

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, DECEMBER 19, 2017**

Chairman David Albrecht called the meeting to order at 6:00 p.m. in the County Board Room, Fourth Floor, Courthouse, 415 Jackson Street, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an invocation by Supervisor Locke.

The following Supervisors were present: Konezke, Brunn, Harpt, Eisen, Ramos, Powell, Roh, Smith, Long, Scherck, Albrecht, Gabert, Binder, Thompson, Schorse, Gordon, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Brooks, Powers, Locke, Hegg, Finch, Farrey, Rasmussen, Keller, Egan, Ellis, Snider and Kriescher. Excused: Wojciechowski and Youngquist.

Motion by Supervisor Robl and seconded by Supervisor Ellis to adopt the agenda for tonight's meeting. CARRIED BY VOICE VOTE.

PUBLIC HEARING

No one from the public addressed the board.

COMMUNICATIONS AND PETITIONS

The following correspondence was presented to the board by Sue Ertmer, County Clerk:

- Notice of Claim:
 - Notice of Claim from Bollenbeck Fyfe, S.C. on behalf of Henry L. Griesbach for injuries sustained during EAA at Wittman Regional Airport on August 4, 2017 was referred to the Personnel and Finance Committee.
- Zoning Petitions:
 - No. 001 – A zoning request from William H. Schultz, Town of Neenah, for tax parcel no. 010-0178-06-05 to rezone from B-1 to R-2 to build a garage was referred to the Planning and Zoning Committee.
 - No. 002 – A zoning request from Dan Thomson, Town of Wolf River, for tax parcel no. 032-0096-02 to rezone from R-1 to B-3 for business and residential was referred to the Planning and Zoning Committee
 - No. 003 – A zoning request from John Jungwirth, Town of Algoma, for tax parcel no. 002-0160-02-01 to rezone from R-1 to R-2 for a single family residence was referred to the Planning and Zoning Committee.

Sue Ertmer, County Clerk, reminded Supervisors that all election papers need to be turned in by 5:00 p.m. on January 2, 2018. If a Supervisor will not be seeking another term, their Declaration of Non-Candidacy needs to be filed by 5:00 p.m. on December 22, 2017.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Finch thanked the County Clerk's office for planning last night's great Christmas Party.

Supervisor Warnke reported on the situation that took place at the Wittman Regional Airport regarding the snow owl. He reported that a meeting was held with various groups and agencies to learn the best way to handle this if it should happen again. Supervisor Warnke feels they have a good plan in place to handle these types of situations in the future.

Motion by Supervisor Robl and seconded by Supervisor Konezke to approve the proceedings from the November 6 & 7, 2017 county board budget meetings and the November 21, 2017 county board meeting.

Supervisor Ramos asked that the proceedings for November 6 be corrected to show that he was present at that meeting. With that correction, the motion to approve CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Mark Harris spoke in support of the following resolutions:

- Resolution No. 226-122017: "Authorizing Payment of Shift Premiums for Park View Health Center Nursing Staff"
- Resolution No. 223-122017: "Changing Funding Source for Airport Terminal Building Partial Demolition and Repairing of Roof on the Remaining Portion from the General Fund Undesignated Fund Balance to the Issuance of General obligation Promissory Notes with a Total Cost of \$1.1 million."

Executive Harris is concerned about Resolution No. 223-122017 and feels that additional items need to be looked into before going forward with repairing the airport terminal.

- Executive Harris spoke briefly about the snowy owl incident at the airport.

COUNTY EXECUTIVE'S APPOINTMENTS

Grievance Review Board

Executive Harris asked for the Board's approval of his appointment of LeRoy Dahms, 3175F White Tail Lane, Oshkosh, to the Grievance Review Board. This is a five-year term which will expire on December 31, 2022.

Motion by Supervisor Ramos and seconded by Supervisor Farrey to approve. CARRIED BY VOICE VOTE.

Human Services Board

Executive Harris asked for the Board's approval of his appointment of Supervisors Mike Norton and Harold Singstock to the Human Services Board. These are three-year terms which will expire on December 31, 2020.

Motion by Supervisor Finch and seconded by Supervisor Farrey to approve. CARRIED BY VOICE VOTE.

