2023 - 2024

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS

OUTAGAMIE COUNTY, WISCONSIN

FROM

APRIL 18, 2023

TO

MARCH 26, 2024

PUBLISHED BY ORDER OF THE BOARD

JEFF NOOYEN
Board Chairperson

JEFF KING
County Clerk

Book of Records 2023-24 – Navigation Tips

The approved minutes of each County Board Meeting are included. Those minutes list the synopsis of the ordinances/resolutions and roll calls at the meeting. At the end of each set of minutes for each meeting, you will find scanned copies for each ordinance/resolution (for further detail) which are appended with the physical roll calls.

Additionally, the Book of Records contains "bookmarks" for easier navigation. To find the bookmarks, locate the bookmark panel in your pdf reader (e.g. Adobe, Kofax), and expand the date of the Board meeting. Each resolution or ordinance is bookmarked-- both the synopsis in the minutes, and the full detail--which follow the set of meeting minutes.

There is also a Table of Contents at the front of the Book, which has separate sections for:

- Appointments
- Miscellaneous (includes Special order of Business, County Budget, Public Hearings)
- Resolutions and Ordinances
- Ordinances

Outagamie County Est. 1851

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Appointments/Elections 2023-2024

Meeting Introduced	DESCRIPTION	Page No(s).
April 18, 2023	Appointment of Corporation Counsel Kyle Sargent as Parliamentarian for a one-year term.	2
April 18, 2023	Appointment of Dustin Koury to the District 35 County Board Supervisor position and serve on the Agriculture, Extension Education, Zoning and Land Conservation Committee; said term expiring April 15, 2024.	3
May 9, 2023	Reappointments of Roy Hegard and Bob Stadel to the Board of Adjustment Zoning Ordinance; said terms expiring June 30, 2026.	93
May 9, 2023	Appointment of Ryan Weyers to the Outagamie County Local Emergency Planning Committee; said term expiring June 30, 2025.	93
June 6, 2023	Appointment of Rick Lautenschlager to the Land Information Council; said term expiring April 2024.	444
June 27, 2023	Appointment of Isaac Uitenbroek as Outagamie County Land Use Supervisor/Zoning Administrator, effective immediately.	460
June 27, 2023	Reappointment of George Fickau to the Board of Adjustment Zoning Ordinance; said term expiring June 30, 2026.	460
June 27, 2023	Reappointments of Thomas Nelson, Katrin Patience, Kevin Pullen, Gary Schmidt, and Paula Van De Leygraaf to the Local Emergency Planning Committee; said terms expiring June 30, 2026.	460
June 27, 2023	Appointment of Rick Lautenschlager to the Land Information Council; said term expiring April 2024.	461
August 8, 2023	Appointment of Alison Bong as Finance Director.	609
August 8, 2023	Appointment of Carina Strebelinski and reappointment of Thomas Nelson to the Criminal Justice Coordinating Council; said terms expiring April 30, 2024.	609
August 8, 2023	Reappointment of Harold Steenbock to the Board of Adjustment Zoning Ordinance; said term expiring June 30, 2026.	609
August 8, 2023	Reappointment of Jennifer Edmondson to the Administrative Review Appeals Board; said term expiring May, 2024.	610
August 8, 2023	Appointment of Isaac Uitenbroek and reappointments for Michael Morman, Brad Bastian, Jeff Dietzen, Jeremy Freund, Terri Lison, Tom Rooney, Sarah Van Camp, Julie Vanden Acker, Brea Vang, Terry Van Hout, and Trent Woelfel to the Land Information Council; said terms expiring April, 2025.	610
September 12, 2023	Appointment of Adam Westbrook as Human Resources Director.	746
September 12, 2023	Appointment of Gregory Parins as Recycling and Solid Waste Director.	746
September 12, 2023	Appointment of Fran Nelson to the Criminal Justice Coordinating Council, said term expiring April 30, 2025.	746

Appointments/Elections 2023-2024

Meeting Introduced	DESCRIPTION	Page No(s).
September 12, 2023	Reappointment of Kevin Coffey to the Heart of the Valley Metropolitan Sewerage Commission; said term expiring October 1, 2028.	746
September 12, 2023	Appointments of Dean Culbertson (chair), Lee W. Hammen, Nadine Miller, and Dan Gabrielson to the Appleton International Airport Terminal Expansion Project Oversight Committee; said terms expiring April 2024.	746
September 12, 2023	Appointments of Joy Hagen (chair), Ron Klemp, Steve Thiede, and Dan Nejedlo to the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee; said terms expiring April 2024.	747
September 26, 2023	Appointments of Alison Bong, Paul Farrell, Dean Steingraber, Jeff Tetzlaff, and Anne Van to the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Oversight Committee, for the duration of the project.	859
September 26, 2023	Appointments of Scott Volberding, Paul Farrell, Alison Bong, and Thomas Nelson to the Appleton International Airport Terminal Expansion Project Oversight Committee, for the duration of the project.	859
September 26, 2023	Appointment of Anne Van to the Outagamie County Local Emergency Planning Committee, said term expiring June 30, 2025.	860
October 24, 2023	Appointment of Trenten Woelfel as Finance Director.	1059
November 6, 2023	Appointment of Rochelle Oskey as the Outagamie County Treasurer; said term expiring January 5, 2025.	1251
December 12, 2023	Reappointments of Tyler Baeten and Bobbie Buchholtz, and the appointment of Veronica Woodward to the OWLS Board of Trustees, terms expiring December 31, 2026.	1426
December 12, 2023	Appointment of Carl Mohl to the Outagamie County Local Emergency Planning Committee, term expiring on June 30, 2026.	1427
December 12, 2023	Appointment of Diane Wessel to the Board of Adjustment Zoning Ordinance, term expiring June 30, 2026.	1427
December 12, 2023	Appointment of John Kostelny to the District 6 County Board Supervisor position and serving on the Legislative/Audit and Human Resources Committee; term expiring April 15, 2024.	1427
January 9, 2024	appointment of Cindy Fallona to the Outagamie-Waupaca Library System Board, term expiring January 31, 2027.	1710
January 9, 2024	Appointment of Noelle Fenwick, as alternate, to the Criminal Justice Coordinating Council, term expiring on April 30, 2025.	1711

Appointments/Elections 2023-2024

Meeting Introduced	DESCRIPTION	Page No(s).
January 9, 2024	Appointment of Melissa Kraemer Badtke, as alternate, to the Board of Adjustment Zoning Ordinance, term expiring June 30, 2026.	1711
January 9, 2024	Appointment of David Yurk to the Land Information Council, term expiring April 30, 2026.	1711
January 23, 2024	Appointment of Pafoua Her, PhD, to the Health & Human Services Board, said term expiring December 31, 2027.	1773
February 13, 2024	Appointment of Jeff Dietzen to the 9-1-1 Communications Center Construction Project Oversight Committee, for the duration of the project.	1816
February 13, 2024	Appointment of Rochelle Oskey to the Land Information Council, term expiring April 2025.	1816
February 13, 2024	Appointment of Michelle Uitenbroek as Finance Director.	1816
February 13, 2024	Appointment of Jeff Dietzen to the Local Emergency Planning Committee, term expiring June 30, 2024.	1817
February 27, 2024	Appointment of Michelle Uitenbroek to the 9-1-1 Communications Center Construction Project Oversight Committee, for the duration of the project.	1912
February 27, 2024	Appointment of Michelle Uitenbroek to the Appleton International Airport Terminal Expansion Project Oversight Committee, for the duration of the project.	1912
March 26, 2024	Appointment of Valarie Wunderlich as Human Resources Director.	2129

Miscellaneous 2023-2024

Meeting Introduced	DESCRIPTION	Page No(s).
April 18, 2023	Annual Reorganization Meeting.	1
April 18, 2023	Minutes of the March 28, 2023 County Board Meeting	1
April 18, 2023	Special Order of Business: Sarah Van Camp, Register of Deeds, gave a brief presentation on the duties of the office.	1
April 18, 2023	Reports: Per County Ordinance Chapter 22 Section 166, the Purchasing Agent shall report to the County Board items that have been sold. The following item was recently sold: Sale of Personal Property—Eddie Current from MRF-$14,100	5
May 9, 2023	Minutes of the April 18, 2023 County Board Meeting	91
May 9, 2023	Special Order of Business: Major Cooper, Equity, Diversity and Inclusion Officer and Lisa Lux, Human Resources Director, gave a brief update related to equity, diversity and inclusion.	91
May 9, 2023	Report by the County Executive– County Executive Thomas Nelson gave an administrative update	94
May 23, 2023	Minutes of the May 9, 2023 County Board Meeting	293
May 23, 2023	Closed Session: Closed session pursuant to section 19.85(1)(g) Wis Stats. for the purpose of conferring with legal counsel for the govermnental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.	294
June 6, 2023	Minutes of the May 23, 2023 County Board Meeting	442
June 27, 2023	Minutes of the June 6, 2023 County Board Meeting	456
June 27, 2023	Special Order of Business: Kevin Englebert, County Development and Land Services Director and Rebecca Speckhard, Quarles & Brady LLP, provided background on the final resolution regarding Unconditional County Guaranty of Its Pro Rata Share, Intergovernmental Agreement and Taxable Revenue Bond Financing for Bug Tussel 1, LLC Project	456
June 27, 2023	Special Order of Business: Lisa Lux, County Human Resources Director and Malayna Halvorson Maes, McGrath Human Resources Group, gave an update on the Total Rewards Project, next steps, and timing	457
July 11, 2023	Minutes of the June 27, 2023 County Board Meeting	521
August 8, 2023	Minutes of the July 11, 2023 County Board Meeting	607
August 8, 2023	Special order of Business: 2022 County Audit Presentation - Jake Lenell, Principal and Elizabeth McMasters, Director – State and Local Government, CliftonLarsonAllen (CLA)	607
August 22, 2023	Minutes of the August 8, 2023 County Board Meeting	723
September 12, 2023	Minutes of the August 22, 2023 County Board Meeting	743
September 12, 2023	Special Order of Business: Lisa Lux, Human Resources Director and Malayna Halvorson Maes, McGrath Human Resources Group, presented the Total Rewards Project results, recommendations, and proposed 2024 Wage Schedule.	743

Miscellaneous 2023-2024

Meeting Introduced	DESCRIPTION	Page No(s).
September 26, 2023	Minutes of the September 12, 2023 County Board Meeting	857
September 26, 2023	Special Order of Business: Pam Seidl, Executive Director, Fox Cities Convention & Visitors Bureau, will report on tourism and its impact on Outagamie County	857
October 10, 2023	Minutes of the September 26, 2023 County Board Meeting	937
October 10, 2023	Special Order of Business: 2024 Proposed Budget Remarks – County Executive Thomas Nelson; 2024 County Board Budget Process – Finance Committee Chairperson Nadine Miller	937
October 24, 2023	Public Hearing for the proposed 2024 Outagamie County budget- Pursuant to Wisconsin Statutes Section 65.90.	1058
October 24, 2023	Minutes of the October 10, 2023 County Board Meeting	1059
October 24, 2023	REPORTS: Per County Ordinance Chapter 22 Section 166, the Purchasing Agent shall report to the County Board items that have been sold with a value of $5,000 or greater. The following item was recently sold: Sale of Personal Property—2011 Ford Fusion was sold via public bid for $7,001 on October 17th.	1062
November 6, 2023	2024 COUNTY EXECUTIVE BUDGET - The Finance Committee moves for adoption of the 2024 County Executive Budget as amended by the Finance Committee (see Final Finance Committee 2024 Executive Budget Amendments Worksheet and ARPA Budget Amendments).	1247
November 6, 2023	Minutes of the October 24, 2023 Public Budget Hearing and County Board Meeting	1251
December 12, 2023	Minutes of the November 6, 2023 County Board Meeting	1425
January 9. 2024	Minutes of the December 12, 2023 County Board Meeting	1710
January 9. 2024	Closed Session pursuant to section 19.85(1)(g) Wis Stats. for the purpose of conferring with legal counsel for the govermnental body who is rendinging oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.	1713
January 23, 2024	Minutes of the January 9, 2024 County Board Meeting	1773
January 23, 2024	Closed Session pursuant to section 19.85(1)(g) Wis Stats. for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which is is or is likely to become involved.	1774
February 13, 2024	Minutes of the January 23, 2024 County Board Meeting	1815
February 27, 2024	Minutes of the February 13, 2024 County Board Meeting	1911
February 27, 2024	Special Order of Business: Vice Chair Dan Gabrielson will provide an update on the NACo Conference	1911
March 12, 2024	Minutes of the February 27, 2024 County Board Meeting	1970
March 26, 2024	Minutes of the March 12, 2024 County Board Meeting	2126

