

JULIE A. BARTHELS
Winnebago County Clerk
112 Otter Avenue, P. O. Box 2806
Oshkosh, WI 54903-2806
(920) 232-3430

NOTICE OF COMMISSION, BOARD OR COMMITTEE MEETING

NAME OF COMMISSION,
BOARD OR COMMITTEE: Legislative Committee

TIME OF MEETING: 8:30 A.M.

DATE OF MEETING: Monday, October 23, 2023

PLACE OF MEETING: James P. Coughlin Center
625 E. County Road Y, Oshkosh

VOTING COMMITTEES: Aviation; Board of Health; Facilities & Property Management; Highway; Human Services Board; Judiciary & Public Safety; Industrial Development Board; Information Technology; Land & Water Conservation; Parks & Recreation; Park View Health Center; Personnel & Finance; Planning & Zoning; Solid Waste Management Board; UW Education, Extension and Agriculture and Veterans Service Commission.

To join this Zoom Meeting via video, use this link:

<https://us02web.zoom.us/j/83799150715?pwd=MS9WVWdCWVRMbE1BWlloWGNRcGxXZz09>

Meeting ID: 837 9915 0715 Passcode – Legi102323

To join this meeting by telephone (312) 626-6799 and enter the Meeting ID: 837 9915 0715

Passcode 4014225615

SUBJECT MATTER OF THE MEETING

The Chairman reserves the right to take up any item on the agenda at any time after the meeting commences.

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of minutes of May 22, 2023, meeting.
4. Public comments.
5. Correspondence.
6. Discussion/Action: Price County Resolution No. 19-23 – "Request the State of Wisconsin to Address Concerns of Act 216, Relating to Distributing the Proceeds from the Sale of Tax Delinquent Property to the Former Owner"
7. Discussion/Action: Polk County Resolution No. 27-23 – "Resolution Supporting a Restitution Court Program for Polk County".
8. Discuss proposed State and Federal Legislation from the Legislative Committee members
9. Update from County Executive Jon Doemel
10. Update from State Legislators:
Sen. Dan Feyen – District 18; Sen. Rachael Cabral-Guerrera – District 19; Rep. Michael Schraa – District 53; Rep. Lori Palmeri – District 54; Rep. Nate Gustafson – District 55; Rep. Rep. Lee Snodgrass – District 57

11. Update from Federal Representatives: Senator Baldwin, Senator Johnson, Congressman Grothman and Congressman Mike Gallagher (invited).

12. Discussion: Topics to be discussed at next Legislative Committee Meeting (i.e. Resolutions from other Counties)

13. Next Meeting Date: To be determined by membership.

- January 22, 2024; and March 25, 2024;
 - May 20, 2024 (Regularly scheduled 4th Monday would have been Monday, May 27, 2024 (Memorial Day)
 - October 21, 2024 (Regularly scheduled 4th Monday would have been Monday, October 28, 2024 (County Board Budget)

Note: The Highway Committee normally meets the third Monday of each month so there would be a potential conflict taking place if those dates are used.

14. Adjourn.

**This meeting is also being posted as a committee meeting for:

*Aviation

*Planning & Zoning

*Highway

*Personnel & Finance

*Park View Health Center

*Information Systems

*Parks & Recreation

Upon request, provisions will be made for people with disabilities upon 24 hours prior notice to the Office of the County Clerk. Phone Number: (920) 232-3430

LEGISLATIVE COMMITTEE
Monday, May 22, 2023
James P. Coughlin Center
625 E. County Road Y, Oshkosh

Members Present: 9 – Chuck Farrey, David Albrecht, Steven Binder, Robert Keller, Morris Cox, Nate Gustafson, Karen Powers, Ralph Harrison, and Tom Snider.

Also Present: Winnebago County Chairman Thomas Egan; Brianne Patzer from the Public Defender's Office, and State Representatives Nate Gustafson and Lori Palmeri.

1. Call to Order

Chairman Farrey called the meeting to order at 8:31 a.m.

2. Pledge of Allegiance

Chairman Farrey opened the meeting with the Pledge of Allegiance.