Veterans Service Commission

Executive Harris asked for the Board's approval of his appointment of Dale Witzke, 422 Wyldewood Drive, Oshkosh, to the Veterans Service Commission. This is a three-year term which will expire on December 31, 2020.

Motion by Supervisor Ellis and seconded by Supervisor Farrey to approve. CARRIED BY VOICE VOTE.

Winnefox Library System Board of Trustees

Executive Harris asked for the Board's approval of his appointment of Katherine Freund, 511 Hansen Street, Neenah; and Elizabeth M. Irish, 929 Reddin Avenue, Neenah; to the Winnefox Library System Board of Trustees. Ms. Freund will replace Carol Codner whose term has expired. These are three-year terms which will expire on December 31, 2020.

Motion by Supervisor Finch and seconded by Supervisor Farrey to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Wojciechowski and Youngquist are excused from tonight's meeting.

Chairman Albrecht reported that the County Board Christmas Party was well attended and a good time was had by all.

Chairman Albrecht commended and thanked Chuck Orenstein for 27 years of dedicated service to Winnebago County. This will be his last meeting as he is retiring in January, 2018.

Chairman Albrecht reminded Supervisors to sign up for the Wisconsin Counties Association Legislative Exchange Conference in Madison, February 6 & 7, 2018, if they wish to attend.

ZONING REPORTS & ORDINANCES

Report No. 001 – A report from the Planning and Zoning Committee regarding a requested zoning change from David and Beverly Juedes, Town of Nekimi; for tax parcel no. 012-0573. Motion by Supervisor Keller and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 12/01/17 – A requested zoning change from A-1 Agribusiness to A-2 General Agriculture for tax parcel no. 012-0573. Motion by Supervisor Keller and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: December 21, 2017)

Report No. 002 – A report from the Planning and Zoning Committee regarding a requested zoning change from Kevin J. and Ann M. Condon, Ronald B & Shirley E. Miller, Revocable Trust and Douglas R. and Linda M. Miller, Town of Nekimi; for tax parcel nos. 012-0524, 012-0526, 012-0527, 012-0527-02, 012-0529 & 012-0530. Motion by Supervisor Keller and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 12/02/17 – A requested zoning change from R-1/A-2/A-1 Rural Residential/General Agriculture/Agribusiness to A-1/A-2 Agribusiness/General Agriculture for tax parcel no. 012-0524, 012-0526, 012-0527, 012-0527-02, 012-0529 & 012-0530. Motion by Supervisor Keller and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: December 21, 2017)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 221-122017: Commendation for Lyle Clayton

WHEREAS, Lyle Clayton has been employed with the Winnebago County Sheriff's Department for the past twenty (20) years, and during that time has been a most conscientious and devoted County employee; and

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that sincere appreciation and commendation be and is hereby extended to Lyle Clayton for the fine services he has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Lyle Clayton.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Finch to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 222-122017: Authorize the Transfer of \$22,000 From the "Other Operating Expenses" Category to the "Health Insurance" Line Item of the UW Extension Office's 2017 Budget to Cover a Projected Overage

WHEREAS, the UW Extension Department had two employees switch from single insurance to family coverage in 2017; and

WHEREAS, a change like this in a relatively small department can have a significant impact on the budget for that department; and

WHEREAS, the labor category of the department's budget, specifically the health insurance line, is expected to exceed the budget by the end of the year by \$22,000; and

WHEREAS, the department has realized savings in several line items in the "Other Operating Expense" category that can be moved to the labor category to cover the overage.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a transfer of \$22,000 from the "Other Operating Expense" category of the UW Extension 2017 Budget to the "Health Insurance" line item of the Department's 2017 Budget to cover a projected overage.