Miscellaneous 2023-2024

Meeting Introduced	DESCRIPTION	Page No(s).
March 26, 2024	Special Order of Business: Melissa Kraemer-Badtke, East Central Wisconsin Regional Planning Commission (ECWRPC) Executive Director and Craig Moser, Deputy Director will give an ECWRPC update. On behalf of ECWRPC, Executive Director Kraemer-Badtke presented Chairperson Nooyen with a leadership award in recognition of his outstanding leadership and dedicated service to the East Central Wisconsin Regional Planning Commission. Chairperson Nooyen has served on the Commission Board for the past ten years and served as the Commission Board Chair for three years.	2126
March 26, 2024	Recognition of retiring County Board members Chairperson Nooyen presented a plaque in recognition of years of service on the Outagamie County Board to Supervisor and Finance Chair Miller. Vice-Chairperson Gabrielson presented a plaque in recognition of years of service on the Outagamie County Board to Chairperson Nooyen.	2126

Ordinances 2023-2024

Ordinance No.	Meeting Initially Introduced	DESCRIPTION	Committee	Page No(s).
Ordinance No. Z-1—2023-24	July 11, 2023	Approve to recommend adoption of the petition of Robert Prunty, property owner, to rezone parcel 080037908, 4.23 acres, from AGD-General Agriculture District and CL-Local Commercial District to AGD-General Agriculture District only, in the Town of Ellington, as detailed on the attachments.	Agriculture, Extension Education, Zoning, and Land Conservation Committee	522, 525
Ordinance No. Z-2—2023-24	August 8, 2023	Approve to adopt the petition of Cynthia Bungert, property owner, for parcel 080097200, from the Residential Single-Family District to Residential Two-Family District in the Town of Ellington, as detailed on the ordinance and attachments.	Agriculture, Extension Education, Zoning, and Land Conservation Committee	610, 623
Ordinance No. Z-3—2023-24	August 8, 2023	Approve to adopt the petition of Jim Sehloff, applicant on behalf of PHH Investment Company, owner, to rezone parcels 200004800 and 200004903 from the General Agriculture District and Local Commercial District to the Residential Single-Family District, and rezone parcel 200005200 from the General Agriculture District and Residential Single-Family District to the Residential Single- Family District in the Town of Vandenbroek, as detailed on the ordinance and attachments.	Agriculture, Extension Education, Zoning, and Land Conservation Committee	611, 638
Ordinance No. Z-4—2023-24	August 8, 2023	Approve to adopt the petition of Jim Sehloff, applicant, on behalf of Dale & Amy Coenen, owners, to rezone parcel 080071906, 16.42 acres, from the General Agriculture District to the Residential Single-Family District in the Town of Ellington, as detailed on the ordinance and attachments.	Agriculture, Extension Education, Zoning, and Land Conservation Committee	611, 647
Ordinance No. Z-5—2023-24	October 24, 2023	Approve to adopt the proposed amendment to the Outagamie County Comprehensive Plan related to Addendum 2: Farmland Preservation, as reflected in the review of Exhibit 1, as detailed on the ordinance and attachments.	Agriculture, Extension Education, Zoning and Land Conservation Committee	1060, 1063
Ordinance No. Z-6—2023-24	March 26, 2024	Approve the amendment to the Outagamie County Comprehensive Plan to amend the Farmland Preservation Plan Map for the Town of Kaukauna as reflected in the review of Exhibit 2, as noted on the ordinance and attachments.	Agriculture, Extension Education, Zoning and Land Conservation Committee	2204, 2214
Ordinance No. Z-7—2023-24	November 6, 2023	Approve the amendment to the Outagamie County Comprehensive Plan, Volume 2: Action Plan, Future Land Use Maps 18, 21, 31 and 36, as reflected in the review of Exhibit 1.	Agriculture, Extension Education, Zoning and Land Conservation Committee	1252, 1338
Ordinance No. Z-8—2023-24	November 6, 2023	Adopt the petition of Paul Robert Gardener, property owner, to rezone parcel 190038300, two acres, from AED-Exclusive Agriculture District to AGD-General Agriculture District in the Town of Seymour, as detailed on the attached review and map.	Agriculture, Extension Education, Zoning and Land Conservation Committee	1253, 1464
Ordinance No. A—2023-24	May 23, 2023	Amend Chapter 22 of the County Code of Ordinances, Finance and Taxation, as pertains to Public Works Projects, as noted on the Ordinance.	Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee	296, 431
Ordinance No. B—2023-24	August 8, 2023	Approve the updated language amendments in Chapter 2, Section 2-49, Rule 6, of the Code of Ordinances as pertains to the appearance of non-board members, as detailed on the ordinance and attachments.	Legislative/Audit and Human Resources Committee	611, 656
Ordinance No. C—2023-24	August 8, 2023	Approve to designate CTH F between West Town line and Grandy Road, and CTH I between CTH F to the north County line, and CTH M between South Town line to CTH F, in the Town of Maine, as an ATV/UTV route, as detailed on the attachments.	Highway, Recycling and Solid Waste Committee	613, 713
Ordinance No. D—2023-24	August 22, 2023	Approve the amendment to Chapter 50, Section 30-353, All-terrain vehicles and utility terrain vehicles of the Outagamie County Code of Ordinances, as noted on the ordinance and attachments.	Highway, Recycling, and Solid Waste Committee	725, 732
Ordinance No. E—2023-24	October 10, 2023	Approve to designate CTH M from Kelldale Ct to the south town line and CTH T from Meadowview Dr to the north town line, in the Town of Dale, as an ATV/UTV route, as detailed in the attachments.	Highway, Recycling and Solid Waste Committee	941, 1043
Ordinance No. F—2022-24	October 10, 2023	Approve to designate CTH D from Schweitzer Road to the west county line, CTH F from CTH D to the east town line, CTH FF from CTH F to the south town line, and CTH XX from CTH F to CTH D, in the Town of Deer Creek, as an ATV/UTV route, as detailed in the attachments.	Highway, Recycling and Solid Waste Committee	941, 1049
Ordinance No. G—2023-24	October 24, 2023	Approve to designate CTH M between CTH S and STH 54, in the Town of Liberty, as an ATV/UTV route, as detailed on the ordinance and attachments.	Highway, Recycling and Solid Waste Committee	1062, 1241
Ordinance No. H—2023-24	November 6, 2023	Approve to amend the Outagamie County Code of Ordinances, language for Section 2-58, RULE 15, for the County Board Salary and fringe adjustments for the 2024-26 term of office, effective with the 2024 April reorganization meeting. Annual salaries for Board meetings, standing committee meetings, seminars and conventions are the following: Supervisors $5,953 (per diem $25 for specified meetings); standing committee chairs $6,062 (per diem $25 for specified meetings); Vice-Chairperson $7,577 (no per diem); and Board Chairperson $16,500 (no per diem) as noted in the ordinance and on the attachments.	Legislative/Audit and Human Resources Committee	1248, 1254
Ordinance No. I—2023-24	December 12, 2023	Approve the request to amend the County Code of Ordinances, County Board Rules, by updating language in Chapter 2, Section 2-45, Rule 2(a)(7), Agenda for all meetings, Order of Business and Section 2-49, Rule 6 (1), Appearance of non-Board members, Public Participation, as detailed on the resolution.	Legislative/Audit and Human Resources Committee	1505, 1762
Ordinance No. J—2023-24	December 12, 2023	Approve designating CTH D from STH 45 to Schweitzer Road; CTH DD from Spurr Road to CTH D; CTH W from CTH D to STH 76; and CTH WW from Church Street to STH 76, in the Town of Maple Creek, as ATV/UTV routes, as detailed on the attached Memorandums and map.	Highway, Recycling and Solid Waste Committee	1505, 1767
Ordinance No. K—2023-24	December 12, 2023	Approve designating CTH MM from Western Town Line to STH 76, in the Town of Ellington, as an ATV/UTV route, as detailed on the attached Memorandum and map.	Highway, Recycling and Solid Waste Committee	1506, 1777
Ordinance No. L—2023-24	January 9, 2024	Legislative/Audit and Human Resources Committee. Approve to amend the Outagamie County Board Rules language in Section 2-20(c), Meetings of the County Board, to change the meeting schedule from the second Tuesday to the fourth Tuesday in the months of June, July, and August.	Public Safety Committee	1788, 1844
Ordinance No. M—2023-24	March 12, 2024	Approve to designate CTH MM between Mystic Drive and the East Village limits, in the Village of Hortonville, as an ATV/UTV route, as detailed on the attached Memorandum and map.	Highway, Recycling and Solid Waste Committee	2048, 2176
Ordinance No. N—2023-24	March 12, 2024	Approve to designate CTH T between South Town Line and Givens Road and CTH TT between STH 45 and CTH T, in the Town of Hortonia, as ATV/UTV routes, as detailed on the attached Memorandums and map.	Highway, Recycling and Solid Waste Committee	2048, 2181
Ordinance No. O—2023-24	March 12, 2024	Approve to amend the County Code of Ordinances as pertains to Chapter 22, Finance and Taxation, Article II, Purchases and Contracts of the Outagamie County Code of Ordinances by creating Section 22-24 of Division 1. – Responsible Bidder Criteria, as detailed on the ordinance and attachments.	Property, Airport, Recreation and Economic Development Committee	2048, 2187