3. Approval of minutes of March 27, 2023 meeting

Motion by Supervisor Cox and seconded by Supervisor Gustafson to approve the minutes of the March 27, 2023 meeting. CARRIED BY VOICE VOTE.

4. Public Comments

Brianne Patzer, Attorney Manager in the Public Defender's Office, spoke in support of agenda item 8; the Washington County 22 resolution 63 – "Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders". Their office is in a tough role right now. They are short-staffed, having retention issues and trying to recruit attorneys. This has been difficult while maintaining workloads. They are trying to find ways to address those issues. She is very supportive of the structure and amount associated with the resolution.

5. Correspondence

No correspondence.

Motion by Supervisor Cox and seconded by Supervisor Albrecht to combine agenda items 6 and 7 together. CARRIED BY VOICE VOTE.

6. Discussion/Action: Clark County Resolution 3-1-23 – Recommending Revision to State Wind Energy Regulations; Green Lake County Resolution 7-2023 – Resolution Recommending Revision to State Renewable Energy Contract Regulations; and Columbia County Resolution No. 14-23 – Request State to Revise Solar Energy System Law.

Chairman Farrey provided his understanding of the resolutions. It is his understanding that this is controlled almost exclusively by the public service commission under administrative rule. His perception is that the counties, especially the planning and zoning committees within those counties are raising concerns about the inability to provide more oversight and restrictions if necessary on the placement of these solar and wind farms. There really should be more county oversight especially when we are starting to lose a lot of farmland.

Representative Palmeri asked what the concerns are by the counties with regard to these.

Chairman Farrey responded with what his thoughts were. There is no local regulatory control at all regards to the placement of these solar farms; consuming a lot of productive farmland involving intrusion on the neighbors farms, issues with contracts that are being signed, and big issue with liability. If these solar farms were liable, it doesn't fall on the company, it falls on the land owner based on what Chairman Farrey read and interpreted. There are multiple issues that need to be revised to give local control a little more say to the placement of these solar farms.

Representative Gustafson referenced a bill that is being discussed. It is a community solar panel bill which allows up to 5 acres to be used for solar purposes and then there is a limit on how close those solar farms can be within one another. There are some regulations like this but looking to tighten that up a bit.

Motion by Supervisor Binder and seconded by Supervisor Albrecht to approve the resolution and forward to the County Board. CARRIED BY VOICE VOTE.

8. Discussion/Action: Washington County 22 Resolution 63 – Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders.

This issue is still being discussed in legislation. There is support to increase the rate of compensation and was favorable in the previous session. This subject is still in the discussion phase but the hope is to increase rate compensation about \$18,000 per year but that is still a moving target, they are not sure where the increase will fall.

Motion by Supervisor Powers and seconded by Supervisor Albrecht to approve the resolution and forward to the County Board. CARRIED BY VOICE VOTE.

Representative Palmeri stated that the Senate is taking up the Shared Revenue Bill on May 23, 2023 at 9:00 am if anyone is interested.

9. Discussion/Action: State of Wisconsin 2023 Bill – AN ACT to create 46.281 (1n)(bm) of the statutes; relating to: requiring allowance for health care providers to refer individuals to aging and disability resource centers for options counseling.

This item was tabled at the March 27, 2023, meeting and was to be brought back and discussed today. It is a draft bill that is being circulated looking for co-sponsors to show support; let individuals know about the Aging & Disability Resource Center (ADRC) and that there is options counseling. Options counseling is a decision support service intended to empower older adults, adults with disabilities, and their families and caregivers to make informed decisions about current or future long-term care choices.

State Representative Gustafson stated that this is now Senate Bill #154.

Motion by Supervisor Snider and seconded by Supervisor Powers to approve the resolution and bring to the County Board. CARRIED BY VOICE VOTE (Nay: Cox).

10. Discuss proposed State and Federal Legislation from the Legislative Committee members

None

11. Update from County Executive Jon Doemel

County Executive Jon Doemel was not present.