Submitted by:
UW EDUCATION, EXTENSION, & AGRICULTURE COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Snider and seconded by Supervisor Ellis to adopt. Vote on Resolution: AYES: 33; NAYS: 0; ABSENT: 3 – Wojciechowski, Youngquist and Robl

RESOLUTION NO. 223-122017: Change Funding Source for Airport Terminal Building Partial Demolition and Repairing of Roof on the Remaining Portion from the General Fund Undesignated Fund Balance to the Issuance of General Obligation Promissory Notes with a Total Cost of \$1.1 million

WHEREAS, during 2018 budget deliberations the Winnebago County Board, by a large majority, approved a project to raze a portion of the existing terminal building at the airport and to repair the roof on the remaining building at a cost of \$1.1 million; and

WHEREAS, the Winnebago County Board approved taking the funds from the General Fund Undesignated Fund Balance to pay for the project; and

WHEREAS, the General Fund Undesignated Fund Balance was \$21,069,619 at the end of 2016 and is projected to drop to \$20,079,619 at the end of 2017; and

WHEREAS, the Winnebago County Board approved the use of \$5,313,760 of General Fund Undesignated Fund Balance to balance the 2018 budget, which would leave a balance of \$15,865,859; and

WHEREAS, the target undesignated fund balance for the general fund using a formula of 1/12th of County expenditures is currently \$14,701,000 bringing the projected fund balance very close to the target; and

WHEREAS, Winnebago County has been applying significant amounts of fund balance annually to balance the budget; and

WHEREAS, borrowing rates are at historical lows and funding capital projects with borrowing makes sense considering the Board will continue to need to use General Fund Undesignated Fund Balance to balance future budgets under current levy limit laws.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves changing the funding source for the airport project from the General Fund Undesignated Fund Balance to the issuance of general obligation promissory notes.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the project be advanced from the General Fund of Winnebago County to the Airport Capital Project to raze a portion of the terminal building and repair the roof on the remaining portion of the building, with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Finch to adopt.

Motion by Supervisor Warnke and seconded by Supervisor Konezke to postpone this resolution indefinitely.

Motion by Supervisor Eisen and seconded by Supervisor Gordon to postpone until January 9, 2018. Vote on motion to postpone until January 9, 2017: AYES: 8 – Powell, Long, Albrecht, Gabert, Gordon, Warnke, Robl and Locke; NAYES: 26; ABSENT: 2 - Wojciechowski and Youngquist. FAILED.

Vote on motion to postpone indefinitely: AYES: 7 – Albrecht, Gabert, Gordon, Warnke, Robl, Hegg and Ellis; NAYS: 27; ABSENT: 2 – Wojciechowski and Youngquist. FAILED.

Vote on Resolution: AYES: 29; NAYS: 5 – Eisen, Powell, Gabert, Warnke and Hegg; ABSENT: 2 – Wojciechowski and Youngquist. CARRIED.

RESOLUTION NO. 224-122017: Amend the Table of Organization for the Winnebago County Human Services Department—Behavioral Health Services Division

WHEREAS, in order to more effectively meet client needs, in 2016 an employee holding the title Case Manager—Safe Streets was administratively transferred to work with Winnebago County Department of Human Services' Behavioral Health Services Division Case Management and Community Support Team; and

WHEREAS, as part of this team, this employee is certified as an AODA counselor and has been providing services that fall within the AODA Counselor position description; and

WHEREAS, because having an AODA counselor continues to be a part of this team and has proven to be beneficial in terms of providing needed client services, the Department of Human Services wishes to change the Case Manager—Safe Streets position into a permanent AODA Counselor position.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends the Table of Organization for the Winnebago County Department of Human Services' Administrative Services Division, effective immediately, by deleting one (1) full-time Case Manager—Safe Streets position and adding one (1) full-time AODA Counselor Position. The 2018 Table of Organization will now include one (1) full-time Case Manager—Safe Streets position and six (6) full-time AODA Counselor positions.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Brunn to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 225-122017: Amend the Table of Organization for the Winnebago County Sheriff's Department

WHEREAS, the current Table of Organization for the Winnebago County Sheriff's Department provides for fifty-seven (57) full-time and ten (10) part-time Corrections Officer positions; and

WHEREAS, increased demands on staffing for Corrections Officers make it desirable for the Sheriff to be able to place five of the current part-time officers into the regular scheduling rotation, which can only be done under the Collective Bargaining Agreement if they are made full-time officers; and