Resolutions 2023-2024

Resolution No.	Meeting Initially Introduced	DESCRIPTION	Committee	Page No(s).
Resolution No. Z-1—2023-24	May 9, 2023	Approve the rezone request for Gregory and Kerri Klister, for parcels 030066100, approximately 1.56 acres, from the Local Commercial District and 030065700, approximately 3.18 acres, from the General Agriculture District, both parcels to be rezoned to the Planned Commercial District, in the Town of Buchanan, as noted on the attachments.	Agriculture, Extension Education, Zoning and Land Conservation Committee	94, 97
Resolution No. Z-2—2023-24	May 9, 2023	Approve the rezone request submitted by the Town of Grand Chute, for parcel 101033003, approximately 1.01 acres, from the General Agriculture District to the Planned Commercial District, in the Town of Grand Chute, as noted on the attachments	Agriculture, Extension Education, Zoning and Land Conservation Committee	94, 103
Resolution No. Z-3—2023-24	August 8, 2023	Approve the rezone request for the Coenen Family Revocable Trust and Ruby Coenen Survivor Trust, for parcel 101084000, 12.82 acres, from the General Agriculture District to the Industrial District to accommodate the development of industrial flex-space buildings in the Town of Grand Chute, as noted on the resolution and attachments.	Agriculture, Extension Education, Zoning and Land Conservation Committee	610, 614
Resolution No. Z-4—2023-24	September 26, 2023	Approve the rezone request for the Town of Grand Chute for parcel 101038010, from the Local Commercial District to the R-3 Single-Family Attached Residential District for a future single- family residential condominium development in the Town of Grand Chute, as depicted on the attachments.	Agriculture, Extension Education, Zoning and Land Conservation Committee	860, 863
Resolution No. Z-5—2023-24	October 10, 2023	Approve the rezone request for Fox Communities Credit Union for parcels 102036900 and 102038800, from the Local Commercial District to the Single-Family Residential District, in the Town of Grand Chute, as noted on the attachments.	Agriculture, Extension Education, Zoning and Land Conservation Committee	939, 942
Resolution No. Z-6—2023-24	November 6, 2023	Approve the rezone request for Ione Immel, Ione Berg, Bergstrom Properties Inc., and Town of Grand Chute for parcels 102114800, 102114700, 102114600, 102114501, 102114500, 102114400, 102114300, 102114200, 102114100, 101078001, and part of 101078000, from the Single- Family Residential District and the Two-Family Residential District to the Local Commercial District in the Town of Grand Chute, as noted on the attachments.	Agriculture, Extension Education, Zoning and Land Conservation Committee	1252, 1329
Resolution No. Z-7—2023-24	December 12, 2023	Approve the rezone request for Robert and Lisa Vandeloo for parcels 130026600, 130024700, 130035901, 130033500, 130038401, 130038500, 130038900, 130038100, and 130036302 from the Transitional District to the Exclusive Agriculture District in the Town of Kaukauna, as detailed on the attached review and map.	Agriculture, Extension Education, Zoning and Land Conservation Committee	1502, 1508
Resolution No. Z-8—2023-24	February 13, 2024	Approve the rezone request for George A. Cuff Jr. and Lois A. Cuff, for parcel 120013500, from the A1 - Exclusive Agricultural/Farmland Preservation District to A2 - General Agricultural District in the Town of Hortonia, as depicted on the attached review and map.	Agriculture, Extension Education, Zoning and Land Conservation Committee	1892, 1895
Resolution No. 1—2023-24	April 18, 2023	Approve the County Veterans Service Office to accept and expend ARPA grant funding from the Wisconsin Department of Veterans Affairs for $19,178, to increase the service capacity of the current County Veterans Service Office / Tribal Veterans Service Office, and increase the Veterans Service line items, Veterans WI DOA ARPA Grant and Purchased Services by $19,178 each, as noted on the attachments.	Health and Human Services Committee	4, 6
Resolution No. 2—2023-24	April 18, 2023	Approve the Criminal Justice Treatment Services (CJTS) to accept and expend an unsolicited donation of $245, and increase the CJTS line items for Miscellaneous – Donations and Veterans Court by $245 each, as detailed on the attached fiscal note.	Public Safety Committee	4, 28
Resolution No. 3—2023-24	April 18, 2023	Approve all excess or deficiency of revenues over/under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund as of December 31, 2022, except for Highway, County Road & Bridge and Highway Project Related Capital Project Funds, and as noted in the resolution and attachments.	Finance Committee	4, 32
Resolution No. 4—2023-24	April 18, 2023	Approve to support pending legislation that broadens the definition of "sexual contact" for the purposes of crimes against children and the crime of sexual assault.	Legislative/Audit and Human Resources Committee	4, 58
Resolution No. 5—2023-24	April 18, 2023	Approve to transfer $20,000 from the Small Department Vacation/Sick Leave Payout fund to the following line items: County Parks System Salaries by $15,000 and Fringe Benefits by $5,000, and increase the General Funds Applied, Fund Balance Applied by $20,000, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts by $20,000, and increase the General Fund, Fund Balance Unassigned by $20,000, as noted on the resolution and attachments.	Property, Airport, Recreation and Economic Development Committee	4, 65
Resolution No. 6—2023-24	April 18, 2023	Approve all excess or deficiency of revenues over/under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund as of December 31, 2022, for the Highway, County Road & Bridge and Highway Project Related Capital Project Funds, except as noted on the resolution and attachments.	Finance Committee	5, 70
Resolution No. 7—2023-24	April 18, 2023	Approve of entering into the attached Memorandum of Understanding with New North, Inc., to provide support for the Public Service Commission (PSC) Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant project (as noted on the resolution), and approve of the Development and Land Services Office to accept and expend $10,000 in BEAD Local Planning Grant funding, and approve the following line items: increase the Development and Land Services, Miscellaneous by $10,000 and decrease the General Fund Surplus, Fund Balance Applied by $10,000, as noted on the resolution and attachments.	Finance Committee	5, 81
Resolution No. 8—2023-24	May 9, 2023	Approve to support pending legislation that would make changes to the State Wildlife Damage Abatement and Claims Program, as noted on the resolution.	Agriculture, Extension Education, Zoning and Land Conservation Committee	95, 109
Resolution No. 9—2023-24	May 9, 2023	Approve of entering into the Professional Services Agreement (attached to the resolution) with MSA Professional Services, Inc., for design work for an accessible Canoe/Kayak launch at the Koepke Access Point, and approve to increase the Aging Services line items, as noted on the fiscal note.	Health and Human Services Committee	95, 125
Resolution No. 10—2023-24	May 9, 2023	Respectfully request additional funding through budgetary surplus be allocated to the County General Transportation Aids appropriation as well as for the Local Roads Improvement Program for the backlog of maintenance on the county trunk highway system.	Highway, Recycling and Solid Waste Committee	95, 146
Resolution No. 11—2023-24	May 9, 2023	Approve of granting We Energies an easement for the area described as a strip of land ten (10) feet in width being a part of grantor's premises in the Southeast ¼ of the Southeast ¼ of Section 17, Township 21 North, Range 18 East, in the Village of Little Chute, as shown on the attachments.	Highway, Recycling and Solid Waste Committee.	95, 149
Resolution No. 12—2023-24	May 9, 2023	Approve an in-year Table of Organization (TO) request to move one full-time Mental Health Court Coordinator position from the Health and Human Services Mental Health TO to the Criminal Justice Treatment Services TO along with the related budget adjustments for 2023, as noted on the attachments.	Legislative/Audit and Human Resources Committee	95, 159
Resolution No. 13—2023-24	May 9, 2023	Approve an in-year Table of Organization (TO) request to move one full-time Drug & Alcohol Treatment Coordinator position from the Health and Human Services Mental Health TO to the Criminal Justice Treatment Services TO along with the related budget adjustments for 2023, as noted on the attachments.	Legislative/Audit and Human Resources Committee.	95, 175

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Resolution No.	Meeting Initially Introduced	DESCRIPTION	Committee	Page No(s).
Resolution No. 14—2023-24	May 9, 2023	Approve the Administrative Rule AR-2023-02 (attached), replacing AR-2022-02, which amends the County Employee Handbook with adjustments and clarifying language to reflect current practice in several areas (as noted on the resolution and attachments), and will be on file in the County Clerk's Office in a manual labeled "Outagamie County Administrative Rules".	Legislative/Audit and Human Resources Committee.	96, 191
Resolution No. 15—2023-24	May 9, 2023	Respectfully request that the State of Wisconsin provide regular revenue increases for mandated county programs at the rate of inflation in order to maintain programs operated by the County for the benefit of Wisconsin residents, and respectfully request that the Shared Revenue program be increased in order to provide additional state aid to local governments.	Legislative/Audit and Human Resources Committee	96, 287
Resolution No. 16—2023-24	May 23, 2023	Approve to allow the County Highway Department to perform paving and related work at Plamann Park; various paving, earthwork and site prep items at the Appleton International Airport; and other work for internal County departments in calendar year 2023 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000, with no budget adjustment needed, as noted on the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	295, 304
Resolution No. 17—2023-24	May 23, 2023	Consideration of Initial Resolution Approving Revenue Bond Financing for Bug Tussel 1, LLC, Bug Tussel 2, LLC or a Related Limited Liability Entity. Information with respect to the job impact of the project will be available at the time of consideration of the Resolution.	Finance Committee	295, 310
Resolution No. 18—2023-24	May 23, 2023	Approve of the Department of Health and Human Services to submit an application to the State of Wisconsin to move to a stand-alone Aging and Disability Resource Center (ADRC) with shared services with Calumet County where economically and geographically feasible for ADRC operations beginning January 1, 2024, with budget changes to be included in the 2024 budget (as noted on the attachments); and approve the Department of Health and Human Services to restructure the existing Aging Advisory Committee to meet the requirements to serve as the ADRC Advisory Committee beginning in calendar year 2024.	Health and Human Services Committee	295, 331
Resolution No. 19—2023-24	May 23, 2023	Approve of the County Highway Department to create a project for I-41 Traffic Management Planning in order to hire an external consultant to obtain an unbiased evaluation of the important corridors and intersections that run adjacent to I-41, and increase the I-41 Traffic Management line items by $250,000 each for HWY-Intra County and Operating Expenses; decrease the Culvert Replacement Program line items by $250,000 each for HWY-Intra County and Operating Expenses, as noted on the attached fiscal note.	Highway, Recycling and Solid Waste Committee	295, 343
Resolution No. 20—2023-24	May 23, 2023	Approve to accept the attached 2023 Outagamie County Facilities and Land Use Plan for the Outagamie County Department of Recycling and Solid Waste and Highway Department.	Property, Airport, Recreation and Economic Development Committee and Highway, Recycling and Solid Waste Committee	296, 348
Resolution No. 21—2023-24	May 23, 2023	Approve the attached Administrative Rule 2023-03 which amends the Outagamie County Public Works Project Administration for Projects under $1,500,000, and this rule shall be numbered 2023-03 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office.	Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee.	296, 415
Resolution No. 22—2023-24	May 23, 2023	Approve the attached Administrative Rule 2023-04 which amends the Outagamie County Public Works Project Administration for Projects over $1,500,000, and this rule shall be numbered 2023-04 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office.	Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee	296, 421
Resolution No. 23—2023-24	May 23, 2023	Approve of renaming the "Small Shelter" at Plamann Park the "Roblee Shelter" in honor of Greg Roblee, a team member who has made a difference in Outagamie County.	Property, Airport, Recreation and Economic Development Committee.	296, 428
Resolution No. 24—2023-24	May 23, 2023	Approve to disallow the claim submitted by The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari, on file in the County Clerk's Office, that no action of this claim may be brought against the County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.	Finance Committee	295, 298
Resolution No. 25—2023-24	June 6, 2023	Approve of requesting the Chairperson of the Board verbally censure Supervisor Timothy Hermes for his conduct at the May 9th, 2023 Board Meeting in Appleton and finds the conduct of Supervisor Hermes to be damaging to the good reputation of Outagamie County, to be disrespectful and insensitive to members of our community, and to be inconsistent with the mission of Outagamie County, its employees, officers and the majority of the County Board of Supervisors	Various Supervisors	445, 447
Resolution No. 26—2023-24	June 27, 2023	Approve to grant We Energies an easement for parcel numbers 111090900 and 111122700 in the Village of Greenville, as noted on the resolution and attachments.	Property, Airport, Recreation and Economic Development Committee	461, 463
Resolution No. 27—2023-24	June 27, 2023	Approve the County Sheriff's Office to apply for, accept and expend the 2023 Public Safety Answering Point grant funds issued by the Wisconsin Department of Military Affairs/Office of Emergency Communications, with a required 20% County match, to provide funding for equipment upgrades and advanced training necessary for Next Generation 9-1-1, and increase the line items for the 2023 Capital Projects Revenue, Intergovernmental – DMA Next Gen and the Sheriff – E911 Hardware/Software, Capital Outlay by $388,624 each, as noted on the attached fiscal note.	Public Safety Committee	461, 486
Resolution No. 28—2023-24	June 27, 2023	Approve the request to transfer the following line items of $43,700 from the Small Department Vacation/Sick Leave Payout Fund to the Zoning Administration Salaries for $32,775 and Fringe Benefits for $10,925, and increase the General Funds Applied, Fund Balance Applied by $43,700, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts by $43,700, and increase the General Fund, Fund Balance Unassigned by $43,700, to fill the vacated Zoning Administrator/Land Use Supervisor position in the Development and Land Services Department, as noted on the attachments.	Agriculture, Extension Education, Zoning & Land Conservation Committee	461, 492
Resolution No. 29—2023-24	June 27, 2023	Approve the Final Resolution regarding Unconditional County Guaranty of Its Pro Rata Share, Intergovernmental Agreement and Taxable Revenue Bond Financing for Bug Tussel 1, LLC Project, as noted of the resolution and attachments.	Finance Committee	462, 499
Resolution No. 30—2023-24	July 11, 2023	Approve of the County Highway Commissioner entering into a State Municipal Agreement for the CTH U Bridge Project and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attachments.	Highway, Recycling and Solid Waste Committee	522, 533
Resolution No. 31—2023-24	July 11, 2023	Authorize granting We Energies an easement for parcel 111-1227-00 in the Village of Greenville, as detailed on the attachments.	Property, Airport, Recreation and Economic Development Committee	522, 548
Resolution No. 32—2023-24	July 11, 2023	Approve of transferring $65,000 from the Capital line items of Sheriff Body Cameras 2021 to Squad Cars, as detailed on the attached fiscal note.	Public Safety Committee	523, 558