12. Update from State Legislators

Representative Nate Gustafson – District 55:

- The big discussion is the shared revenue bill. There has been a lot of negotiations and discussion among Assembly Republicans, the leadership of Milwaukee County, as well as the city of Milwaukee including the mayor regarding a lot of their pension issues. They are in real tight spot.
- Representative Gustafson thanked everyone here that has served on this board and have made sure Winnebago County is going in the right direction.
- As Representative Gustafson mentioned earlier, the shared revenue bill has been a big topic being discussed with questions such as, how much will each individual entity get, what percentages are they looking at, etc. The legislators want to be sure they are not touching the current shared revenue formula. That would be staying the same but adding new money and that new money is actually going to be reflective of a revised formula to ensure that everyone is getting something out of it.

Representative Lori Palmeri – District 54:

- Representative Palmeri responded and what her thoughts were regarding and relating to the shared revenue bill. She stated that shared revenue is broken, it hasn't kept pace. This is all population based. Negotiations are on-going. She is very hopeful that the Senate will discuss it a little more and the Assembly could get another chance to discuss and negotiate on the issue further.
- There are some bills coming that have the potential for bi-partisan support such as revolving loan funds, workforce & senior housing bills, adding some financing tools and possibly some zoning type issues.

Supervisor Binder requested that the state representatives please look at daycare when state legislators are in session. This is an issue that needs to be addressed.

Chairman Farrey thanked the State Representatives for their attendance. It is greatly appreciated.

13. Update from Federal Representatives

There were no federal representatives present.

14. Topics to be discussed at next Legislative Committee Meeting

- Resolutions from other counties referred from County Board

15. Next Meeting Date and Time

The next meeting will take place on Monday, October 23, 2023 at 8:30 am.

16. Adjourn

Motion by Supervisor Albrecht and seconded by Supervisor Harrison to adjourn. CARRIED BY VOICE VOTE.
The meeting was adjourned at 9:51 a.m.

Respectfully Submitted by:
Cassie J. Smith-Gregor
Winnebago County Deputy Clerk

Request the State of Wisconsin to Address Concerns of Act 216, Relating to Distributing the Proceeds from the Sale of Tax Delinquent Property to the Former Owner

WHEREAS, under the previous State law addressing sale of tax delinquent property, counties retained the net proceeds from the sale unless the property was the homestead of the former owner(s) and the former owner(s) requested such payment; and

WHEREAS, before a tax delinquent property is foreclosed upon, the property must be delinquent for a minimum of three years; and

WHEREAS, before a tax delinquent property is foreclosed upon, the owner receives notice of the pending action and is given the opportunity to pay the back taxes, including the potential for a payment plan; and

WHEREAS, if the sale of the tax delinquent property does not cover the past due taxes, other associated costs and costs of processing the foreclosure, the county taxpayers are ultimately responsible to absorb the loss; and

WHEREAS, Act 216 purportedly requires a county to pay the net proceeds of the sale of tax delinquent property to any former owner, regardless of whether the former owner requests the payment and regardless of whether the former owner used the property as his or her homestead, and hold such proceeds for five years if the former owner does not request payment; and

WHEREAS, the Act further attempts to require a county to pay off any lien placed on the property at the time of the foreclosure sale, notwithstanding the fact that all liens are discharged at the time of the foreclosure judgment, causing confusion for counties and courts; and

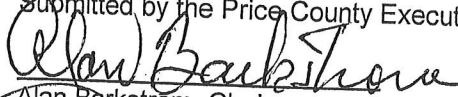
WHEREAS, the Act is further imprudent for the following reasons:

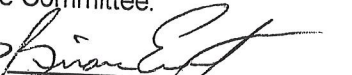
1. most often in tax foreclosure cases, property owners are not responsive;
2. it shifts the risk of loss onto the county causing the county to have an incentive to NOT exercise its authority to foreclosure, leading to many blighted properties throughout the county;
3. the Act purported to cause counties to act as realtors for private parties;
4. the Act requires treasurers to make complex ownership decisions between parties, tenants-in-common; LLCs, corporations and decedents' estates.

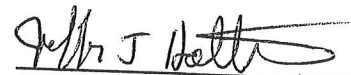
NOW THEREFORE BE IT RESOLVED that the **Price County** Board of Supervisors urges the Legislature to repeal the changes implemented by Act 216, or, in the alternative, to modify the law to take away the risk to counties and consider a provision to place any proceeds from the sale of tax delinquent properties in a segregated account established by the county to be used for clean-up of blighted properties; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Tony Evers, Legislators representing Price County, the Wisconsin Counties Association and all Wisconsin Counties.

