

**WINNEBAGO COUNTY BOARD MEETING  
TUESDAY, AUGUST 20, 2019**

Chairman Shiloh Ramos 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: 35 - Konetzke, Brunn, Borchart, Eisen, Ramos, Defferding, Lenz, Smith, Nussbaum, Spellman, Albrecht, Gabert, Binder, Konrad, Schorse, Wojciechowski, Gordon, Wingren, Lautenschlager, Norton, Warnke, Singstock, Buck, Powers, Locke, Wise, Finch, Youngquist, Farrey, Rasmussen, Keller, Egan, Ellis, Snider and Joas. Excused: 1 - Robl.

Motion by Supervisor Albrecht and seconded by Supervisor Finch to adopt the agenda for tonight's meeting with the change of order of the resolutions, so that No. 195-082019 is acted on following Resolution No. 184-082019. CARRIED BY VOICE VOTE.

**PUBLIC HEARING**

The following persons spoke in opposition of Resolution No. 184-082019 "Support Censure and Issuance of a No-Confidence Vote Against Winnebago County Coroner Barry Busby":

- Thomas O'Connor, former Fond du Lac County Medical Examiner
- Barry Busby, Winnebago County Coroner, reported on his accomplishments as Coroner and announced that he will be retiring from his position as of October 31, 2019.

The following person spoke in support of Resolution No. 184-082019 "Support Censure and Issuance of a No-Confidence Vote Against Winnebago County Coroner Barry Busby":

- Bill Roh, 1555 Lyon Drive, Neenah

**COMMUNICATIONS AND PETITIONS**

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

- Zoning Petitions:
  - No. 1 – Petition for zoning change from April A. Becker; Town of Winneconne; for tax parcel no. 030-0222-02; rezone from I-2 Heavy Industrial District to R-2 Suburban Residential District was referred to the Planning and Zoning Committee.
- Notice of Claim:
  - Claim from Eric Torbeck for injury sustained while an inmate at the county jail was referred to the Personnel and Finance Committee.
  - Claim from WE Energies for damage to electrical equipment caused by a Winnebago County Highway Department mower was referred to the Personnel and Finance Committee.
- Resolution from Burnett County – Resolution #2019-21: Supporting Medicaid Expansion as proposed in Governor Evers' 2019-2021 Executive Budget was referred to the Legislative Committee.
- Resolution from Door County – Resolution #2019-50: Resolution requesting the Wisconsin Legislature End the Use of Personal Conviction Waivers for School and Day Care Center Immunizations was referred to the Legislative Committee.

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Norton announced the 2<sup>nd</sup> Annual Wheel Chair Wash will be held on Saturday, September 28, 2019 at the Menasha Senior Center from 10:00 a.m. to 1:00 p.m.

Supervisor Norton reported on his attendance to a program on diversity. Yee Leng Xiong, Marathon County Board Supervisor, Village Trustee and School Board Member spoke on this topic. He will be at the opening ceremonies of the Hmong and National Labor Day celebration to be held at the Winnebago County Community Park August 31 and September 1, 2019 starting at 9:30 a.m.

Supervisor Egan announced that there will be a Legislative Committee meeting on Monday, August 26, 2019 at the JP Coughlin building at 8:30 a.m.

Supervisor Wojciechowski announced that Patty Francour, Director of Information Systems, will do an educational presentation on iPad usage for Roll Call Pro at the special orders meeting on September 3, 2019. Supervisors are encouraged to bring their iPads to this meeting.

Motion by Supervisor Finch and seconded by Supervisor Albrecht to approve the proceedings from the July 16, 2019 county board meeting. CARRIED BY VOICE VOTE.

**COUNTY EXECUTIVE'S REPORT**

Executive Mark Harris spoke in support of the following resolutions:  
Resolution No. 184-082019 – Support Censure and Issuance of a No-Confidence Vote Against Winnebago County Coroner Barry Busby".

**COUNTY EXECUTIVE APPOINTMENTS**  
**Aging and Disability Resource Center Committee**

Executive Harris asked for the Board's approval of his appointment of Michael Norton and re-appointments of Susan Locke and Peter Christianson, 5300 Ann Street, Larsen; to the Aging and Disability Resource Committee. These are three (3) year terms which will expire August 31, 2022. Motion by Supervisor Ellis and seconded by Supervisor Konetzke to approve. CARRIED BY VOICE VOTE.

**Board of Adjustment**

Executive Harris asked for the Board's approval of his re-appointments of Greg Kargus, 2934 Shorewood Drive, Oshkosh and Arden Schroeder, 9458 Highway 76, Neenah to the Board of Adjustment. These are three (3) year terms which will expire June 30, 2022. Motion by Supervisor Finch and seconded by Supervisor Farrey to approve. CARRIED BY VOICE VOTE.