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Resolution No.	Meeting Initially Introduced	DESCRIPTION	Committee	Page No(s).
Resolution No. 33—2023-24	July 11, 2023	Approve of the Sheriff's Office to accept and expend funds for an emotional support assistance program for law enforcement officers and emergency dispatchers (telecommunicators) available from the International Association for Clear Thinking for $24,950, and increase the Sheriff Administration line items of Miscellaneous Revenue and Purchased Services by $24,950 each, as detailed on the attached fiscal note.	Public Safety Committee	523, 563
Resolution No. 34—2023-24	July 11, 2023	Approve the Land Conservation Department to accept and expend a federal financial assistance award from the U.S. Fish and Wildlife Service for Riparian Habitat Enhancement & Restoration in the Lower Fox River Basin of $273,250 for the time period of July 1, 2023 through July 1, 2026, to expand riparian habitat enhancement and stream restoration projects to improve habitat and water quality, and increase the following line items in the Land Conservation Grants budget: Intergovernmental Revenues by $273,250; Purchased Services by $206,250; Salaries by $42,857; Fringe Benefits by $17,143; Supplies by $5,000; Travel/Training by $2,000, as detailed on the attachments.	Agriculture, Extension Education, Zoning & Land Conservation Committee	523, 569
Resolution No. 35—2023-24	July 11, 2023	Approve of the Land Conservation Department to accept and expend a grant from the Wisconsin Department of Natural Resources (WI DNR) for $50,000 to implement a suite of practices to improve soil health and reduce nutrient and sediment runoff in a subwatershed of the Wolf River, and to increase the Land Conservation Grants line items for Intergovernmental Revenues and Purchased Services by $50,000 each, as detailed on the attachments.	Agriculture, Extension Education, Zoning & Land Conservation Committee	523, 589
Resolution No. 36—2023-24	August 8, 2023	Approve to authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail in Parcel 8 of Transportation Project Plat 6240-30-21 – 4.02, recorded as Document 2279508 in Outagamie County, as detailed on the attachments.	Property, Airport, Recreation and Economic Development Committee	611, 662
Resolution No. 37—2023-24	August 8, 2023	Approve to disallow the claim submitted by Gary Steward, on file in the County Clerk's Office and that no action of this claim may be brought against the County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.	Finance Committee	611, 681
Resolution No. 38—2023-24	August 8, 2023	Authorize and approve the line items to increase the Brewster Village Equipment Replace/Repair fund by $1,500,000 and decrease the Brewster Village Cash by $1,500,000, to replace equipment and maintain the building, as detailed on the attached fiscal note.	Health and Human Services Committee	612, 686
Resolution No. 39—2023-24	August 8, 2023	Authorize and approve the line items to increase the Brewster Village Revenue Stabilization by $400,000 and decrease the Brewster Village Cash by $400,000, for anticipated 2024 wage increases, as detailed on the attached fiscal note.	Health and Human Services Committee	612, 691
Resolution No. 40—2023-24	August 8, 2023	Approve to establish the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the County Code of Ordinances, and authorize the formation of the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county.	Highway, Recycling and Solid Waste Committee	612, 696
Resolution No. 41—2023-24	August 8, 2023	Approve to establish the Appleton International Airport Terminal Expansion Project as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the County Code of Ordinances, and authorize the formation of the Appleton International Airport Terminal Expansion Project Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county.	Property, Airport, Recreation and Economic Development Committee	612, 701
Resolution No. 42—2023-24	August 8, 2023	Approve the request to transfer $25,000 from the Small Department Vacation/Sick Leave Payout Fund to the line items of the Circuit Courts Salaries by $23,000 and Fringe Benefits by $2,000, and increase the Fund Balance Applied by $25,000, and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by $25,000, and increase the Fund Balance Assigned by $25,000, for a retirement payout and to hire a new Judicial Assistant, as detailed on the attachments.	Public Safety Committee	612, 706
Resolution No. 43—2023-24	August 22, 2023	Approve the "Initial Resolution Authorizing General Obligation Bonds in an amount not to exceed $25,000,000 for Airport Projects", as noted on the resolution and attached fiscal note.	Finance Committee	724, 726
Resolution No. 44—2023-24	September 12, 2023	Approve the Table of Organization requests (as detailed on the resolution and attachments) for the Health and Human Services Department sunset position additions, effective September 24, 2023, and the related budget adjustments for 2023 and 2024, as detailed on the resolution and attachments.	Legislative/Audit and Human Resources Committee	747, 749
Resolution No. 45—2023-24	September 12, 2023	Approve the Total Rewards Compensation Study Final Report for Outagamie County, effective December 17, 2023, which will supersede previously-approved compensation schedules, with no budget adjustment needed, as the additional compensation will be included as part of the 2024 budget process.	Legislative/Audit and Human Resources Committee	747, 789
Resolution No. 46—2023-24	September 26, 2023	Approve to request that the Wisconsin State Legislature revise Wis. Stat. § 66.0401(1m) and Wis. Stat. § 196.491, as noted on the resolution, to grant Wisconsin counties the authority to responsibly site utility-scale solar installations, to maintain orderly planning and comply with the statutory requirement laid out in Wis. Stat. § 66.1001(3) to adhere to the objectives, goals, and policies contained in the County's comprehensive plan.	Agriculture, Extension Education, Zoning, and Land Conservation Committee	860, 869
Resolution No. 47—2023-24	September 26, 2023	Authorize and approve execution of the attached Great Lakes Sediment and Nutrient Reduction Program Grant Contract between the Great Lakes Commission and the Outagamie County Land Conservation Department, and approve of increasing the following line items in the Land Conservation Grants Cost Center: Intergovernmental Revenues by $116,541; Purchased Services by $95,325; Salaries by $13,660; Fringe Benefits by $6,556; Travel/Training by $1,000, as noted on the attached fiscal note.	Agriculture, Extension Education, Zoning and Land Conservation Committee	860, 873
Resolution No. 48—2023-24	September 26, 2023	Authorize and approve the following Central Services line items: increase Capital Outlay by $16,000, and decrease the Salaries by $11,000, and decrease the Fringe Benefits by $5,000, as noted on the attached fiscal note, to purchase a folding machine and document cutter for the Central Services Department.	Finance Committee	861, 892
Resolution No. 49—2023-24	September 26, 2023	Support the attached Town of Freedom Tax Incremental District (TID) No. 3 Project Plan, and recommend that the County representative on the Town of Freedom TID Board of Review vote in favor of this plan.	Finance Committee	861, 898
Resolution No. 50—2023-24	September 26, 2023	Authorize the Recycling and Solid Waste Director, Acting Director, Interim Director, Recycling Manager, or Solid Waste Manager to act on behalf of the County to sign and submit applications to the Department of Natural Resources for financial assistance, sign necessary documents, and submit a final report, as defined by §287.23 and §287.24, Wis. Stats., and Chapter NR 542, 544 Wis. Admin. Code.	Highway, Recycling and Solid Waste Committee	861, 924
Resolution No. 51—2023-24	September 26, 2023	Approve to grant We Energies an easement for parcel number 311672311 in the City of Appleton, as noted on the resolution and attachments.	Property, Airport, Recreation and Economic Development Committee	861, 927

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Resolution No.	Meeting Initially Introduced	DESCRIPTION	Committee	Page No(s).
Resolution No. 52—2023-24	October 10, 2023	Approve to disallow the claim submitted by Thomas Shannon Buckley, Jr., on file in the County Clerk's Office, and no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.	Finance Committee	939, 948
Resolution No. 53—2023-24	October 10, 2023	Approve of the County Clerk entering into an Intergovernmental Agreement with five municipalities to perform WisVote services, said revenues are included in the 2024 Executive budget, as noted on the attachments.	Finance Committee	939, 954
Resolution No. 54—2023-24	October 10, 2023	Authorize and approve of creating the Intoxicated Driver Program (IDP) cost center line items, as noted on the attached fiscal note and memo; and authorize and approve the Intoxicated Driver Program Assessment fee for 2023-2024 to be set at $325.00, the existing Intoxicated Driver Program Assessment Amendment Fee be established at $162.50, and that a client appointment no-show fee be set at $100.00.	Health and Human Services Committee	939, 966
Resolution No. 55—2023-24	October 10, 2023	Authorize and approve to increase the following Opioid Settlement cost center line items: Supplies by $10,648; Purchased Services by $189,985; Fund Balance Applied by $200,633, as noted on the attached fiscal note and memo.	Health and Human Services Committee and Public Safety Committee	940, 975
Resolution No. 56—2023-24	October 10, 2023	Approve to authorize execution of a Warranty Deed to the Wisconsin Department of Transportation for the sum of $700.00 for property described as Parcel 9 of Transportation Project Plat 1130-63-21 – 4.04, recorded as Document #2288266, in Outagamie County, with property interests and right of said Parcel 9 consisting of Fee Simple, Temporary Limited Easement, as noted in the attachments; and authorize and approve of the line items by increasing the Plamann Park Revenue by $700, and decreasing the General Fund Surplus Fund Balance Applied by $700, as detailed in the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	940, 982
Resolution No. 57—2023-24	October 10, 2023	Authorize and approve of naming the new Plamann Park pavilion shelter "The Hillside at Plamann Park".	Property, Airport, Recreation and Economic Development Committee	940, 997
Resolution No. 58—2023-24	October 10, 2023	Resolution awarding the sale of $25,000,000 General Obligation Airport Bonds, series 2023A (AMT).	Finance Committee	940, 1002
Resolution No. 59—2023-24	October 24, 2023	Approve to disallow the claim submitted by Edwin Schelling, on file in the County Clerk's office, and no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.	Finance Committee	1060, 1194
Resolution No. 60—2023-24	October 24, 2023	Approve the sale of In-Rem Tax Foreclosure property in the Village of Hortonville, Parcel ID Number 240054600, "as is" for $453.77, with no budget adjustment necessary, as detailed in the attached fiscal note and Agreement between Outagamie County and the Village of Hortonville.	Finance Committee	1061, 1198
Resolution No. 61—2023-24	October 24, 2023	Approve the sale of In-Rem Tax Foreclosure property in the Town of Grand Chute, Parcel ID Number 102234900, "as is" for $1,151.51, with no budget adjustment necessary, as detailed in the attached fiscal note and Agreement between Outagamie County and the Town of Grand Chute.	Finance Committee	1061, 1209
Resolution No. 62—2023-24	October 24, 2023	Approve the Seventh Addendum to Lease Agreement between the Appleton International Airport and Gulfstream Aerospace Services Corporation in order to extend the terms of the contract and construct additional on-site parking at the premises, as noted on the attachments; and authorize and approve to increase the Airport Rental Properties Gulfstream South Hangar line item by $12,193 and decreasing the Airport Terminal Fund Balance Applied line item by $12,193, as detailed on the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	1061, 1220
Resolution No. 63—2023-24	October 24, 2023	Authorize selling and moving an Appleton International Airport owned house located at W6854 County Road BB in the Village of Greenville, Outagamie County, and authorize the necessary sealed bids for the selling and moving of the house.	Property, Airport, Recreation and Economic Development Committee	1061, 1232
Resolution No. 64—2023-24	October 24, 2023	Authorize and approve of increasing the IT Salaries line item by $35,000 and decreasing the IT Purchased Services line item by $35,000, to fill a vacant Systems Analyst position, as detailed on the resolution and attached fiscal note.	Finance Committee	1062, 1235
Resolution No. 65—2023-24	November 6, 2023	Amend the Health and Human Services Table of Organization, cost center 2063100, by creating one (1) full-time Office Specialist – ADRC position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.	Legislative/Audit & Human Resources Committee	1248, 1259
Resolution No. 66—2023-24	November 6, 2023	Amend the Health and Human Services Table of Organization, cost center 2066090, by creating one (1) full-time Sr. Account Technician position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.	Legislative/Audit & Human Resources Committee	1248, 1269
Resolution No. 67—2023-24	November 6, 2023	Amend the Health and Human Services Table of Organization, cost center 2063595, by creating one (1) full-time Program Assistant - CLTS position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.	Legislative/Audit & Human Resources Committee	1248, 1280
Resolution No. 68—2023-24	November 6, 2023	Amend the Health and Human Services Table of Organization, cost center 2063100, by creating three (3) full-time Benefit Specialist - Disability positions (sunset positions) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.	Legislative/Audit & Human Resources Committee	1248, 1291
Resolution No. 69—2023-24	November 6, 2023	Amend the Health and Human Services Table of Organization, cost center 2063595, by creating three (3) full-time Case Manager Positions (sunset positions) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.	Legislative/Audit & Human Resources Committee	1249, 1301
Resolution No. 70—2023-24	November 6, 2023	Amending the Health and Human Services Department Table of Organization, cost center 2063100, by creating one (1) full-time Case Manager position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.	Legislative/Audit & Human Resources Committee	1249, 1312
Resolution No. 71—2023-24	November 6, 2023	Enabling Tax Levy Resolution for 2023, collected in 2024.	Finance Committee	1250, 1323
Resolution No. 72—2023-24	November 6, 2023	Approve the addition of one (1) full-time MDS (Minimum Data Set) Coordinator position, effective November 5, 2023, for Brewster Village, with no budget adjustment required as the monies needed for the additional compensation will be included as part of the 2024 budget process, as noted on the attachments.	Legislative/Audit and Human Resources Committee	1253, 1482
Resolution No. 73—2023-24	November 6, 2023	Approve the Second Addendum to the Airline Operating Agreement between the Appleton International Airport and Allegiant Air LLC, to provide additional square feet of Terminal office rent, as noted on the attached Second Addendum to Airline Operating Agreement; and authorize and approve to increase the Airport Terminal Allegiant Air First Floor Exclusive line item by $8,259 and decreasing the Airport Terminal Fund Balance Applied line item by $8,259, as noted on the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	1253, 1492