WHEREAS, increasing five (5) of the part-time Corrections Officer positions to full-time will not require an increase in labor budgets for the Winnebago County Sheriff's Department since there are already sufficient funds budgeted for wages and the officers already receive the same employee benefits as do full-time officers.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends the Table of Organization for the Winnebago County Sheriff's Department, effective as soon as the change can be administratively scheduled, by deleting five (5) part-time Corrections Officer positions and adding five (5) full-

time Corrections Officer positions. The 2018 Table of Organization will include sixty-two (62) full-time Corrections Officer positions and five (5) part-time Corrections Officer positions.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 226-122017: Authorize Payment of Shift Premiums for Park View Health Center Nursing Staff

WHEREAS, it has become increasingly difficult to recruit and retain nursing staff, particularly Nurse’s Aides, to work at Park View Health Center, which is experiencing a staffing shortage that causes substantial expense for overtime and agency costs; and

WHEREAS, Park View Health Center currently pays a shift differential to staff Registered Nurses who work evening, overnight, or weekend shifts, but does not pay such differentials to Nurse’s Aides or Licensed Practical Nurses; and

WHEREAS, shift and weekend differentials for all shift nursing staff are very common in the long-term care industry, and inability to offer such differentials has put Park View Health Center at a competitive disadvantage in recruiting new employees, while also making it more difficult to induce current employees to accept additional afternoon, night, or weekend shifts.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that effective January 1, 2018, shift and weekend differentials may be paid to employees working as Shift Nurse’s Aides and Shift Licensed Practical Nurses as follows:

SHIFT NURSE’S AIDES WILL BE PAID:

- (a) A weekend pay differential of \$1.00 per hour for work performed between the hours of 6:30 a.m. Saturday and 6:30 a.m. Monday.
- (b) A shift differential of \$1.00 per hour for work performed between the hours of 2:30 p.m. and 6:30 a.m. each day.

SHIFT LPNs WILL BE PAID:

- (a) A weekend pay differential of \$1.00 per hour for work performed between the hours of 6:30 a.m. Saturday and 6:30 a.m. Monday.
- (b) A shift differential of \$2.00 per hour for work performed between the hours of 2:30 p.m. and 6:30 a.m. each day.

Salaried employees will not receive shift or weekend differentials.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Finch to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 227-122017: Adopt Revision to Winnebago County Compensation Schedule

WHEREAS, it is advisable to consider adjustments to the pay ranges for Winnebago County employees periodically to ensure that our wage rates remain at a level sufficient to allow us to attract and retain good employees; and

WHEREAS, adjusting the minimums, control points, and maximums of pay ranges will not directly increase the pay of any particular County employee, but will allow employees at the maximum of their pay ranges to participate in the Merit Pay Program and receive merit pay increases if they do earn them, up to the new maximum of their pay ranges; and

WHEREAS, your undersigned Committee believes that an increase of 1.0% represents a reasonable adjustment to our non-union pay schedules.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a 1.0% increase to the minimums, control points, and maximum pay grades in the Winnebago County Compensation Schedule as indicated in the attached schedule, which is incorporated herein by reference and made a part of this Resolution.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said pay grade increases shall be effective as of January 1, 2018.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Finch to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 228-122017: Amend Winnebago County Employee Compensation Plan

WHEREAS, in July 2016, the Winnebago County Board of Supervisors adopted the Winnebago County Compensation Plan under Resolution Number 027-62016; and

WHEREAS, the Compensation Plan included a process for considering appeals regarding classification of various positions and a process for establishing the grade of new positions, but did not provide a process for considering requests to reclassify existing positions from their current pay grades to higher or lower pay grades; and

WHEREAS, it is desirable to establish a consistent and fair process for considering requests to reclassify existing positions, which may have become incorrectly classified over time because of changes in duties and responsibilities for the position or other factors such as internal equity within the Winnebago County organization or external changes in the labor market.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends the Winnebago County Employee Compensation Plan by adding Section 7 thereto, as indicated on the attached plan, which is incorporated herein by reference and made a part of this Resolution.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that these amendments to the Winnebago County Employee Compensation Plan become effective immediately.