**East Wisconsin Counties Railroad Consortium**

Executive Harris asked for the Board's approval of his re-appointment of Supervisor Larry Smith to the East Wisconsin Counties Railroad Consortium. This is a three (3) year term which will expire April 19, 2022. Motion by Supervisor Snider and seconded by Supervisor Finch to approve. CARRIED BY VOICE VOTE.

**Fox Valley Workforce Development Board, Inc.**

Executive Harris asked for the Board's approval of his appointments and re-appointments of Hanna Westphal, Oshkosh Corporation; Russ Haase, Aurora Health Care; Robert Pederson, Apple Nape; Jennifer Marks, Forward Service Corporation and Larry Lautenschlager, Winnebago Area Labor Council to the Fox Valley Workforce Development Board, Inc. Ms. Westphal will replace Jodie Larsen whose term will expire June 30, 2021. Ms. Marks will replace Jim Nitz whose term will expire June 30, 2020. Mr. Haase, Mr. Lautenschlager and Mr. Pederson have three (3) year terms which will expire June 30, 2022, not June 30, 2020 as originally stated. Motion by Supervisor Albrecht and seconded by Supervisor Ellis to approve. CARRIED BY VOICE VOTE.

**Veterans Service Commission**

Executive Harris asked for the Board's approval of his appointment of Lucy Burr, 888 E. Shady Lane, Neenah to the Veterans Service Commission. Ms. Burr will replace Joe Maehl who has resigned. This term will expire December 31, 2019. Motion by Supervisor Snider and seconded by Supervisor Finch to approve. CARRIED BY VOICE VOTE.

**COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Ramos reported that Supervisor Robl is excused from this meeting. Supervisor Robl provided a cake for everyone to help celebrate his "92<sup>nd</sup>" birthday.

Chairman Ramos announced that the special orders meeting will be held on Tuesday, September 3, 2019.

**UWO-FOX CITIES CAMPUS CAPITAL PROJECTS**

Dr. Martin Rudd, Assistant Chancellor for Access Campuses and JoAnn L. Rife, UW-Oshkosh Director of Facilities Planning and Construction, provided an overview of capital projects that will be presented to the County Board.

Dr. Rudd stated that this will be the first full academic year since the transition of schools. Working with new colleagues has been beneficial for the system. The Board of Trustees has approved the name change and have provided guidance with the consolidation and operation of the campus. The consolidation has allowed the three campuses to utilize the same curriculum and integrate administration. They are currently working on a new mission statement and hope to present it this fall.

JoAnn Rife presented the capital improvement projects that will be done to the campus.

- Roof Repairs to Main Building
  - Emergency repairs were done in 2018.
  - Estimate for remedial repair would be \$50,000.00. This cost would be split between Winnebago and Outagamie County.
  - Doing the suggested repairs would extend the life expectancy out 10 more years and allow decreased repairs to ceiling tiles, flooring and walls.
- Children's Center Site
  - In existence since 1980.
  - Four permanent teaching staff and approximately a dozen student workers whose salaries are funded by the State.
  - Fixtures, furniture and equipment funds will come from operation funds of this revenue program.
  - Currently 48 children attend this facility.
  - The addition will create space for Teacher/Parent meetings, provide a large motor room, a staff workroom and storage.
  - Total cost of the addition would be \$534,600. This cost would be split between Winnebago and Outagamie County.
- South Parking Lot Repair
  - Lot was constructed in 1990 over poor soil conditions.
  - Parking lots were noted in such bad condition that no PASER rating was given.
  - Winnebago County would include this project in their scope of work for 2020.
  - Total estimated cost of the project would be \$335,200. This cost would be split between Winnebago and Outagamie County.