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Resolution No. 74—2023-24	December 12, 2023	Approve to enter into a new lease for office space and rental car ready return spots located in the Appleton International Airport's Consolidated Car Rental Facility with the following rental car companies: Midwestern Wheels DBA Avis Rent-A-Car and Budget Rent-A-Car; Broadway Rental Cars, Inc. DBA Hertz; Enterprise DBA Enterprise Rent-A-Car, National Car Rental, and Alamo Rent-A-Car, with no impact to the 2024 budget, as the estimated revenues are already included in the budget, as detailed on the attachments.	Property, Airport, Recreation and Economic Development Committee	1503, 1517
Resolution No. 75—2023-24	December 12, 2023	Approve the Emergency Management Department to accept and expend the Hazardous Materials Emergency Preparedness (HMEP) Grant for $8,200, to offer specialized training opportunities, as noted on the attachments, and to increase the line items of EM Grants Intergovernmental Revenues and the EM Grants Purchased Services by $8,200 each, as detailed on the attached fiscal note.	Public Safety Committee	1503, 1564
Resolution No. 76—2023-24	December 12, 2023	Approve the request to transfer the following line items for the vacated EM Program and EPCRA Manager position: $20,000 from the Small Department Vacation/Sick Leave Payout Fund to the Emergency Management Salaries for $15,000 and Fringe Benefits for $5,000, and increase the Fund Balance Applied by $20,000 and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by $20,000, and increase the Fund Balance Unassigned by $20,000, as detailed on the attachments.	Public Safety Committee	1503, 1583
Resolution No. 77—2023-24	December 12, 2023	Approve the County Sheriff's Office to apply for, accept, and expend the 2024 County/Tribal Law Enforcement Program grant issued by the Wisconsin Department of Justice for $30,205, to be split equally with the Oneida Tribe of Indians, and, authorize and approve to increase the following 2024 Patrol line items: Intergovernmental Revenue by $30,205.00; Supplies by $15,102.50; Purchased Services by $15,102.50, as detailed in the attached fiscal note.	Public Safety Committee	1503, 1590
Resolution No. 78—2023-24	December 12, 2023	Approve the full- time staff in the Clerk of Circuit Courts office to work a 40 hour work week effective December 17, 2023, with no budget adjustment necessary and included in the 2024 budget.	Legislative/Audit and Human Resources Committee	1503, 1596
Resolution No. 79—2023-24	December 12, 2023	Approve to support pending legislation that will allow a juvenile court or comparable place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and Juvenile Justice Code while defining "like-kin" for the purposes of such placement to be an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal tradition, custom or resolution, code, or law, while not including a current or former foster parent of a child for placement purposes.	Legislative/Audit and Human Resources Committee	1504, 1601
Resolution No. 80—2023-24	December 12, 2023	Approve the County Land Conservation Department to accept and expend a private grant from the University of Wisconsin-Green Bay for $116,875, to be used for engineering services to advance agricultural runoff treatment research to determine sustainable treatment systems and create design recommendations, and increase the following line items in the Land Conservation Grants Cost Center: Misc. Revenue by $116,875; Salary by $13,190; Fringe by $5,160; Travel by $4,140; Supplies by $17,000; Purchased Services by $77,385, as detailed on the attached fiscal note.	Agriculture, Extension Education, Zoning, and Land Conservation Committee	1504, 1703
Resolution No. 81—2023-24	December 12, 2023	Approve of various budget transfers and alterations in the 2023 Recycling and Solid Waste and Single Stream Recycling budgets, as detailed on the attachments.	Highway, Recycling and Solid Waste Committee	1504, 1709
Resolution No. 82—2023-24	December 12, 2023	Approve the following line item transfers: increase the CJTS Travel/Training by $2,600; decrease the CJTS Salaries by $2,600; increase the TAD Grant Travel/Training by $1,800; increase the TAD Grant Supplies by $12,000; and decrease the TAD Grant Purchased Services by $13,800, due to training that was anticipated to be covered by the JAG grant that did not materialize and to maximize grant resources, as detailed in the attached fiscal note.	Public Safety Committee	1504, 1716
Resolution No. 83—2023-24	December 12, 2023	Approve of various budget transfers in the 2023 Sheriff's Office budget, as detailed in the attachments.	Public Safety Committee	1504, 1722
Resolution No. 84—2023-24	December 12, 2023	Approve of various budget transfers and alterations in the 2023 Health and Human Services budget, as detailed on the resolution and attachments.	Health and Human Services Committee	1505, 1729
Resolution No. 85—2023-24	December 12, 2023	Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for the County CC overpass replacement project, as noted on the attached State/Municipal Financial Agreement for a State- Let Highway Project, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.	Highway, Recycling and Solid Waste Committee	1505, 1736
Resolution No. 86—2023-24	December 12, 2023	Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement and County/Municipal Cost Agreement for the County OO & WIS 15 interchange reconstruction project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project and Outagamie County Highway Department County/Municipal Cost Agreement, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.	Highway, Recycling and Solid Waste Committee and the Property, Airport, Recreation & Economic Development Committee	1505, 1747
Resolution No. 87—2023-24	January 9, 2024	Authorize and approve decreasing the following Financial Services line items: Salaries by $100,000; Fringes by $50,000; Travel/Training by $7,000; Supplies by $4,000; and increasing the following Financial Services line items: Miscellaneous Revenue by $45,000; Purchased Services by $330,000, and decreasing the Reserve for Contingency Purchased Services line item by $124,000, for consultant contracts and staff vacancies in the Financial Services Department, as detailed on the attached fiscal note.	Finance Committee	1786, 1789
Resolution No. 88—2023-24	January 9, 2024	Approve the sale of In-Rem Tax Foreclosure property Parcel ID Number 325021200, City of Kaukauna "as is" in the amount of $372.36, with no budget adjustment necessary as the funds have already been budgeted in the appropriate cost center as detailed in the attached fiscal note and Agreement between Outagamie County and the City of Kaukauna.	Finance Committee	1786, 1794
Resolution No. 89—2023-24	January 9, 2024	Authorize and approve that all Outagamie County employees who leave their residence to serve or will serve in the uniformed services, regardless of length of employment or part-time or full-time status, will earn all vacation allotment and sick leave accrual benefits while on military leave of absence that they would normally earn as a working employee of Outagamie County, regardless of department.	Legislative/Audit and Human Resources Committee	1787, 1805
Resolution No. 90—2023-24	January 9, 2024	Approve the full- time position deletions of one Mental Health Treatment Court Coordinator and one Case Manager and the full-time position creation of one Treatment Court Coordinator, effective January 14, 2024, for the Criminal Justice Treatment Services Department, with no budget adjustment required, as noted on the attachments.	Legislative/Audit and Human Resources Committee	1787, 1808
Resolution No. 91—2023-24	January 9, 2024	Authorize and approve the line items of transferring $14,000 from the Reserve for Contingency Purchased Services to the Nature Center Purchased Services, used for roof repairs at the Mosquito Hill Nature Center, as detailed in the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	1787, 1831
Resolution No. 92—2023-24	January 9, 2024	Approve to enter into a new Intergovernmental Agreement with Calumet County which authorizes the Outagamie County Family Court Services Department to conduct custody evaluations for Calumet County and charge a fee for completion of the evaluation, with no fiscal impact to the 2024 budget as the estimated revenues are already included in the budget, as noted on the attached Intergovernmental Agreement and the fiscal note.	Public Safety Committee	1788, 1835

Resolutions 2023-2024

Resolution No.	Meeting Initially Introduced	DESCRIPTION	Committee	Page No(s).
Resolution No. 93—2023-24	January 23, 2024	Approve to support pending legislation to allow a political subdivision to install and maintain cameras where persons are engaged in work in a highway maintenance or construction area to capture video or photographic evidence of traffic accidents and other violations of the law, as noted on the resolution.	Highway, Recycling and Solid Waste Committee and Public Safety Committee	1849, 1851
Resolution No. 94—2023-24	January 23, 2024	Approve to authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail located on a parcel of land being part of the Southeast ¼ of the Southeast ¼ and the Southwest ¼ of the Southeast ¼ of Section 8 in Township 23 North, Range 17 East, Village of Black Creek, Outagamie County, Wisconsin; for the purpose of installing a culvert and to upgrade the existing storm sewer in the village to alleviate flooding issues, as noted on the resolution and attachments.	Property, Airport, Recreation and Economic Development Committee	1849, 1858
Resolution No. 95—2023-24	January 23, 2024	Approve the following line item changes, as noted on the resolution and fiscal note: increase Land Conservation Salaries by $9,850; increase Land Conservation Fringes by $11,950; decrease Land Conservation Travel/Training by $6,000; decrease Land Conservation Supplies by $15,800; increase TMDL – New Water Supplies by $3,100; and decrease the TMDL - New Water Purchased Services by $3,100, to better allocate and best spend the funds available for the Land Conservation Department.	Agriculture, Extension Education, Zoning, and Land Conservation Committee	1849, 1879
Resolution No. 96—2023-24	January 23, 2024	Approve to disallow the claim submitted by Herrling Clark Law Firm Ltd. on behalf of a minor that has been placed on file in the office of the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.	Finance Committee	1850, 1883
Resolution No. 97—2023-24	February 13, 2024	Authorize the County Highway Commissioner to enter into a State/Municipal Agreement for the CTH A & CTH S intersection project and CTH A rehabilitation project, as noted on the attached State/Municipal Agreement For a State-Let Highway Safety Improvement Program (HSIP) Project document; and authorize funding for the county share of the project costs to be included in future budgets, as noted on the attached fiscal note.	Highway, Recycling and Solid Waste Committee	1892, 1901
Resolution No. 98—2023-24	February 13, 2024	Approve to allow the Outagamie County Highway Department to perform paving and related work at Plamann Park; Ash Tree removal at Plamann Park; paving, earthwork and site prep items within the 2024 Airport CIP at the Airport; parking lot rehabilitation at the Sheriff's Office; parking lot rehabilitation at the downtown Courthouse campus; and other work for internal Outagamie County departments in calendar year 2024 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000 with no budget adjustment needed, as noted on the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	1892, 1913
Resolution No. 99—2023-24	February 13, 2024	Authorize and approve of granting ANR Pipeline Company an Easement for construction of a gas line on Appleton International Airport owned land, Parcel Numbers 006000101, 006000201, and 006000202, as noted on the attached Easement and Right of Way Agreements, Exhibit "A", Supplemental Agreements, Landowner Payment Summary, and Request for Taxpayer Identification Number and Certification, to be signed by the Outagamie County Executive, and authorize and approve the line items by increasing the Airport Rental Properties Rent-Land & Bids by $69,975 and decreasing the Airport Terminal Fund Balance Applied by $69,975, as noted on the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	1893, 1920
Resolution No. 100—2023-24	February 13, 2024	Authorize and approve the Outagamie County Sheriff's Office to apply for, accept, and expend the 2023 Justice Assistance Grant (JAG) issued by the US Department of Justice, to be used toward Viper A-5 ballistic helmets and Streamlight ProTAC flashlights, as detailed in the Memorandum of Understanding Between the City of Appleton and Outagamie County, and authorize and approve the line items by increasing the Patrol Intergovernmental Revenue and Patrol Supplies by $12,421 each, as noted on the attached fiscal note.	Public Safety Committee	1893, 1951
Resolution No. 101—2023-24	February 13, 2024	Authorize and approve the Lease Agreement between Outagamie County and Valley Packaging Industries for county owned property located at 3375 W. Brewster Street, Appleton, for a monthly lease rate of $8,299.75 with no budget adjustment needed as revenues have been included in the 2024 budget, as noted on the attachments, and with passage of this resolution, the County Board Chairperson, County Executive, and County Clerk are authorized to execute the agreement on behalf of Outagamie County.	Property, Airport, Recreation and Economic Development Committee	1893, 1957
Resolution No. 102—2023-24	February 13, 2024	Approve an Agreement between Outagamie County and General Teamsters Union Local 662, collective bargaining representative for the employees of the Outagamie County Highway Department for calendar year 2024, with no fiscal impact to the 2024 budget as the wages have already been included in the budget as detailed in the attached Agreement and Appendix A.	Legislative/Audit and Human Resources Committee	1893, 1979
Resolution No. 103—2023-24	February 27, 2024	Approve to go on record in support of the City of Seymour Territory Amendment #2 to Tax Incremental District (TID) No. 4, as detailed in the attached document dated February 26, 2024; and recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor of the amendment.	Finance Committee	1988, 1990
Resolution No. 104—2023-24	February 27, 2024	Approve to go on record in support of the City of Seymour Territory Amendment #1 to Tax Incremental District (TID) No. 5, as detailed in the attached document dated February 26, 2024; and recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor of the amendment.	Finance Committee	1988, 2008
Resolution No. 105—2023-24	February 27, 2024	Authorize and approve of increasing the following Supply line items in the 2024 budget: HHS Child Youth Family (2062040) by $2,342; Aging Services (2063090) by $2,342; Child Support (2064050) by $2,342; Mental Health (2066090) by $3,668; and decreasing the following Capital Outlay line items in the 2024 budget: HHS Child Youth Family (2062040) by $2,342; Aging Services (2063090) by $2,342; Child Support (2064050) by $2,342; Mental Health (2066090) by $3,668, for minor office equipment, as noted on the attached fiscal note.	Health and Human Services Committee	1989, 2036
Resolution No. 106—2023-24	February 27, 2024	Authorize and approve transferring $550,000 from the Parks-Central Parking Lot Construction 21 Capital Outlay line item to the Parks-Pavilion 21 (non-debt) Capital Outlay line item, to combine funds for the Plamann Pavilion/Central Parking lot project, as noted on the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	1989, 2040
Resolution No. 107—2023-24	March 12, 2024	Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for a State-Let Highway Project, for the County N interchange improvement project, and the county share of the project costs to be included in future budgets, as detailed on the attachments.	Highway, Recycling and Solid Waste Committee	2046, 2049
Resolution No. 108—2023-24	March 12, 2024	Approve the deletion of one full-time Principal Planner position and the creation of one full-time Deputy Director of Development and Land Services (DLS) position effective March 24, 2024 for the DLS Department, and approve to increase the DLS line items for the following: Salaries by $7,596, Fringe Benefits by $2,355, and Allocated Applied Credits by $9,951, as detailed on the attachments.	Legislative/Audit and Human Resources Committee	2046, 2058
Resolution No. 109—2023-24	March 12, 2024	Approve the one time salary increases for the Outagamie County Clerk by $12,939.80, County Treasurer by $10,537.80, and the Register of Deeds by 10,537.80 effective with the beginning of the 2025 term of office, and recommends for each, an annual 4% increase for years 2026, 2027, and 2028, with all salary and fringe benefit adjustments included in the 2025 through 2028 proposed budgets.	Legislative/Audit and Human Resources Committee	2046, 2073

