disposal system.

f) Establishes operations and methods of waste management that are considered appropriate. Waste burial operations shall be in accordance with sanitary landfill methods and the sites shall, insofar as is practicable, be restored and made suitable for attractive recreational or productive use upon completion of waste disposal operations.

g) Acquires necessary equipment, uses equipment and facilities of the Winnebago County Highway Department; and constructs, equips and operates incinerators or other structures to be used in the solid waste management system.

h) Adopts and enforces ordinances necessary for the conduct of the solid waste management system and provides forfeitures for violations.

i) Contracts with private collectors or transporters or municipalities to receive and dispose of wastes.

j) Engages in, sponsors or co-sponsors research and demonstration projects intended to improve the techniques of solid waste management or to increase the extent of reuse or recycling of materials and resources included within the wastes.

k) Accepts funds derived from state or federal grant or assistance programs and enters into necessary contracts or agreements.

l) Appropriates funds and levy taxes to provide funds for acquisition or lease of sites, easements, necessary facilities and equipment and for all other costs required for the Solid Waste Management System except that no municipalities which operates its own solid waste collection management program under Wis. Stat. 287.09(2)(a) or waste collection and disposal facility or property therein shall be subject to any tax levied hereunder to cover the cost of operation of these functions. Such appropriations may be treated as a revolving capital fund to be reimbursed from proceeds of the system.

m) Makes payments to any municipality in which Winnebago County disposal sites or facilities are located to cover the reasonable costs of services rendered to such sites or facilities.

n) Charges or assesses reasonable fees, approximately commensurate with the costs of services rendered to persons using the services of the Winnebago County Solid Waste Management System. Fees may include a reasonable charge for depreciation which shall create a reserve for future capital outlays for waste disposal facilities or equipment. All assessments for liquid waste shall be assessed by volume.

o) Creates service districts which provides different types of solid waste collection or disposal services. Different regulations and cost allocations may be applied to each service district. Costs allocated to such service districts may be provided by general tax upon the property of the respective districts or by allocation of charges to the municipalities whose territory is included within such districts.

p) Utilizes or disposes of by sale or otherwise any and all products or by-products of the solid waste management system.

q) Imposes fees, in addition to the fees imposed under Wis. Stat. 289, upon persons who dispose of solid waste at publicly owned solid waste disposal sites in Winnebago County for the purpose of cleaning up closed or abandoned solid waste disposal sites within Winnebago County, subject to all of the following conditions:

1. The fees are based on the amount of solid waste that is disposed of by each person.

2. The fees may not exceed 20 percent of the amount that is charged for the disposal of the solid waste.

3. The effective date of the fees and any increase in the fees is January 1 and such effective date is at least 120 days after the date on which the board adopts the fee increase.

4. The cleanup of the site is conducted under the supervision of the department of natural resources.

5. The board may prevent the implementation of, or may terminate, fees imposed by the solid waste management board.

Wis. Stat. 59.70(2)(3) and Winnebago County General Code 15.04.

## **26.0 LEGISLATIVE COMMITTEE**

The Committee shall be composed of the Chairs of the Committees listed in Section 23.1 of these Rules, **the Chair of the Winnebago County Solid Waste Management Board, and Chair of the Winnebago County Health and Human Services Board**, as well as the County Board Chairperson, or the Vice Chairperson in the absence of the County Board Chairperson.

The Legislative Committee reviews proposed federal and state legislation and administrative regulations impacting Winnebago County and provides and informs area legislators and Wisconsin Legislative Committees of the recommendations of the Winnebago County Board. The Committee reports its actions and any pertinent information relating to legislation to the Winnebago County Board.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said amendments to the Winnebago County Committee and Board structure may become effective, pending adoption at the organizational meeting, on April 23, 2024.

Submitted by: JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Stafford, seconded by Supervisor Gustafson, to adopt.

Motion by Supervisor Cox, seconded by Supervisor Gabert, to postpone indefinitely.