## **ZONING REPORTS & ORDINANCES**

- Report No. 001 – A report from the Planning & Zoning Committee regarding a requested zoning change from Craig A. Norlin; Town of Winneconne, for tax parcel no. 030-0625. Motion by Supervisor Snider and seconded by Supervisor Gabert to accept. **CARRIED BY VOICE VOTE.**
  - Amendatory Ordinance No. 08/01/19 – A requested zoning change from B-2 Community Business to R-2 Suburban Low Density Residential for tax parcel no. 030-0625. Motion by Supervisor Snider and seconded by Supervisor Gabert to adopt. **CARRIED BY VOICE VOTE.** (Effective Date: August 23, 2019)
- Report No. 002 – A report from the Planning & Zoning Committee regarding a requested zoning change from Timothy Leonard and Victoria Murrell; Town of Omro, for tax parcel no. 016-0032-01. Motion by Supervisor Egan and seconded by Supervisor Ellis to accept. **CARRIED BY VOICE VOTE.**
  - Amendatory Ordinance No. 08/02/19 – A requested zoning change from R-1 Rural Residential, A-2 General Agriculture to A2 General Agriculture for tax parcel no. 016-0032-01. Motion by Supervisor Gabert and seconded by Supervisor Finch to adopt. **CARRIED BY VOICE VOTE.** (Effective Date: August 23, 2019)
- Report No. 003 – A report from the Town of Oshkosh for a text amendment change. Motion by Supervisor Gabert and seconded by Supervisor Farrey to accept. **CARRIED BY VOICE VOTE.**
  - Amendatory Ordinance No. 08/03/19 – A zoning change from the Town of Oshkosh to request a text amendment to Chapter 23, Article 15, Section 15 (1) (part), of the Winnebago County Town County Zoning Code. Motion by Supervisor Gabert and seconded by Supervisor Farrey to adopt. Ayes: 26. Abstain: 1 – Schorse; Nays: 8 – Brunn, Eisen, Binder, Wojciechowski, Gordon, Rasmussen, Snider and Joas. Excused: 1 – Robl. **CARRIED.** (Effective Date: August 23, 2019)
- Report No. 004 – A report from Winnebago County Zoning Department for an amendment to the Winnebago County Sanitary Ordinance. Motion by Supervisor Egan and seconded by Supervisor Finch to accept. **CARRIED BY VOICE VOTE.**
  - Amendatory Ordinance No. 08/04/19 – A zoning change from Winnebago County Zoning to request an amendment to the Winnebago County Sanitary Ordinance to add item (f) to Chapter 16.05 Holding Tanks. Motion by Supervisor Egan and seconded by Supervisor Snider to adopt. **CARRIED BY VOICE VOTE.** (Effective Date: August 23, 2019)
- Amendatory Ordinance No. 08/05/19 – A requested zoning change from the Town of Winneconne on behalf of Robert Mueller, for parcel no. 030-0270, to rezone from A-2 Agricultural District to R-1 Residential District. Motion by Supervisor Snider and seconded by Supervisor Gabert to adopt. **CARRIED BY VOICE VOTE.** (Effective Date: August 23, 2019)

## **RESOLUTIONS & ORDINANCES**

### **RESOLUTION NO. 180-082019: Commendation for Adelita Garcia-Martinez**

WHEREAS, Adelita Garcia-Martinez has been employed with Park View Health Center for the past thirty (30) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Adelita Garcia-Martinez has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that sincere appreciation and commendation be and is hereby extended to Adelita Garcia-Martinez for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Adelita Garcia-Martinez.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

### **RESOLUTION NO. 181-082019: Commendation for Mary Grundy**

WHEREAS, Mary Grundy has been employed with the Winnebago County Department of Human Services for the past thirty-two (32) years, and during that time has been a most conscientious and devoted County employee; and

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

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

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

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 182-082019: Disallow Claim of Jason Davis**

WHEREAS, your Personnel and Finance Committee has had the claim of Jason Davis referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of Jason Davis, filed with the County Clerk on July 3, 2019, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 183-082019: Disallow Claim of Bernie Sorenson**

WHEREAS, your Personnel and Finance Committee has had the claim of Bernie Sorenson referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of Bernie Sorenson, filed with the County Clerk on June 14, 2019, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 184-082019: Support Censure and Issuance of a No-Confidence Vote Against Winnebago County Coroner Barry Busby**

WHEREAS, Chapter 19, Wis Stats, codifies a Code of Ethics for Public Officials and Employees; and

WHEREAS, the Wisconsin Legislature recognizes that high moral and ethical standards among public officials is essential to the conduct of free government, will improve standards of public service, and will promote and strengthen the faith and confidence of Wisconsin residents in their public officials and employees; and

WHEREAS, §19.42(7u), Wis Stats, defines a local governmental unit as a political subdivision of this state; and

WHEREAS, §19.47(7w), Wis Stats, defines a local public office as an elective office of a local governmental unit; and

WHEREAS, §19.59(1)(a), Wis Stats, provides in pertinent part that no local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family; and

WHEREAS, §19.59(1)(c)(2), Wis Stats, provides no local public official may use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official or one or more members of the official's immediate family either separately or together; and

WHEREAS, under Wisconsin State Law, coroners are authorized to investigate deaths in which there are unexplained, unusual, or suspicious circumstances; and

WHEREAS, Barry Busby was initially appointed as the Winnebago County Coroner in 1997. Mr. Busby has served as the Winnebago County Coroner for the past 22 years, most recently being elected in November 2018; and

WHEREAS, credible information has surfaced demonstrating that Mr. Busby has spent weeks at a time out of state during 2018 and 2019; and

WHEREAS, Winnebago County telephone records associated with Mr. Busby's county-issued cell phone show him making or receiving calls from out of the state for most of this past winter, starting only weeks after his re-election; and