Resolutions 2023-2024

Resolution No.	Meeting Initially Introduced	DESCRIPTION	Committee	Page No(s).
Resolution No. 110—2023-24	March 12, 2024	Approve the County Parks System Capital Outlay line item transfer of $50,000 from the Ash Tree Removal to Mower Replacement, for the mower replacement cost, as detailed on the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	2047, 2080
Resolution No. 111—2023-24	March 12, 2024	Approve an application for State aid for the purpose of maintaining, acquiring, developing, and ensuring a program of snowmobile trails for public recreational use; authorize the County Parks Director and/or Program/Office Manager to act on behalf of the County by submitting an application to the Wisconsin Department of Natural Resources for any financial aid that may be available, sign documents, and take any necessary action to undertake, direct and complete approved projects, and the County will meet the financial obligation of accepted grants.	Property, Airport, Recreation and Economic Development Committee	2047, 2084
Resolution No. 112—2023-24	March 12, 2024	Approve the Appleton International Airport entering into a lease and concession agreement to operate a food and beverage business with SSP America ATW, LLC, with no budget adjustment needed as the lease revenue has been included in the 2024 budget, as detailed on the attachments.	Property, Airport, Recreation and Economic Development Committee	2047, 2087
Resolution No. 113—2023-24	March 12, 2024	Approve the Appleton International Airport entering into a second addendum to lease with Maxair, LLC, as detailed in the attached Second Addendum to Lease, and transfer $60,000 from the line item of Airport Terminal Fund Balance Applied to the FBO Hangar – Tenants, as detailed on the attached fiscal note.	Property, Airport, Recreation and Economic Development Committee	2047, 2165
Resolution No. 114—2023-24	March 12, 2024	Approve the Outagamie County Sheriff's Office to accept and expend an unsolicited donation from Milk Source LLC, for $1,000, and to increase the line items of Corrections Revenue and Corrections Supplies by $1,000 each, as detailed on the attached fiscal note.	Public Safety Committee	2048, 2172
Resolution No. 115—2023-24	March 26, 2024	Approve to decrease the following line items in the 2023 Legislative Services budget: Travel/Training by $700; Supplies by $1,800; Purchased Services by $18,800; and decrease the General Fund Committed Fund Balance for Small Depts Vac/Sick Payouts by $26,411; and increase the following line items: Salaries by $44,131; Fringes by $1,704; Allocated Applied Credit by $1,875; and General Funds Applied, Fund Balance Applied by $26,411 and the General Fund, Fund Balance Unassigned by $26,411, to cover the payout amount for the Lobbyist, as noted on the attachments	Legislative/Audit and Human Resources Committee	2205, 2227
Resolution No. 116—2023-24	March 26, 2024	Approve an in- year Table of Organization request to move one (1) full-time Risk Coordinator position from the Table of Organization of Financial Services Department to Corporation Counsel, with no budget adjustment needed, as noted on the resolution and attachments.	Legislative/Audit and Human Resources Committee	2205, 2235
Resolution No. 117—2023-24	March 26, 2024	Approve the Sheriff's Office to expend ARPA funds of $110,000 to purchase an ICOR Technology Mini-CALIBER portable robot; and increase the ARPA line items of Revenue and Capital by $110,000 each, as noted on the attached fiscal note.	Finance Committee	2205, 2247
Resolution No. 118—2023-24	March 26, 2024	Approve the Outagamie County Sheriff's Office to accept and expend an unsolicited donation from Gold Cross Ambulance Community Fund for $250; and increase the Patrol line items for Revenue and Supplies by $250 each, as noted on the attached fiscal note.	Public Safety Committee	2205, 2253
Resolution No. 119—2023-24	March 26, 2024	Approve funding for a conflict resolution center (CRC) in Outagamie County utilizing ARPA funds for three (3) years at $50,000 per year for a total of $150,000, said funding contingent upon securing 501c3 status for the CRC; and approve the ARPA line items by decreasing the Special Contracts/Obligations and increase the ARPA Revenues each by $50,000, as noted on the attached fiscal note.	Finance Committee	2204, 2208
Resolution No. 120—2023-24	March 26, 2024	Authorize writing off the 2023 Accounts Receivables, Delinquent Accounts Receivable Write-Offs, and authorize the Finance Director to remove these receivables from the County records and deem them no longer collectible, as noted on the attachments.	Finance Committee	2205, 2259
Resolution No. 121—2023-24	March 26, 2024	Property, Airport, Recreation and Economic Development Committee. Approve the Development and Land Services (DLS) Department to accept and expend the Smart Growth America grant by $130,000 for the execution of a Community Engagement Planning Project along the College Avenue Corridor; and approve the DLS line items by decreasing Purchased Services and increasing Misc Revenue each by $130,000, as noted on the attachments.	Property, Airport, Recreation and Economic Development Committee	2205, 2267
Resolution No. 122—2023-24	March 26, 2024	Approve to establish the week of April 15 through April 19, 2024, be designated "Work Zone Safety Awareness Week" in Outagamie County.	Highway, Recycling and Solid Waste Committee	2206, 2289
Resolution No. 123—2023-24	March 26, 2024	Approve using Opioid Settlement funds to hire a Substance Abuse Disorder Discharge Planner as a contract employee through the Outagamie County Jail's current contracted medical provider, VitalCore; and increase the Opioid Settlement line items of Revenue and Purchased Services by $76,352 each, as noted on the attached fiscal note.	Public Safety Committee	2206, 2294
Resolution No. 124—2023-24	March 26, 2024	Authorize granting We Energies an easement for the area described as a strip of land varying in width, parcel number 111089700 in the Village of Greenville, as noted on the attachments.	Property, Airport, Recreation and Economic Development Committee	2206, 2301
Resolution No. 125—2023-24	March 26, 2024	Authorize granting We Energies an easement for the area described as strips of land twelve (12) feet in width, parcel numbers 111120200 and 111119700 in the Village of Greenville, as noted on the attachments.	Property, Airport, Recreation and Economic Development Committee	2206, 2309
Resolution No. 126—2023-24	March 26, 2024	Approve the Lease Agreement between Outagamie County and the Wisconsin Department of Health Services for county owned property located at W7419 Trappers Lane, Shiocton for a monthly lease rate of $2,000 and approve of increasing the County Property Rent – Miscellaneous line item and the County Property Purchased Services line item by $18,000 each, as noted in the attached lease and fiscal note.	Property, Airport, Recreation and Economic Development Committee	2206, 2319

Reports 2023-2024

Meeting Introduced	DESCRIPTION	Page No(s).
April 18, 2023	Purchasing Agent shall report to the County Board items that have been sold. The following item was recently sold: Sale of Personal Property—Eddie Current from MRF-$14,100	5
June 27, 2023	Official Communication from Administration -- ATW Roof Top Unit Out of Service	462
October 24, 2023	Purchasing Agent shall report to the County Board items that have been sold with a value of $5,000 or greater. The following item was recently sold: Sale of Personal Property—2011 Ford Fusion was sold via public bid for $7,001 on October 17th	1062

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, April 18, 2023.

The Board met for the ANNUAL REORGANIZATION MEETING, pursuant to Section 59.03, Wisconsin Statutes, and was called to order by Chairperson Nooyen at 4:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 26 present, 9 absent, 1 vacant. Members present: Miller, Smith, Patience, Gabrielson, Konetzke, Lawrence, Lamers, Ferguson, McCabe, MacDonald, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Nejedlo, Clegg, Thyssen, VanderHeiden, Rettler, and Lautenschlager. Members Absent: Thompson, Hammen, Krueger, Wegand, Hermes, Schroeder, Culbertson, Monfils, and Winterfeldt. Vacant: District 35.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Hammen, Krueger, Wegand, Schroeder, Culbertson, Monfils, and Winterfeldt. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE MARCH 28, 2023 COUNTY BOARD MEETING
Supervisor Lamers moved, seconded by Supervisor Smith, to approve the minutes of the March 28, 2023, County Board meeting.

ROLL CALL: 24 yes, 2 abstain (Miller and Nejedlo), 9 absent, 1 vacant. MINUTES OF THE MARCH 28, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

Sarah Van Camp, Register of Deeds, will give a brief presentation on the duties of the office

Register of Deeds (ROD), Sarah Van Camp was elected in 2012. ROD Van Camp shared some of the accomplishments of the Register of Deeds office over those several years.

- ROD Van Camp was elected to the Board of Directors of the Wisconsin Register of Deeds Association (WRDA), a 4-year commitment in which she was elected to serve as President this past year.
- ROD Van Camp presented some examples of items that the WRDA has worked on this past year:
    - The WRDA has a strong presence and working relationship with Legislators.
    - A recent accomplishment has been the state wide issuance of vital records. This took a lot of time and effort in terms of programming. This is a great service to the County's constituents.
    - The recent law change that allows marriage license applicants to apply for a marriage license in any county in the State of Wisconsin and allowing them to be returned in any county in the State of Wisconsin has produced an increase in the number of marriage license issued and returned to Outagamie County.
    - Divorce decrees are now able to be obtained from the Register of Deeds office.
    - The WRDA is currently keeping a close eye on Daniels Law, the shielding of certain

information from the public for the safety of people, such as federal judges. Federal legislation has already passed and the Register of Deeds is expecting State legislation to follow.
    - The WRDA is also supporting the Wisconsin County Association and their work on the split of the transfer tax. This would be a great increase in revenue to keep at the county level.
- ROD Van Camp gave an overview of the Register of Deeds office and their recent accomplishments:
    - The Register of Deeds office is made up of an amazing team of employees. The ROD office has gone from ten employees to six employees in the last ten years, as employees have retired. The office has taken the initiative to be cross trained and installed programing updates to become more efficient.
    - Land notification has been installed on the County's land records programming.
    - The ROD office has also implemented procedures to help assist other departments that depend on services from the ROD office. For example, a recent procedural change with social workers to help expedite the placement of children.
    - ROD Van Camp was very proud of the dedication of her team throughout the Covid-19 pandemic. Had it not been for their dedication and hard work, the real estate market would have suffered. The ROD team was on site every day and met the public at the entrance to help assist in their transactions.
    - Interest rates are up and home sales are down. Recordings this year are reflecting that. While recordings are down, the ROD team has looked for ways to get more information online through back indexing.

Supervisor Thompson arrived at 4:04 pm.

Supervisor Hermes arrived at 4:09 pm.

APPOINTMENT OF PARLIAMENTARIAN

Supervisor Patience moved, seconded by Supervisor Croatt, to appoint Corporation Counsel Kyle Sargent as the Parliamentarian.

ROLL CALL: 28 yes, 7 absent, 1 vacant. CORPORATION COUNSEL KYLE SARGENT IS CONFIRMED AS PARLIAMENTARIAN.

DESIGNATION OF OFFICIAL COUNTY NEWSPAPER FOR LEGAL AND ELECTION NOTICES

Supervisor Hagen moved, seconded by Supervisor VanderHeiden, to designate the Appleton Post Crescent as the official County newspaper.