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

Vote on call the question: AYES: 31; NAYES: 2 – Nichols and Schellenger; ABSTAIN: 1 - Jeziorny; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

Vote on Motion to Postpone Indefinitely. AYES: 14 – Nichols, Borchart, Eisen, Wise, Albrecht, Gabert, Binder, Ponzer, Ernst, Schellenger, Buck, Powers, Cox and Nelson; NAYES: 19; ABSTAIN: 1 – Jeziorny; ABSENT: 2 – Ellenberger and Farrey. MOTION FAILED. .

Motion by Supervisor Gustafson, seconded by Supervisor Hanson, to call the question on the original resolution.

Vote on call the question: AYES: 29; NAYES: 4 – Nichols, Binder, Schellenger and Cox; ABSTAIN: 0; ABSENT: 3 – Horan, Ellenberger and Farrey. MOTION PASSED.

Vote on resolution. AYES: 15 – Dowling, Horan, Defferding, Nussbaum, Stafford, Floam, Belville, Hinz, Zellmer, Hanson, Gustafson, Bureau, Harrison, Zastera and Miller; NAYES: 18; ABSTAIN: 1 – Jeziorny; ABSENT: 2 – Ellenberger and Farrey. MOTION FAILED.

## **6. Ordinance No. 286-112023:**

### **Amend Winnebago County General Code Section 11.01 (County Human Services Board) and Repeal Winnebago County General Code Section 11.06 (County Board of Health) To Create the Winnebago County Health and Human Services Board**

WHEREAS, the Ad Hoc Structure Review Task Force (hereafter "Task Force") was established in March 2023 to propose a right-sized suite of solutions for structure of the Winnebago County Board; and

WHEREAS, the Task Force members have spoken with other counties and asked for feedback from Winnebago County Board Supervisors and Winnebago County Department heads in the form of questionnaires; and

WHEREAS, the Task Force has reviewed the responses.

WHEREAS, the Task Force has determined that the best interests of Winnebago County align with having a Health and Human Services Board consisting of a combination of the currently existing Human Services Board and the Board of Health.

NOW, THEREFORE, THE WINNEBAGO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS: that it hereby amends Sections 11.01 in its entirety of the Winnebago County General Code with the following language:

11.01 **WINNEBAGO COUNTY HEALTH AND HUMAN SERVICES BOARD:**

(1) Pursuant to Wis. Stats. 46.23(4), **251.03(1)**, there is established a Winnebago County **Health and Human Services Board**. **The Health and Human Services Board shall have those powers and duties as enumerated in Wis. Stats. 46.23(5m)(m) and 251.04(9).**

(2) **MEMBERSHIP:** The Winnebago County **Health and Human Services Board** shall consist of nine (9) members, ~~Five (5) members of the Winnebago Health and Human Services Board shall be members of the Winnebago County Board of Supervisors. Of the four (4) remaining members of the Human Services Board, at least one (1) member shall be an individual who receives or has received human services or shall be a family member of such an individual. The remainder of the County Human Services Board members shall be consumers of services or citizens at large. No public or private provider of services may be appointed to the County Human Services Board.~~

**including six five Winnebago County Board Supervisors and three four citizen members appointed by the Winnebago County Executive and confirmed by the Winnebago County Board of Supervisors. At least one member of the Board should be a physician and registered nurse, and if unable to locate, a good faith effort shall be made to appoint a physician assistant and nurse practitioner, or both. Additionally, one member shall be an individual who receives or has received services from the Human Services departments or a family member of the same. Additionally, an at large member shall be named.**

(3) **APPOINTMENT:** ~~(a)~~ Appointment to the Winnebago County **Health and Human Services Board** shall be made by the Winnebago County Executive, subject to confirmation by the Winnebago County Board of Supervisors.