WHEREAS, in Mr. Busby's absence from this State, one of Winnebago County's deputy coroners must cover Coroner Busby's absence, incurring a cost to tax payers because deputies are paid on a per diem basis with additional expense reimbursement; and

WHEREAS, additional information has surfaced regarding sexual harassment allegations leveled against Mr. Busby, some of which Mr. Busby does not deny; and

WHEREAS, §59.34(1)(b), Wis Stats, provides that the coroner shall exercise all the powers and duties of the sheriff and undersheriff of that county in their absence.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby censures Coroner Barry Busby and issues a No-Confidence Vote against Winnebago County Coroner Barry Busby.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Office of State of Wisconsin Governor Tony Evers, the Wisconsin Coroners' and Medical Examiners' Association, and all state senators and assembly members representing Winnebago County constituents.

Submitted by:  
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion by Supervisor Wingren and seconded by Supervisor Ellis to adopt. Motion by Supervisor Eisen and seconded by Supervisor Binder to postpone this resolution until September 3, 2019 Special Orders meeting to see if a letter has been submitted to the Sheriff for the Coroner's resignation. Vote on Postponement: AYES: 11 – Konetzke, Brunn, Eisen, Albrecht, Gabert, Binder, Locke, Finch, Youngquist, Snider and Joas; NAYES: 23; ABSTAIN: 1 – Konrad; ABSENT: 1 – Robl. FAILED.

Motion by Supervisor Wingren and seconded by Supervisor Lautenschlager to call for the question. Vote on call for the Question: AYES: 29; NAYES: 5 – Konetzke, Eisen, Lenz, Wojciechowski and Joas; ABSTAIN: 1 – Brunn; ABSENT: 1 – Robl. CARRIED.

Vote on Resolution: AYES: 29; NAYES: 1 – Snider; ABSTAIN: 5 – Gabert, Konrad, Locke, Youngquist and Joas; ABSENT: 1 – Robl. CARRIED.

**RESOLUTION NO. 195-082019: Amend the Table of Organization for the Winnebago County District Attorney's Office to Eliminate One Full-time Administrative Associate V Position and Add One Full-time Crime Data Analyst Position**

WHEREAS, Winnebago County has been an innovator in alternative and diversion programs in the criminal justice system, and has a need to continually evaluate those programs to make sure they are cost-effective and adequately protect the public; and

WHEREAS, in the past a Crime Data Analyst position had been shared between the Winnebago County Sheriff's Office and the Winnebago County District Attorney's Office, but that position over time became more involved in investigating online crime and in 2016 was absorbed fully into the Sheriff's Office as a Crime Analyst position; and

WHEREAS, since 2016 some of the data analysis for the District Attorney's Office has been provided by an Administrative Associate V position, but the Administrative Associate V position is currently vacant, and more advanced data analysis skills are needed than can be readily found in the applicant pool for an Administrative Associate position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago County District Attorney's Office is amended by deleting one full-time Administrative Associate V position and by adding one full-time Crime Data Analyst position.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 185-082019: Authorize Transfer of Jurisdiction and Maintenance of a Portion of County Trunk Highway GG to the Town of Vinland**

WHEREAS, the Winnebago County Highway Department has determined that the public interest is best served by transferring jurisdiction and maintenance of a portion of CTH GG, beginning at CTH A for a distance of 740 Lineal Feet West; and

WHEREAS, the Town of Vinland must pass a resolution accepting the transfer of jurisdiction and maintenance of the aforementioned segment of roadway; and

WHEREAS, the Wisconsin Department of Transportation must record transfers of jurisdiction in the State records; and

WHEREAS, §83.025, Wis Stats, enables Winnebago County and the Town of Vinland to enter into an agreement transferring jurisdiction and maintenance of the aforementioned segment of roadway, thereby facilitating the changes in the highway system.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves transfer of jurisdiction and maintenance of an existing segment of County Trunk Highway GG, from CTH A to a distance of 740 Lineal Feet West, to the Town of Vinland.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that, pursuant to this Resolution, transferring the responsibility of jurisdiction and maintenance of the aforementioned segment of CTH GG to the Town of Vinland, shall become effective on November 1, 2020, upon the passage of a resolution by the Town of Vinland accepting jurisdiction and maintenance.