ROLL CALL: 27 yes, 1 no (Smith), 7 absent, 1 vacant. THE POST CRESCENT IS CONFIRMED AS THE OFFICIAL COUNTY NEWSPAPER.

CHAIRPERSON'S APPOINTMENT OF COMMITTEE MEMBERS

Chairperson Nooyen noted that no changes are being made to current assignments.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have the District 35 County Board Supervisor Appointment and Resolution Nos. 1, 3, 4, 6, and 7—2023-24 locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

April 18, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	03/20/2023	Barron County	Resolution No. 2023-12 Requesting the State to Revise the Current Real Estate Transfer Fees Revenue Sharing Formula	Resolution No.: 14-2022-23
2	02/21/2023	Green Lake County	Resolution Number 01-2023 Request State to Revise the Current Real Estate Transfer Fees Revenue Sharing Formula	Resolution No.: 14-2022-23
3	02/21/2023	Green Lake County	Resolution Number 04-2023 Request State of Wisconsin to Use a Portion of the 2023 Budgetary Surplus for the Maintenance, Repair and Replacement of County Trunk Highway System	Highway, Recycling and Solid Waste Committee
4	03/22/2023	Shawano County	Resolution No. 12-23 Request State of Wisconsin to Use a Portion of the 2023 Budgetary Surplus for the Maintenance, Repair and Replacement of County Trunk Highway System	Highway, Recycling and Solid Waste Committee
5	02/08/2023	Washington County	2022 Resolution 62 Requesting the State of Wisconsin Review and Revise the Entry Level Compensation Rate for Assistant District Attorneys	Resolution No.: 137-2022-23
6	02/08/2023	Washington County	2022 Resolution 63 Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders	Resolution No.: 137-2022-23

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is available in DropBox.
- Two Supervisors still need to complete the March IT training. An email was sent to these Supervisors for a reminder.
- Next county board meeting will be Tuesday, May 9th at 7 pm.

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY) – none.

APPOINTMENTS—

County Board Chair Nooyen nomination for appointment of Dustin Koury to the District 35 County Board Supervisor position and serve on the Agriculture, Extension Education, Zoning and Land Conservation Committee; said term expiring April 15, 2024.

Supervisor Gabrielson moved, seconded by Supervisor Spears, for confirmation of the above-listed appointment.

Voice vote: 28 yes, 7 absent, 1 vacant. DUSTIN KOURY IS APPOINTED TO THE DISTRICT 35 COUNTY BOARD SUPERVISOR POSITION AND SERVE ON THE AGRICULTURE, EXTENSION EDUCATION, ZONING AND LAND CONSERVATION COMMITTEE.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. 1—2023-24 – Health and Human Services Committee. Approve the County Veterans Service Office to accept and expend ARPA grant funding from the Wisconsin Department of Veterans Affairs for $19,178, to increase the service capacity of the current County Veterans Service Office / Tribal Veterans Service Office, and increase the Veterans Service line items, Veterans WI DOA ARPA Grant and Purchased Services by $19,178 each, as noted on the attachments.

Supervisor Gabrielson moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 1—2023-24 IS ADOPTED.

Resolution No. 2—2023-24 – Public Safety Committee. Approve the Criminal Justice Treatment Services (CJTS) to accept and expend an unsolicited donation of $245, and increase the CJTS line items for Miscellaneous – Donations and Veterans Court by $245 each, as detailed on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 2—2023-24 IS ADOPTED.

Resolution No. 3—2023-24 –Finance Committee. Approve all excess or deficiency of revenues over/ under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund as of December 31, 2022, except for Highway, County Road & Bridge and Highway Project Related Capital Project Funds, and as noted in the resolution and attachments.

Supervisor Lawrence moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 3—2023-24 IS ADOPTED.

Resolution No. 4—2023-24 – Legislative/Audit and Human Resources Committee. Approve to support pending legislation that broadens the definition of "sexual contact" for the purposes of crimes against children and the crime of sexual assault.

Supervisor Spears moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 4—2023-24 IS ADOPTED.

Resolution No. 5—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to transfer $20,000 from the Small Department Vacation/Sick Leave Payout fund to the following line items: County Parks System Salaries by $15,000 and Fringe Benefits by $5,000, and increase the General Funds Applied, Fund Balance Applied by $20,000, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts by $20,000, and increase the General Fund, Fund Balance Unassigned by $20,000, as noted on the resolution and attachments.

Supervisor Konetzke moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 5—2023-24 IS ADOPTED.

Resolution No. 6—2023-24 –Finance Committee. Approve all excess or deficiency of revenues over/ under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund as of December 31, 2022, for the Highway, County Road & Bridge and Highway Project Related Capital Project Funds, except as noted on the resolution and attachments.

Supervisor Hagen moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 6—2023-24 IS ADOPTED.

Resolution No. 7—2023-24 – Finance Committee. Approve of entering into the attached Memorandum of Understanding with New North, Inc., to provide support for the Public Service Commission (PSC) Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant project (as noted on the resolution), and approve of the Development and Land Services Office to accept and expend $10,000 in BEAD Local Planning Grant funding, and approve the following line items: increase the Development and Land Services, Miscellaneous by $10,000 and decrease the General Fund Surplus, Fund Balance Applied by $10,000, as noted on the resolution and attachments.

Supervisor Croatt moved, seconded by Supervisor Miller, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 7—2023-24 IS ADOPTED.

REPORTS –
Per County Ordinance Chapter 22 Section 166, the Purchasing Agent shall report to the County Board items that have been sold. The following item was recently sold: Sale of Personal Property—Eddie Current from MRF-$14,100

RECONSIDERATION OF DISTRICT 35 COUNTY BOARD SUPERVISOR APPOINTMENT AND RESOLUTION NOS. 1, 3, 4, 6, AND 7—2023-24.

Supervisor Croatt moved, seconded by Supervisor Smith, to reconsider the above listed appointment and resolutions.

Vote for reconsideration. ROLL CALL: 28 yes, 7 absent, 1 vacant. THE DISTRICT 35 COUNTY BOARD SUPERVISOR APPOINTMENT AND RESOLUTION NOS. 1, 3, 4, 6, AND 7—2023 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 28 yes, 7 absent, 1 vacant. THE DISTRICT 35 COUNTY BOARD SUPERVISOR APPOINTMENT AND RESOLUTION NOS. 1, 3, 4, 6, AND 7—2023 ARE ADOPTED & LOCKED IN.

ADJOURNMENT
Supervisor Konetzke moved, seconded by Supervisor Thiede to adjourn until May 9, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

LOCK IN & ADOPTION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

Vote for lock in. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Lock In of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Lock in of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **4-18-23 County Board Meeting - April 18 2023 04:25:52 PM**

April 18, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

Supervisor Croatt moved, seconded by Supervisor Smith, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—20

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	ABSENT
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	ABSENT	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 VACANT	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

4-18-23 County Board Meeting - April 18 2023 04:25:43 PM

April 18, 2023 County Board Meeting

OpenMeeting

Resolution No. 1—2023-24 – Health and Human Services Committee. Approve the County Veterans Service Office to accept and expend ARPA grant funding from the Wisconsin Department of Veterans Affairs for $19,178, to increase the service capacity of the current County Veterans Service Office / Tribal Veterans Service Office, and increase the Veterans Service line items, Veterans WI DOA ARPA Grant and Purchased Services by $19,178 each, as noted on the attachments.

Supervisor Gabrielson moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 1—2023-24 IS ADOPTED.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 1—2023-24

Health and Human Services Committee. Approve the County Veterans Service Office to accept and expend A **Passed With 2/3 of Full Membership**
Department of Veterans Affairs for $19,178, to increase the service capacity of the current County Veterans Service Office / Tribal Veterans Service Office, and increase the Veterans Service line items, Veterans WI DOA ARPA Grant and Purchased Services by $19,178 each, as noted on the attachments.

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **4-18-23 County Board Meeting - April 18 2023 04:19:23 PM**
April 18, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 1—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Veterans Service Office has received an ARPA grant through the Wisconsin Department of Veterans Affairs in the amount of $19,178 to increase the service capacity of the current CVSO/TVSO (County Veterans Service Office/Tribal Veterans Service Office), as detailed in the attached Memorandum of Understanding (MOU). Consistent with U.S. Treasury requirements, the funds must be utilized by December 31, 2024. Consistent with the MOU, the County Veterans Service Officer is developing a plan for increased marketing and outreach to enhance awareness of the CVSO by former military personnel of the County. Grant funds will be utilized to cover the full cost of any such activity, mitigating any operational/fiscal impact to the CVSO, to include the staff time needed to fulfill the grant reporting requirements.

This resolution approves accepting and expending the Wisconsin Department of Veterans Affairs ARPA Grant in the amount of $19,178.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the County Veterans Service Office to accept and expend ARPA grant funding from the Wisconsin Department of Veterans Affairs in the amount of $19,178 in order to increase the service capacity of the current County Veterans Service Office / Tribal Veterans Service Office, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Veterans Service, Veterans WI DOA ARPA Grant line item and Veterans Service, Purchased Services line item by $19,178 each as noted on the attached fiscal note and Memorandum of Understanding which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Veterans Service Officer and the Outagamie County Finance Director.

Dated this 18th day of April, 2023

Respectfully Submitted,

HEALTH AND HUMAN SERVICES COMMITTEE

Dan Gabrielson

Justin Krueger

Jeff McCabe

Cathy Thompson

Kelly Schroeder

Duly and officially adopted by the County Board on: April 18, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 4.19.23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request to Accept & Expend WI Department of Veterans Affairs ARPA Grant

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The County Veterans Service Office has received an ARPA grant through the Wisconsin Department of Veterans Affairs in the amount of $19,178 "to increase the service capacity of the current CVSO/TVSO programs", as detailed in the attached Memorandum of Understanding. Consistent with U.S. Treasury requirements, the funds must be utilized by Dec. 31, 2024. Consistent with the MOU, County Veterans Service Officer David Holst is developing a plan for "increased marketing and outreach to enhance awareness of the CVSO by former military personnel of the county". Grant funds will be utilized to cover the full cost of any such activity, mitigating any operational/fiscal impact to the CVSO office, to include the staff time needed to fulfill the grant reporting requirements.

Therefore, we are requesting to accept and expend the WI Department of Veterans Affairs ARPA Grant in the amount of $19,178.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Veterans Service (1008700)	Veterans WI DOA ARPA GRANT	1008700.4264.03	19,178
Veterans Service (1008700)	Purchased Services	1008700.5500	19,178

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost -
Annual Revenue -

Fiscal Note Prepared by: David Holst/Craig Moser/Brian Massey

For Financial Services purposes only	
Reviewed By:	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:
Date: 3/6/23	Detail Expenditures Account Number: 1008700.4264.03 — Amount: 19,178
Comments:	

MEMORANDUM OF UNDERSTANDING
REGARDING USE OF ARPA STATE RECOVERY FUNDS
BY
Wisconsin Department of Veterans Affairs and

OUTAGAMIE COUNTY

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into by and between the Wisconsin Department of Veterans Affairs ("DVA"), whose principal business address is 2135 Rimrock Road, Madison, WI 53707 and the County of or Federally Recognized Indian Tribe of OUTAGAMIE COUNTY ("Recipient") who has a County Veterans Service Office ("CVSO") or Tribal Veterans Service Office ("TVSO") whose principal business address is 320 S. WALNUT STREET APPLETON, WI 54911.

WHEREAS, the United States Department of the Treasury ("Treasury Department") has distributed to the Wisconsin Department of Administration ("DOA") funds ("ARPA Funds") from the Coronavirus State Fiscal Recovery Fund pursuant to 42 U.S.C. § 802, as added by section 9901 of the American Rescue Plan Act of 2021 ("ARPA"); and

WHEREAS, DOA is administering such funds through a variety of programs and initiatives, managed by state agencies and other entities; and

WHEREAS, one of the state agencies that DOA has selected to manage the administering of portion of these funds is DVA; and,

WHEREAS, DVA will use these funds to accomplish four distinct Initiatives consistent with its mission to work on behalf of Wisconsin's veterans in recognition of their service and sacrifice to Wisconsin and the nation; and,

WHEREAS, one of those Initiatives is the CVSO and TVSO Initiative; and,

WHEREAS, CVSOs and TVSOs play a critical role in advocating for the individual needs of veterans and are often the initial contact in the community for veteran's services. CVSOs and TVSOs provide a local expertise to assist veterans with transition, employment, federal compensation and pension applications, state and federal veteran benefit applications, local assistance and benefits for veterans, referrals to assistance and information for day-to-day living, and multiple other necessary services for veterans; and

WHEREAS, this Initiative is providing funding to CVSOs/TVSOs to increase the service capacity of the current CVSO/TVSO programs; and,

WHEREAS, Recipient, who is one of the CVSO/TVSO eligible for a grant, is eligible to receive funding as outlined in Schedule B.