Submitted by:

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 229-122017: Approve Three (3)-Year Contract Renewal for Operation of Three Waves Clinic and Wellness Center

WHEREAS, in January 2015, pursuant to an Intergovernmental Cooperation Agreement with the City of Oshkosh and the Oshkosh Area School District, Winnebago County entered into a three (3)-year contract with Interra Health Inc for operation of an employee health clinic known as the Three Waves Health Clinic and Wellness Center; and

WHEREAS, the Three Waves Clinic has proven to be a valuable health care resource to employees and dependents who are members of the Winnebago County Employee Health Insurance Plan and has demonstrated a substantial savings to the health plan; and

WHEREAS, the three (3)-year operation agreement is expiring, and Winnebago County wishes to renew the agreement for an additional three-year term on favorable terms.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to enter into an agreement with Interra Health Inc. Said Agreement Extension is attached hereto and incorporated herein by reference and made a part of this Resolution.

Submitted by:

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 230-122017: Authorize Winnebago County Submitting an Engagement Letter Encouraging Prosecution of Those Persons and Entities Who Have a Significant Role in the Creation of the Opioid Epidemic

WHEREAS, Winnebago County is concerned with the recent rapid rise in troubles among County citizens, residents, and visitors regarding problems arising out of the use, abuse, and overuse of opioid medications which, according to certain studies, impacts millions of individuals across the country; and

WHEREAS, issues and concerns surrounding opioid use, abuse, and overuse by citizens, residents, and visitors are not unique to Winnebago County and are, in fact, issues and concerns shared by all other counties within the State of Wisconsin and, for that matter, states and counties across the country as has been well documented through various reports and publications, and is commonly referred to as the "Opioid Epidemic"; and

WHEREAS, the societal costs associated with the Opioid Epidemic are staggering and, according to the Centers for Disease Control and Prevention, amount to over \$75 billion annually; and

WHEREAS, the national Institute for Health has identified the manufacturers of certain opioid medications as being directly responsible for the rapid rise of the Opioid epidemic by virtue of their aggressive and, according to some, unlawful and unethical marketing practices; and

WHEREAS, certain opioid manufacturers have faced civil and criminal liability for their actions that relate directly to the rise of the Opioid Epidemic; and

WHEREAS, Winnebago County has spent millions in unexpected and unbudgeted time and resources in its programs and services related to the Opioid Epidemic; and

WHEREAS, Winnebago County is responsible for a multitude of programs and services, all of which require Winnebago County to expend resources generated through state and federal aid, property tax levy, fees, and other permissible revenue sources; and

WHEREAS, Winnebago County's provision of programs and services becomes more and more difficult every year because the costs associated with providing the Opioid Epidemic programs and services continue to rise, yet Winnebago County's ability to generate revenue is limited by strict levy limit caps and stagnant or declining state and federal aid to Winnebago County; and

WHEREAS, all funds that Winnebago County expends in addressing, combatting, and otherwise dealing with the Opioid Epidemic are funds that cannot be used for other critical programs and services that Winnebago County provides to County citizens, residents, and visitors; and

WHEREAS, Winnebago County has been informed that numerous counties and states across the country have filed or intend to file lawsuits against certain opioid manufacturers in an effort to force the individuals and entities responsible for the Opioid Epidemic to assume financial responsibility for the costs associated with addressing, combatting, and otherwise dealing with the Opioid Epidemic; and

WHEREAS, Winnebago County has engaged in discussions with representatives of the law firms of von Briesen & Roper SC, Crueger Dickinson LLC, and Simmons Hanly Conroy LLC (the "Law Firms") regarding the potential for Winnebago County to pursue certain legal claims against certain opioid manufacturers; and

WHEREAS, Winnebago County has been informed that the Law Firms have the requisite skill experience and wherewithal to prosecute legal claims against certain opioid manufacturers on behalf of public entities seeking to hold them responsible for the Opioid Epidemic; and

WHEREAS, the Law Firms have proposed that Winnebago County engage the Law Firms to prosecute the aforementioned claims on a contingent fee basis whereby the Law Firms would not be compensated unless Winnebago County receives a financial benefit as a result of the proposed claims, and the Law Firms would advance all claim-related costs and expenses associated with the claims; and

WHEREAS, all of the costs and expenses associated with the claims against certain opioid manufacturers would be borne by the Law Firms; and

WHEREAS, the Law Firms have prepared an Engagement Letter, attached hereto and incorporated herein by reference and made a part of this Resolution, specifying the terms and conditions under which the Law Firms would provide legal services to Winnebago County and otherwise consistent with the terms of this Resolution; and