Submitted by:  
HIGHWAY COMMITTEE

Motion by Supervisor Albrecht and seconded by Supervisor Defferding to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 186-082019: Authorize a Four-Year Agreement Between Waupaca County and Winnebago County for Participation in the Upper Fox-Wolf River Regional Demonstration Farm Network**

WHEREAS, governmental bodies are authorized to enter into mutual agreements under the provisions of §66.0301, Wis Stats, for the receipt or furnishings of services or the joint exercise of any power or duty required or authorized by law; and

WHEREAS, Waupaca County and Winnebago County believe that by working together in a cooperative agreement they can achieve county water quality goals through the creation of a Regional Demonstration Farm Network; and

WHEREAS, Waupaca County by its Land and Water Conservation Department (LWCD) has signed a Contribution Agreement (#NR185F48XXXXC023) with the United States Department of Agriculture's Natural Resource Conservation Service (USDA-NRCS) to facilitate and cost-share the creation and operation of a Demonstration Farm Network in the Upper Fox-Wolf Basin; and

WHEREAS, the USDA-NRCS is providing 75% of the costs associated with the Regional Demonstration Farm Network; and

WHEREAS, there are a total of eight counties participating in this Regional Demonstration Farm Network to share the remaining 25% of associated costs during the four-year agreement; and

WHEREAS, your Land and Water Conservation Department is not requesting additional funds to participate in the Regional Demonstration Farm Network.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that, the Winnebago County Land and Water Conservation Department is hereby authorized to enter into an Agreement with Waupaca County and the Regional Demonstration Farm Network for the purposes of educating producers on new and innovative farming practices that conserve and protect the resources of Winnebago County.

Submitted by:  
LAND CONSERVATION COMMITTEE

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

**RESOLUTION NO. 187-082019: Support Legislation to End the Use of Personal Conviction Waivers for School and Day Care Center Immunizations**

WHEREAS, vaccine-preventable diseases, such as measles, are highly contagious and can result in serious health complications, including pneumonia and encephalitis, and lead to death; and

WHEREAS, outbreaks of measles have impacted multiple states in 2019, and a measles exposure was recorded in Wisconsin in 2018; and

WHEREAS, the effectiveness and safety of vaccines have been well established; and

WHEREAS, the Affordable Care Act has allowed greater access to insurance coverage for vaccinations, which are readily available in medical offices and pharmacies, and public health departments continue to serve those eligible for the Vaccines for Children Program; and

WHEREAS, Wisconsin's immunization laws, §252.04(3), Wis Stats, and §DHS 144.06, Wisconsin Administrative Code, permit parents to opt out of or waive some or all of the vaccinations required to attend school or group day care based on their personal beliefs; and

WHEREAS, the Wisconsin Public Health Association supports a change in school and day care center immunization law that eliminates personal conviction waivers for students in Wisconsin public and private schools and for children who attend group day cares.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby respectfully requests that the Wisconsin Legislature end the use of personal conviction waivers for school and day care center immunizations.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Office of Governor Tony Evers, the Wisconsin Counties Association, and all state senators and assembly members representing Winnebago County constituents.

Submitted by:  
BOARD OF HEALTH

Motion by Supervisor Norton and seconded by Supervisor Ellis to adopt. Corporation Counsel, Mary Ann Mueller reported that there is pending legislation (2019 SB262) regarding this matter, therefore it requires three-fourths of membership to pass.

Motion by Supervisor Eisen and seconded by Supervisor Farrey to refer to Legislative Committee for discussion. FAILED BY VOICE VOTE.

After discussion with Corporation Counsel, it was determined that Legislative Committee Rule No. 24.5 states that the Legislative Committee shall review proposed federal and state legislation and administrative regulations impacting upon the County and shall provide and inform area legislators and Wisconsin Legislative Committees of the recommendations of the County Board.

It was determined that the previous motion to refer to the Legislative Committee could be reconsidered. Motion by Supervisor Gabert and seconded by Supervisor Farrey to refer to the Legislative Committee. Supervisor Wingren challenged this motion. No vote on this motion because Chairman Ramos, as the Chairman of the Board of Health, pulled this resolution from the tonight's agenda.

**RESOLUTION NO. 188-082019: Authorize the Transfer of an Additional \$77,046 from the Undesignated General Fund Balance to the Winnebago County Facilities Department Capital Outlay Account for the Concrete Base and Sewer and Utility Hookups Needed to Secure Independent Housing for Chapter 980 Offenders**

WHEREAS, recent amendments to Chapter 980, Wis Stats, regarding Supervised Release of Sexually Violent Person Commitments, require Winnebago County to identify appropriate residential housing options for Winnebago County residents who are subject to supervised release; and

WHEREAS, the new law imposes significant geographical restrictions on where such housing can be located; and

WHEREAS, attempts to secure appropriate independent housing given the law's strict parameters have been unsuccessful; and

WHEREAS, failure to provide said residents under supervised release status with appropriate residential options subjects Winnebago County to fines of up to \$1,100 per day to be assessed against Winnebago County; and WHEREAS, Winnebago County's statutorily-created temporary committee has located a parcel of land owned by Winnebago County and within the Oshkosh City limits that meets all the legal criteria; and