(4) **TERM:** ~~(a)~~ All Members of the Winnebago County **Health and Human Services Board** **shall serve a staggered three (3) year term, with the terms of one-third of the members expiring on December 31st of each year. A member who was appointed while a member of the Winnebago County Board of Supervisors who is not reelected to that office may be removed from the Winnebago County Health and Human Services Board on due notice in writing.**

~~Three (3) of those members appointed to the Health and Human Services Board shall serve a term which shall expire on December 31, 2002. Three (3) of those members appointed to the Health and Human Services Board shall serve a term which shall expire on December 31, 2003. The remaining three (3) members of the Health and Human Services Board shall serve a term which shall expire on December 31, 2004. Vacancies within the Board shall be filled as provided pursuant to Subsections (2) and (3) above. Members of the Health and Human Services Board who are not members of the Winnebago County Board of Supervisors shall be entitled to a per diem and expenses for attendance at Health and Human Services Board meetings in the same amounts as paid to those persons who are members of the County Board of Supervisors.~~

**(5) REMOVAL:**



~~(a) All members of the Winnebago County Human Services Board shall serve a term of three (3) years. Three (3) of those members appointed to the Human Services Board shall serve a term which shall expire on December 31, 2002. Three (3) of those members appointed to the Health and Human Services Board shall serve a term which shall expire on December 31, 2003. The remaining three (3) members of the Health and Human Services Board shall serve a term which shall expire on December 31, 2004. Vacancies within the Board shall be filled as provided pursuant to Subsections (2) and (3) above. Members of the Human Services Board who are not members of the County Board of Supervisors shall be entitled to a per diem and expenses for attendance at Human Services Board meetings in the same amounts as paid to those persons who are members of the County Board of Supervisors.~~

~~(a) The resignation, non-election, or removal of a member of the Winnebago County ~~Health and Human Services~~ Board from the Winnebago County Board of Supervisors shall automatically result in said person's ineligibility and removal from the Winnebago County ~~Health and Human Services~~ Board.~~

**(5) BUDGET**

~~The Winnebago County Health and Human Services Board shall prepare with the assistance of the Human Services Director a proposed budget for submission to the Winnebago County Executive pursuant to Wis. Stat. 46.23(5m)(c)~~

**(6) LICENSURE/CERTIFICATION OF HUMAN SERVICES BOARD MEMBERS**

~~(a) The Winnebago County Human Services Department shall not license or certify any member of the Winnebago County ~~Health and Human Services~~ Board for any purpose during the term of that person upon the Winnebago County ~~Health and Human Services~~ Board. Should a Winnebago County ~~Health and Human Services~~ Board member apply to the Department of Human Services for certification or licensure, said application shall be referred to an outside human services or social services agency for review and decision upon said application.~~

~~(7) EFFECTIVE DATE: (a) This ordinance shall become effective on January 1, 2000~~

~~BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that Winnebago County General Code Section 11.06 be repealed in its entirety.~~

~~BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that said amendments to the Winnebago County General Code may become effective, **pending adoption at the organizational meeting, on April 23, 2024.**~~

Submitted by: JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Stafford, seconded by Supervisor Gustafson, to adopt.

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

Vote on call the question: AYES: 32; NAYES: 2 – Albrecht and Schellenger; ABSTAIN: 0;

ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

Vote on resolution. AYES: 14 – Dowling, Horan, Defferding, Nussbaum, Stafford, Floam, Belville, Hinz, Hanson, Gustafson, Bureau, Harrison, Zastera and Miller; NAYES: 20; ABSTAIN: 0; ABSENT: 2 – Ellenberger and Farrey. MOTION FAILED.