WHEREAS, Winnebago County is informed that the Wisconsin Counties Association has engaged in extensive discussions with the Law Firms and has expressed a desire to assist the Law Firms, County, and other counties in the prosecution of claims against certain opioid manufacturers; and

WHEREAS, Winnebago County would participate in the prosecution of the claim(s) contemplated in this Resolution and Engagement Letter by providing information and materials to the Law Firms and, as appropriate, the Wisconsin Counties Association as needed; and

WHEREAS, Winnebago County believes it is in the best interests of Winnebago County, its citizens, residents, visitors, and taxpayers to join with other counties in and outside the State of Wisconsin in pursuit of claims against certain opioid manufacturers, all upon the terms and conditions set forth in the Engagement Letter; and

WHEREAS, by pursuing the claims against certain opioid manufacturers, Winnebago County is attempting to hold those individuals and entities that had a significant role in the creation of the Opioid Epidemic responsible for the financial costs assumed by Winnebago County and other public agencies across the country in dealing with the Opioid Epidemic.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes and agrees to be bound by the attached Engagement Letter, and it hereby directs the Winnebago County Executive and Winnebago County Clerk to execute the Engagement Letter on behalf of Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that Winnebago County shall endeavor to faithfully perform all actions required of Winnebago County regarding claims contemplated herein and in the Engagement Letter and hereby directs all County personnel to cooperate with and assist the Law Firms thereto.

Submitted by:

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. Vote on Resolution: AYES: 23; NAYS: 9 – Smith, Long, Gabert, Binder, Thompson, Schorse, Hegg, Farrey and Kriescher; ABSTAIN: 2 – Brunn and Roh; ABSENT: 2 – Wojciechowski and Youngquist. CARRIED.

RESOLUTION NO. 231-122017: Authorize and Appropriate Funds for the Purchase of Property Owned by Carol Marwede and the Carol Marwede Trust

WHEREAS, on May 9, 2017, Carol Marwede filed a claim against Winnebago County in the amount of \$569,000.00 claiming that Winnebago County created an uneconomic remnant regarding two properties when it acquired the properties by eminent domain for the purpose of constructing County Highway CB; and

WHEREAS, on September 6, 2017, the Winnebago County Board denied Carol Marwede’s claim; and

WHEREAS, a number of meetings have taken place between the Winnebago County Corporation Counsel, the Winnebago County Executive, Carol Marwede, her son Mark Marwede, and the Marwede’s legal counsel regarding this issue; and

WHEREAS, Carol Marwede has tentatively agreed to settle her claim against Winnebago County upon payment of the sum of \$95,000.00, with title to that part of Tax Parcel Number 121-0521 east of County Road CB, and 121-0515-01 to be quit claimed to Winnebago County in good and marketable condition, free of judgments, mortgages, and liens, and to release Winnebago County from any and all claims, unconditionally and without reservation, as a part of and pursuant to this agreement; and

WHEREAS, the Winnebago County Executive and the Winnebago County Corporation Counsel recommend settlement of this claim pursuant to those terms described above.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive to settle the claim of Carol Marwede and the Carol Marwede Trust against Winnebago County upon payment of the amount of \$95,000.00 to claimant in return for which the Carol Marwede and the Carol Marwede Trust shall execute a quit claim deed to Winnebago County for that part of Tax Parcel Numbers 121-0521 east of County Road CB, and 121-0515-01, and provide Winnebago County with a title insurance commitment showing that said conveyance of property is being made in good and marketable condition, free of judgments, mortgages, and liens, and release Winnebago County from any claims made against it.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the appropriation of \$95,000.00 from the Winnebago County General Fund for purchase of said property.

Submitted by:

PERSONNEL AND FINACE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Finch to adopt. CARRIED BY VOICE VOTE.

Motion by Supervisor Robl and seconded by Supervisor Konetzke to adjourn until the January 9, 2018 special orders meeting at 6:00 p.m. The meeting was adjourned at 7:55 p.m.

Submitted by:

Julie A. Barthels

Winnebago County Deputy Clerk

State of Wisconsin)
County of Winnebago) ss

I, Julie A. Barthels, 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 December 19, 2017.

Julie A. Barthels

Winnebago County Deputy Clerk