WHEREAS, since the parcel of land is owned by Winnebago County, the County would become the landlord and the State of Wisconsin would be required to pay Winnebago County rent for providing this residential option; and

WHEREAS, at the December 4, 2018, meeting of the City of Oshkosh Planning Commission, the Commission voted to allow a manufactured housing unit to be located on said parcel of land located in the City of Oshkosh and owned by Winnebago County; and

WHEREAS, at the December 18, 2018, meeting of the Winnebago County Board of Supervisors, the Board passed Resolution 097-122018 authorizing the transfer of \$100,000 to cover the cost of placing a manufactured housing unit on this Winnebago County-owned parcel of land, the cement base on which to place the housing unit, and various hookups; and

WHEREAS, the project bid for the concrete base and sewer and utility hookups came in at approximately \$101,650 and the mobile home at \$46,865, resulting in the project being underfunded by \$77,046, to include contingencies.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of an additional \$77,046 from the Undesignated General Fund balance to the Winnebago County Facilities Department Capital Outlay account to cover the additional cost of the manufactured home, the concrete base, and the sewer and utility hookups needed to secure independent housing for Chapter 980 offenders.

Submitted by:

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 189-082019: Authorize an Additional \$578,900 to the Capital Project for the Winnebago County Facilities and Property Management Department to Upgrade the Controls and Functionality of the Three (3) Courthouse Elevators, Funded with an Advance from the General Fund to be Reimbursed from a Subsequent Bond Issue**

WHEREAS, the two (2) main Courthouse passenger elevators and one (1) Courthouse prisoner elevator have 1938 vintage controls and equipment which are composed of parts and electronics that are no longer manufactured and are very difficult to obtain, if at all; and

WHEREAS, the elevators are experiencing more frequent and longer lasting breakdowns, and this is impacting passengers; on several occasions over the past year, elevator failures required the assistance of the Fire Department to release passengers; and

WHEREAS, funds from this capital project will be used to upgrade the elevators with modern digital controls and more energy efficient motors and transmissions; and

WHEREAS, at the County Board meeting held on Tuesday, March 19, 2019, the Winnebago County Board of Supervisors passed Resolution 125-032019 authorizing this capital project at a cost of \$795,000 to be funded by bond proceeds; and

WHEREAS, the project bid came in at approximately \$1,373,900, resulting in the project being underfunded by \$578,900.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes an additional \$578,900 to the capital project for the Winnebago County Facilities and Property Management Department to upgrade the controls and functionality of the three (3) courthouse elevators.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the capital project will be advanced from the General Fund and will be reimbursed from a subsequent bond issue.

Submitted by:

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

Motion by Supervisor Farrey and seconded by Supervisor Lautenschlager to amend the title of the resolution to read as follows: "Authorize an Additional \$578,900 to the Capital Project for the Winnebago County Facilities and Property Management Department to Upgrade the Controls and Functionality of the Three (3) Courthouse Elevators, to be Funded from the Undesignated General Fund Balance."

Amending lines 27 and 28 to read as follows: "BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors will pay for the capital project with the Undesignated General Fund Balance".

Amending lines 30 and 31 to read as follows: "Fiscal Impact: The Undesignated General Fund Balance will decrease by \$578,900". The vote required to pass this amendment would change to two-thirds of membership. Vote on Amendment: AYES: 14 – Konezke, Brunn, Defferding, Lenz, Smith, Albrecht, Singstock, Locke, Wise, Finch, Youngquist, Farrey, Ellis and Snider; NAYES: 21; ABSTAIN: 0; ABSENT: 1 – Robl. FAILED.

Vote on Resolution as Presented: AYES: 33; NAYES: 2 – Defferding and Farrey; ABSTAIN: 0; ABSENT: 1 – Robl. CARRIED.

**RESOLUTION NO. 190-082019: Authorize an Additional \$1,518,097 to the Capital Project for the Winnebago County Facilities and Property Management Department to Repair / Replace the Windows at the Courthouse, Funded with an Advance from the General Fund to be Reimbursed from a Subsequent Bond Issue**

WHEREAS, the windows in the Winnebago County Courthouse are circa 1938 and have significant deterioration; and

WHEREAS, storm windows were later added to increase efficiency; and

WHEREAS, the storm windows have created a void that traps moisture and is causing significant deterioration to plaster and drywall due to the deterioration of the seals of the outside windows; and

WHEREAS, the best solution is to replace the existing windows with thermal pane windows matching the historic aesthetics of the existing windows; and

WHEREAS, at the September 15, 2015, Meeting of the Winnebago County Board of Supervisors, the Board passed Resolution 210-092015 authorizing this capital project at a cost of \$1,200,000 to be funded by bond proceeds; and

WHEREAS, the project has been bid twice before, the first time receiving no bidders and the second time receiving three bids exceeding the budget by over 300%; and

WHEREAS, a third request for bids resulted in the receipt of three bids, of which the lowest responsible bid was \$2,450,000, which exceeds the project budget. After engineering costs that have already been paid and contingencies the budget shortfall is \$1,518,097.00.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes an additional \$1,518,097 to the capital project for the Winnebago County Facilities and Property Management Department to repair / replace the windows at the courthouse.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the capital project will be advanced from the General Fund and will be reimbursed from a subsequent bond issue.