**7. Resolution No. 287-112023: Amend Human Resources Policies to Adopt Paid Time Off (PTO) Plan**

WHEREAS, Winnebago County has for many years offered its regular employees benefit programs which include, among other things, vacation, paid holidays, floating holidays, paid sick leave, and funeral leave; and

WHEREAS, the labor markets have changed nationally and locally, making it more difficult for the county to attract and retain well-qualified employees, while those seeking positions have an increased level of interest in paid time off benefits; and

WHEREAS, the consultant hired by the county earlier this year recommended that the county evaluate and improve its paid time off benefits to be more competitive in the marketplace, and that benefits be made more consistent among different groups of employees; and

WHEREAS, by consolidating current policies regarding vacation, floating holidays, funeral leave, and sick leave into a combined paid time off (PTO) benefit, employment with the county can be made more attractive to prospective new employees, while existing employees will be encouraged to stay; and

WHEREAS, a new set of time off policies has been drafted, following extensive discussion with and feedback from department heads, managers, employees, and County Board members; and

WHEREAS, although there may be some impact on employee productivity due to increased paid time off, there is also expected to be a savings resulting from reduced employee turnover and better staffing levels.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that, effective as of the end of the day on December 31, 2023, it hereby amends Human Resources Policies 13 – Family and Medical Leave, 15 – Unpaid Leave and Other Leaves of Absence, 17 – Vacation (to be renamed Paid Time Off (PTO)), 18 – Holidays, 20 – Income Continuation Benefits, 26 – Layoffs, and 27 – Termination of Employment by replacing those policies in their entirety with the attached new policies; and that the attached Transition Document is hereby adopted as a set of temporary policies in place until they expire on December 31, 2024.

Submitted by: PERSONNEL & FINANCE COMMITTEE

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



Motion by Supervisor Gustafson, seconded by Supervisor Hanson, to call the question.  
Vote on call the question: AYES: 31; NAYES: 3 – Nichols, Eisen and Schellenger; ABSTAIN: 0;  
ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

Vote on resolution. AYES: 32; NAYES: 1 – Nichols; ABSTAIN: 1 – Eisen; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

**8. Ordinance No. 288-112023: Amend 11.08(4) of the Winnebago County General Code Setting Forth Definitions of Individual and General Orders**

WHEREAS, the people of Winnebago County have shown up to both Legislative and County board meetings in 2020 with concerns about an unelected official being given enforcement powers that supersede restrictions and regulations to county government authority; and

WHEREAS, the current definition of "Individual Order" is vague and can also apply to a public gathering, thereby impeding upon the right to free public assembly; and

WHEREAS, all Supervisors have taken an Oath of Office to uphold the Constitution of the United States.

NOW, THEREFORE, the Winnebago County Board of Supervisors does ordain the following amendments (cited in red ink) are made to 11.08 (4) of the Winnebago County General Code:

(a) Individual Order: Any health order under this Ordinance applicable to a specific person ~~group of persons, or gathering spot~~ that is deemed reasonable and necessary to prevent and suppress communicable disease.

(b) General Order: Any health order under this Ordinance that impacts the public at large, ~~including a group of persons or gathering spot~~, that is deemed reasonable and necessary to prevent and suppress communicable disease. Any health order not deemed an Individual Order will be considered a General Order.

Submitted by: SUPERVISOR BRIAN DEFFERDING, District 6  
SUPERVISOR CONLEY HANSON, District 26  
SUPERVISOR JACOB FLOAM, District 16

Motion by Supervisor Defferding, seconded by Supervisor Gustafson, to adopt.

Motion by Supervisor Eisen, seconded by Supervisor Nichols, to take a 15-minute recess to review documentation. FAILED BY VOICE VOTE.

Motion by Supervisor Dowling, seconded by Supervisor Defferding, to make an amendment to line 20, and add the verbiage, "who has tested positive" before the phrase "that is deemed".

After discussion, Supervisor Dowling removed her motion.

Motion by Supervisor Eisen, seconded by Supervisor Buck, to refer this back to the Board of Health for discussion.

Vote on referring this back to the Board of Health. AYES: 10 – Nichols, Borchart, Eisen, Wise, Binder, Belville, Buck, Powers, Cox and Nelson; NAYES: 24; ABSTAIN: 0; ABSENT: 2 – Ellenberger and Farrey. MOTION FAILED.

Motion by Supervisor Nussbaum, seconded by Supervisor Swan, to call the question. CARRIED BY VOICE VOTE.