Submitted by the Price County Executive Committee:


Alan Barkstrom, Chair


Brian Ernst


Jeff Hallstrand


Paula Houdek

excused
Larry Palecek

Reviewed by County Administrator:


Nicholas Trimner

Adopted by the Price County Board of Supervisors this 16th day of May 2023.


Jeff Hallstrand, County Board Vice-chair


Jean Gottwald, County Clerk

Resolution No. 27-23

RESOLUTION SUPPORTING A RESTITUTION COURT PROGRAM FOR POLK COUNTY

1

2 **TO THE POLK COUNTY BOARD OF SUPERVISORS:**

3

4 **WHEREAS**, the Polk County Board of Supervisors understands that the Polk County Circuit Court
5 frequently orders restitution in criminal cases in order to make crime victims whole for financial
6 losses they suffered as a result of criminal activity; and

7 **WHEREAS**, the Polk County Board of Supervisors further recognizes that when defendants are
8 ordered to pay restitution after being found guilty of a crime and they reside in Minnesota, the
9 Minnesota Probation Officers are not empowered to collect restation ordered by a Wisconsin
10 Court; and

11 **WHEREAS**, the Polk County Board of Supervisors support our local Judges in their efforts to
12 make all crime victims whole; and

13 **WHEREAS**, the Polk County Board of Supervisors wish to thank the local Judges for their efforts
14 to address this problem.

15 **NOW, THEREFORE, BE IT RESOLVED**, that the Polk County Board of Supervisors pledge to
16 offer support to the local Judges in expanding efforts to make crime victims whole.
17

18 **NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Polk County Board of Supervisors
19 thank the local Judges for scheduling restitution hearings and providing incentives for defendants
20 to pay their ordered restitution.
21

22 **BE IT FURTHER RESOLVED**, that the Polk County Board of Supervisors encourages the local
23 Judges to expand their efforts to address this problem.

Resolution No. 27-23

RESOLUTION SUPPORTING A RESTITUTION COURT PROGRAM FOR POLK COUNTY

RESOLUTION SPONSOR(S):

x <u>Brad Olson</u> Brad Olson	x _____ Kim O'Connell
x _____ Doug Route	x _____ Amy Middleton
x _____ Steve Warndahl	x _____ Jay Luke
x _____ Ryan Wood	x _____ Denise L'Allier-Pray
x _____ Tracy LaBlanc	x _____ Russ Arcand
x _____ Dan Ruck	x _____ CJ Simones
x _____ Barbara McAfee	x _____ John Bonneprise
x _____ Sharon Kelly	x _____ Vince Netherland, Administrator

Committee 1: Public Safety and Public Works

- Recommended
 Not Recommended
 Neutral

Committee 2: Select a Committee

- Recommended
 Not Recommended
 Neutral

Certification:

I, Shabana Lundeen, County Clerk, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 20th day of June, 2023 by the Polk County Board of Supervisors.

Shabana Lundeen

Shabana Lundeen, Polk County Clerk

VOTE BY ROLL CALL

Board Members	Aye	Nay	Excu.
Olson			
Route			
Warndahl			
Wood			
LaBlanc			
Ruck			
McAfee			
Kelly			
O'Connell			
Middleton			
Luke (Chairperson)			
L'Allier-Pray			
Arcand (2 nd Vice Chair)			
Simones			
Bonneprise (Vice Chair)			

BOARD ACTION

Vote Required: Simple Majority

Motion to Approve

Adopted

1st Warndahl Defeated

2nd Olson

Yes: _____ No: _____ Excu: _____

- Approved by unanimous voice vote
 Approved by majority voice vote
 Defeated by lack of majority voice vote

RESOLUTION REVIEW COMPLETED BY:

x Malia T. Malone
Malia Malone, Corporation Counsel

x Vince Netherland
Vince Netherland, Administrator

x Don
Don Wortham, Finance Director

Fiscal & Legal Impact(s):