Submitted by:

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Keller and seconded by Supervisor Snider to adopt. VOTE ON RESOLUTION – AYES: 31; NAYES: 4 – Brunn, Wojciechowski, Farrey and Joas; ABSTAIN: 0; ABSENT: 1 – Robl. CARRIED.



**RESOLUTION NO. 191-082019: Authorize the Winnebago County Parks Department to Accept a Grant from the Fox River Natural Resources Damage Assessment (NRDA) Council in the Amount of \$100,000 to Assist in Funding the Replacement of the Ice Damaged Asylum Point Island Bridge with a Metal Clear Span Structure**

WHEREAS, an ice shove that occurred in 2017 displaced the existing sixteen (16) year old wood pile walking bridge at Asylum Point Island to the extent that it is no longer useable; and

WHEREAS, citizens regularly traversed the bridge to crossover from the mainland to Asylum Point Island where they would view the Asylum Point Lighthouse and enjoy fishing and hiking opportunities; and WHEREAS, Winnebago County Parks personnel also used the bridge for mower access and to service two (2) picnic sites; and

WHEREAS, Winnebago County wishes to restore safe access to Asylum Point Island for public use; and

WHEREAS, the Asylum Point Island Bridge Replacement Project will require contractors to remove the damaged wood pile bridge and install a metal frame clear span structure with supporting bridge abutments; and

WHEREAS, Winnebago County Parks Department presently has \$40,000 available in funding for the bridge replacement project assigned within the 2019 Budget; and

WHEREAS, the Fox River Natural Resources Damage Assessment Council (NRDA Council) has awarded Winnebago County a \$100,000 grant to help support the Asylum Point Bridge Replacement Project; and

WHEREAS, accepting the NRDA Council's \$100,000 grant award will be necessary in order to complete the Asylum Point Island Bridge Replacement Project and bring about restoration of safe public access to the island.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Parks Department to accept a grant from the Fox River Natural Resources Damage Assessment Council in the amount of \$100,000 to assist in funding the replacement of the ice-damaged Asylum Point Island Bridge with a metal clear span structure

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 192-082019: Authorize the General Services Department to Enter into a 5-Year Lease Agreement with Gordon Flesch Company Inc for (Dual Purpose) Copy / Fax / Scanning Machines**

WHEREAS, Winnebago County is nearing the end of its lease agreement for dual purpose machines to be placed in various County Departments; and

WHEREAS, a Request for Proposal was issued for new contract proposals to be submitted for these machines; and

WHEREAS, a team consisting of staff from several County Departments that are large users was assembled to evaluate the proposals; and;

WHEREAS, the selection team recommended Gordon Flesch Company Inc to provide dual purpose machines for the next five (5) years; and;

WHEREAS, the process of leasing machines County-wide has worked effectively for the past ten (10) years.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the General Services Department to enter into a five (5)-year contract with Gordon Flesch Company Inc to provide Winnebago County with dual purpose copy machines.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 193-082019: Authorize Execution of Exposition Center Multi-year Rental Agreement Between Winnebago County and the Winnegamie Home Builders Association**

WHEREAS, Winnebago County recognizes that the Winnegamie Home Builders Association wishes to obtain the rights to hold its annual Home Builders Show event at the Sunnyview Exposition Center for a period of three (3) consecutive years; and

WHEREAS, the Winnegamie Home Builders Association has been a tenant in good standing of the Sunnyview Exposition Center facilities for more than twenty years (20) years while presenting its annual Home Builders Show event; and

WHEREAS, the Home Builders Show presented by Winnegamie Home Builders Association is open to the public and is an event of merit for the Sunnyview Exposition Center facilities; and

WHEREAS, excluding Pepsi Bottling Group sales totals to be post-billed as per amount used, the Home Builders Show will bring in the following amounts annually; 2020 total use fee \$7,940.06; 2021 total use fee \$7,940.06; and 2022 total use fee \$7,940.06; and

WHEREAS, it is in the best interest of Winnebago County to permit the long-range scheduling of such events to allow the promoter to secure necessary agreements with subcontractors; and

WHEREAS, the long-range scheduling of events at the Sunnyview Exposition Center allows county staff to efficiently program the expo in a manner that helps maximize its use and ensures generation of revenue.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute a multi-year rental agreement between Winnebago County and the Winnegamie Home Builders Association for a period of three (3) consecutive years.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of the Agreement shall be made available upon request to the Winnebago County Parks Department Director or the Winnebago County Corporation Counsel.