Vote on Original Resolution. AYES: 19; NAYES: 14 – Nichols, Borchart, Eisen, Wise, Gordon, Ponzer, Ernst, Zellmer, Schellenger, Buck, Powers, Cox, Jeziorny and Nelson; ABSTAIN: 1 – Binder; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

**9. Ordinance No. 289-112023: Amend 11.08(6)(d)(2) of the Winnebago County General Code Involving General Orders made by the Winnebago County Health Officer**

WHEREAS, in the majority opinion of the Wisconsin Supreme Court Decision "Becker Vs. Dane County," ruled in 2022, concluded that Public Health Officers are subject to local controls and county regulations; and

WHEREAS, during Governor Evers Safer at Home order, Wisconsin saw an unemployment spike going from 2.9% in March of 2020 to 14.10% by April of 2020, according to the Bureau of Labor and Statistics; and

WHEREAS, this rise in unemployment was one of the deciding factors of Winnebago County to accept the Neighborhood Grant to fund for additional housing, as homelessness increased in Winnebago County since 2020; and

WHEREAS, Winnebago County was amongst the rest of the country feeling the effects of high inflation due in part to the amount of people leaving the workforce and not enough people replacing them, according to a study by Forward Analytics from the Wisconsin Counties Association.

NOW, THEREFORE, the Winnebago County Board of Supervisors does ordain that the following amendments (cited in red ink) are made to 11.08(6)(d)(2) of the Winnebago County General Code:

2. Any General Order must be based upon the duties, responsibilities, and powers as identified in Chapter 252, Wis. Stats., §251.06(3), Wis. Stats., and §66.0113 and 66.0119, Wis. Stats. Any General Order is advisory only until reviewed and reaffirmed or revised and affirmed by the Winnebago County Board of Supervisors ~~by at least two thirds of the entire county board membership~~ at its next regularly scheduled

~~meeting date or within 14 days, whichever is earlier.~~ All general orders will specify a duration for the order and an expiration date, but will have a maximum duration of ~~60 days~~ **7days** unless otherwise authorized by the County Board.

Submitted by: SUPERVISOR BRIAN DEFFERDING, District 6  
SUPERVISOR CONLEY HANSON, District 26  
SUPERVISOR JACOB FLOAM, District 16

Motion by Supervisor Defferding, seconded by Supervisor Gustafson, to adopt.

Motion by Supervisor Buck, seconded by Supervisor Schellenger, to make an amendment to line 21, to remove verbiage "at least two thirds of the entire county board membership" after the word "by" and replace with the verbiage, "a majority of those present and voting".

Vote on amendment. AYES: 13 – Nichols, Borchart, Wise, Binder, Gordon, Ponzer, Ernst, Schellenger, Buck, Powers, Egan, Jeziorny and Nelson; NAYES: 19; ABSTAIN: 1 – Eisen; ABSENT: 3 – Ellenberger, Zellmer and Farrey. MOTION FAILED.

Motion by Supervisor Gustafson, seconded by Supervisor Floam, to call the question on the original resolution.

Vote on call the question: AYES: 26; NAYES: 8 – Nichols, Eisen, Wise, Ernst, Schellenger, Buck, Powers and Zastera; ABSTAIN: 0; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

Vote on original resolution. AYES: 19; NAYES: 15 – Nichols, Borchart, Eisen, Wise, Albrecht, Binder, Gordon, Ponzer, Ernst, Zellmer, Schellenger, Buck, Powers, Cox and Nelson; ABSTAIN: 0; ABSENT: 2 – Ellenberger and Farrey. MOTION PASSED.

## **P. ADJOURN**

Motion by Supervisor Albrecht, seconded by Supervisor Gustafson, to adjourn until the Board's next meeting on Tuesday, December 19, 2023, at 6:00 p.m. The meeting was adjourned at 10:18 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 November 21, 2023.

Cassie J. Smith-Gregor  
Winnebago County Deputy Clerk