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 194-082019: Authorize Rental Agreement Between Winnebago County and Morgan Masterpiece Inc LLC**

WHEREAS, Winnebago County recognizes that Morgan Masterpiece Inc wishes to hold its annual Morgan Horse Show event at the Sunnyview Exposition Center for a period of two (2) consecutive years; and

WHEREAS, Morgan Masterpiece Inc has been a tenant of the Sunnyview Exposition Center facilities in good standing for ten (10) years while presenting an annual Morgan Horse Show event; and

WHEREAS, the Morgan Horse Show presented by Morgan Masterpiece Inc is open to the public and is an event of merit for the Sunnyview Exposition Center facilities; and

WHEREAS, excluding Pepsi Bottling Group sales totals to be post-billed as per amount used, the Morgan Horse Show will bring in the following amounts annually; 2020 total use fee \$12,024.63; and 2021 total use fee \$12,310.00; and

WHEREAS, it is in the best interest of Winnebago County to permit the long-range scheduling of such events to allow the promoter to secure necessary agreements with subcontractors; and

WHEREAS, the long-range scheduling of events at the Sunnyview Exposition Center allows County staff to efficiently program the Exposition Center in a manner that helps maximize use and ensure generation of revenue.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute the rental agreement between Winnebago County and Morgan Masterpiece Inc for a period of two (2) consecutive years.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of the Agreement shall be made available upon request to the Winnebago County Parks Department Director or the Winnebago County Corporation Counsel.

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 196-082019: Amend the Table of Organization for the Winnebago County Public Health Department to Eliminate One Full-time Administrative Associate-Public Health Position and Add One Full-time Accounting Associate Position**

WHEREAS, an Administrative Associate-Public Health position has been one of two positions in the Winnebago County Public Health Department having accounting and budget responsibilities; and

WHEREAS, the Administrative Associate-Public Health position is currently vacant, due to an internal transfer; and

WHEREAS, the Public Health Department has need of accounting and budget services beyond those normally provided by an Administrative Associate position, particularly in regard to tracking revenue and expenses related to the numerous sources of grant funding, and after consultation with the Finance and Human Resources Departments it was concluded that these services could be better provided by an Accounting Associate position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago County Public Health Department be amended by deleting one full-time Administrative Associate-Public Health position and adding one full-time Accounting Associate position.

Submitted by:  
PERSONNEL AND FINANCE

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

**RESOLUTION NO. 197-082019: Amend the Table of Organization for Park View Health Center by Reducing Sixteen (16) Full-Time Equivalent Nurse Aide Positions and Adding Sixteen (16) Full-time Equivalent Hospitality Aide Positions.**

WHEREAS, there is a widespread shortage of Certified Nursing Assistants throughout the State of Wisconsin, and Park View Health Center has not been able to maintain its desired staffing levels of Certified Nursing Assistants; and

WHEREAS, many of the duties needed to maintain a high standard of care for residents do not require certification, and other long-term care facilities have had some success in hiring Hospitality Aides in place of some Certified Nursing Assistants.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Table of Organization for park View Health Center is amended by reducing sixteen (16) full-time equivalent Nurse Aide positions and adding sixteen (16) full-time equivalent Hospitality Aide positions.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 198-082019: Approve a Two-Year Contract for Prescription Benefit Management Services with National CooperativeRx**

WHEREAS, as part of its self-funded health plan for employees, dependents, and retirees, Winnebago County needs the services of a Prescription Benefit Manager (“PBM”), which is the company that obtains discounts and rebates for prescription drugs and administers prescription drug claims under our health plan; and

WHEREAS, our health benefits consultants issued a request for proposals on our behalf for PBM services for calendar year 2020; and

WHEREAS, the best proposal received was from National CooperativeRx, a Wisconsin-based cooperative that has a master agreement under which PBM services are provided to its members by CVS/Caremark, one of the largest national PBMs; and

WHEREAS, joining the National CooperativeRx requires a two-year commitment, covering 2020 and 2021; and

WHEREAS, by joining the National CooperativeRx, it is estimated that our health plan will save approximately \$416,000 per year in prescription costs after rebates when compared to our current PBM.

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 a two (2)-year contract covering 2020 and 2021 with National CooperativeRx.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

Motion by Supervisor Albrecht and seconded by Supervisor Finch to adjourn until the September 3, 2019 special orders meeting at 6:00 p.m. The meeting was adjourned at 9:00 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 August 20, 2019.

Julie A. Barthels  
Winnebago County Deputy Clerk