The Period of Performance for this MOU will run from the Effective Date until December 31, 2024.

Each person signing this MOU represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this MOU. Each party represents and warrants to the other that the execution and delivery of the MOU and the performance of such party's obligations hereunder have been

duly authorized and that the MOU is a valid and legal agreement binding on such party and enforceable in accordance with its terms.

IN WITNESS WHEREOF, DVA and Recipient have fully executed this MOU as of the date of DVA's signature below ("Effective Date").

DEPARTMENT OF VETERANS AFFAIRS		**Recipient**
BY:	_____	**BY:** _____
NAME:	**James Bond**	**NAME:** Thomas Nelson
TITLE:	**Deputy Secretary**	**TITLE:** County Executive
DATE:	_____	**DATE:** 1/16/2023

GENERAL TERMS

ARTICLE 1. ALLOCATION AMOUNT AND PERMISSIBLE USES OF FUNDS

The amount of ARPA funds allocated to Recipient pursuant to this MOU are set forth in Schedule B. DVA's contribution to the total cost of Recipient's performance of its duties under this MOU shall not exceed the amount enumerated in Schedule B for the CVSO/TVSO who is the Recipient executing this MOU. Additionally, DVA shall not reimburse Recipient for any costs that are not eligible for reimbursement under ARPA or rules, regulations, or guidance promulgated to implement ARPA.

ARTICLE 2. RESTRICTION ON USE OF FUNDS

If the ARPA funds provided pursuant to this MOU are provided to a CVSO, those funds provided to Recipient as the CVSO receiving those ARPA Funds shall solely be used for the improvement of service to former military personnel of the county through the CVSO and consistent with requirements pertaining to use of ARPA Funds and applicable Wisconsin and federal laws. This shall include, but not be limited to, increased marketing and outreach to enhance awareness of the CVSO by former military personnel of the county. A county may not allocate any portion of the ARPA funds provided through this MOU for use by another county department nor may the county reduce funding to its CVSO based upon receipt of the grant authorized by this MOU.

If the ARPA funds provided pursuant to this MOU are provided to a TVSO, those funds provided to Recipient as the TVSO receiving those ARPA Funds shall solely be used for the improvement of service to former military personal of the tribe through the TVSO and consistent with requirements pertaining to use of ARPA Funds and applicable laws. This shall include, but not be limited to, increased marketing and outreach to enhance awareness of the TVSO office by former military personnel of the tribe. A tribe may not allocate any portion of the ARPA funds provided through this MOU for use by another tribal department nor may the tribe reduce funding to its TVSO based upon receipt of the grant authorized by this MOU.

ARTICLE 3. REPORTING, RETENTION OF RECORDS AND COMPLIANCE WITH WISCONSIN'S OPEN RECORDS LAW

Recipient shall provide DVA with a federal benefits service delivery report and budget expenditure report on forms established by the DVA. The federal benefits service delivery report and budget expenditure report are due to DVA on January 31, 2024 and January 31, 2025.

Recipient shall provide DVA with all information necessary to comply with all requests for information from DOA in order to comply with requirements of the Treasury Department and other federal agencies regarding reporting of the uses of ARPA Funds. Recipient will also provide DVA with any necessary information for its administering of this grant program along with all information necessary to accomplish any public transparency reporting or subrecipient monitoring that DOA and/or DVA deems necessary.

Recipient shall provide this information in a format determined by DVA in a complete and timely manner. Recipient's reporting information shall be provided to DVA no later than 21 days before the deadline for DVA to file any report, or within such other timeframe as DVA requires in order to comply with requests from DOA or any other government entity.

The Recipient will retain all records regarding the grant for a period of at least five (5) years after the Recipient completes all work required as part of the grant. The requirements to maintain all records regarding the grant shall automatically be extended if DVA notifies the Recipient that the records pertaining to the Grant are subject to an Open Records Request, a legislative inquiry, or are the subject of litigation. Should DVA notify the Recipient that any one of these incidents has occurred, the Recipient shall maintain all records regarding the grant until such time as DVA in writing authorizes that the Recipient no longer needs to retain those records.

The Recipient will assist DVA in making any reports regarding the use of the grant that the Legislature, DOA, or other interested parties may require.

Both Parties understand and acknowledge that all records pertaining to this MOU, including this MOU, are subject to Wisconsin Public Records law, Wis. Stat. §§ 19.31-19.39. The Recipient will fully cooperate with any request DVA makes to the Recipient for records pertaining to this MOU should DVA receive an Open Records Request for any records pertaining to this MOU that are held by the Recipient.

ARTICLE 4. APPLICABLE LAWS, RULES, AND REGULATIONS

This MOU shall be governed by the laws of the State of Wisconsin and the laws of the United States, including, without limitation ARPA, the Interim Final Rule, and all other rules and regulations promulgated to implement ARPA. Recipient shall be responsible for ensuring that its uses of the ARPA Funds allocated to it under this MOU comply with all applicable laws, rules, and regulations applicable to the use of ARPA Funds.

The Recipient shall at all times comply with and observe all federal and state laws, local laws, ordinances, and regulations which are in effect during the Period of Performance of this MOU and which in any manner affect the work or its conduct. DVA may take enforcement action, including but not limited to, recouping past payments, suspending or canceling the MOU, if the Recipient violates any applicable federal and state law, local law, ordinance, regulation or requirement, or does not follow applicable guidance from DVA.

In addition, Recipient agrees to comply with all federal requirements listed in Schedule A.

Specifically, as further specified in Schedule A, Recipient shall comply with Title VI of the Civil Rights Act of 1964, which prohibits grantees of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this MOU. Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the

Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this MOU.

ARTICLE 5. COMPLIANCE BY THIRD-PARTY RECIPIENTS OF FUNDS

Recipient shall be responsible for ensuring that if any third party receives funds pursuant to the MOU that each such third party comply with all laws, rules, and regulations applicable to the use of those funds.

ARTICLE 6. SUBLET OR ASSIGNMENT OF DUTIES

Recipient shall not sublet or assign all or any part of Recipient's duties or rights under this MOU without prior written approval of DVA.

ARTICLE 7. REIMBURSEMENT OF FUNDS

Recipient shall return to DVA any funds paid to Recipient in excess of the amount allocated pursuant to this MOU. If Recipient fails to return excess funds, DVA may deduct the appropriate amount from future payments authorized to be made to the Recipient pursuant to Wis. Stat. §45.82(2) and/or Wis. Stat. §45.82(4). DVA also reserves the right to recover such funds by any other legal means.

Recipient shall be responsible for reimbursement to DVA for any disbursed funds DVA determines have been misused or misappropriated. Any reimbursement of funds required by DVA shall be due upon DVA's written demand to Recipient.

ARTICLE 8. FINANCIAL MANAGEMENT

Recipient agrees to maintain a financial management system that complies with the rules, regulations and requirements of the Program funding source described in Schedule A and with standards established by DVA to assure funds are spent in accordance with applicable laws and to assure that accounting records for funds received under this MOU are sufficiently segregated from those of other MOUs, agreements, programs, and/or projects.

Recipient shall maintain a uniform double entry, full accounting system and a financial management information system in accordance with Generally Accepted Accounting Principles. Recipient's chart of accounts and accounting system shall permit timely preparation of reports of Program expenditures by provider type as required by DVA.

Records shall be maintained after final audit of the MOU for a period of not less than five (5) years unless the Program requirements are longer.

Further, Recipient shall comply with all Audit Requirements as specified in Schedule A.

ARTICLE 9. CONFLICTS OF INTEREST AND ETHICS

No person who is an employee, agent, consultant, or officer of Recipient, or an elected or appointed official, and who exercises or has exercised any functions or responsibilities with respect to activities supported by and described in this MOU, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any agreement or subcontract with respect thereto or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure. Receipt of earnings from Recipient by employees of Recipient shall not be considered a conflict of interest, but

otherwise employees of Recipient shall be fully bound by the requirements of this Article. Upon request, DVA can make exceptions to this requirement after full disclosure and where DVA determines that such exception is in the best interests of the State and is not contrary to state or federal laws.

Recipient agrees to disclose to DVA in writing any potential conflict of interest affecting the awarded funds so it can determine its own disclosure obligations to DOA and/or the Treasury Department in accordance with Treasury Department policy.

ARTICLE 10. FAILURE TO PERFORM

DVA reserves the right to suspend payment of funds or recoup paid funds if required reports are not provided to DVA on a timely basis, if there are deficiencies in those reports, or if performance of contracted activities is not evidenced. DVA further reserves the right to suspend payment of funds or recoup payment of funds if performance of contracted activities is not evidenced on other agreements between DVA and Recipient in whole or in part.

Recipient's management and financial capability, including but not limited to audit results and performance, may be taken into consideration in any or all future determinations by DVA and may be cause for terminating or suspending performance of this MOU.

ARTICLE 11. TERMINATION OF AGREEMENT

DVA may terminate this MOU at any time with or without cause by delivering notice to Recipient.

ARTICLE 12. AMENDMENT

This MOU may be amended by mutual consent of the parties. Amendments shall be in writing and executed by authorized representatives of the parties.

ARTICLE 13. SEVERABILITY

If any provision of this MOU shall be adjudged to be unlawful, then that provision shall be deemed null and void and severable from the remaining provisions and shall in no way affect the validity of this MOU.

If any provision of this MOU, or the application thereof to any Person or any circumstance, is invalid or unenforceable, (a) a suitable and equitable provision shall be substituted therefor in order to carry out, so far as may be valid and enforceable, the intent and purpose of such invalid or unenforceable provision and (b) the remainder of this MOU and the application of such provision to other circumstances shall not be affected by such invalidity or unenforceability.

ARTICLE 14. SURVIVAL OF REQUIREMENTS

Unless otherwise authorized in writing by DVA, the terms and conditions of this MOU shall survive the Performance Period and shall continue in full force and effect until Recipient has completed and is in compliance with all the requirements of this MOU.

ARTICLE 15. EXAMINATION OF RECORDS

DVA, or any of its authorized representatives, shall have access to and the right at any time to examine, audit, excerpt, transcribe, and copy on Recipient's premises for any directly pertinent records and computer files of Recipient involving transactions relating to this MOU. If the material is held in an automated format,

Recipient shall provide copies of these materials in the automated format or such computer file as may be requested by DVA. Such material shall be retained until such time as DVA notifies otherwise.

This provision shall also apply in the event of cancellation or termination of this MOU. Recipient shall notify DVA in writing of any planned conversion or destruction of these materials at least 90 days prior to such action. Any charges for copies provided by Recipient of books, documents, papers, records, computer files or computer printouts the amount to be Reimbursed to the Recipient shall not exceed the actual cost thereof and shall be reimbursed by DVA.

ARTICLE 16. INDEPENDENT CONTRACTOR

The Recipient shall perform its services hereunder as an independent contractor, and nothing contained in this MOU shall be construed so as to create an employer/employee relationship between the parties. The Recipient shall maintain exclusive control over personnel and salary policies relative to its employees. All salaries, health insurance, retirement benefits, car expenses, worker's compensation, or disability benefits relative to such personnel shall be paid by the Recipient.

ARTICLE 17. NON-WAIVER

No waiver of default by DVA of any of the terms, covenants, and conditions hereof to be performed, kept, and observed by the Recipient shall be construed, or shall operate, as a waiver of any subsequent default of any of the terms, covenants, or conditions herein contained to be performed, kept, and observed by the Recipient.

ARTICLE 18. HOLD HARMLESS

The Recipient will indemnify and hold harmless DVA and all of its officers, agents and employees from all suits, actions, or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the Recipient, or anyone hired by the Recipient, in prosecuting work under this MOU.

ARTICLE 19: DISPUTES

Disputes by either party relating to this MOU and the Recipients work performed pursuant to it should first be addressed to the individual listed in Article 20. A good faith dispute creates an exemption to prompt payment.

After attempting to resolve the dispute, the Recipient hereby agrees that any action, proceeding or claim arising out of or relating in any way to this MOU shall be brought and enforced in the courts of the State of Wisconsin, and irrevocably submits to such jurisdiction, which jurisdiction shall be exclusive and all disputes the venue shall be in Dane County Circuit Court. Prior to instituting a legal action in Dane County Circuit Court both parties agree to make a good faith effort to informally resolve the dispute. The Recipient hereby waives any objection to such exclusive jurisdiction and that such courts represent an inconvenient forum.

Any such process or summons to be served upon the Recipient may be served by transmitting a copy thereof by registered or certified mail, return receipt requested, postage prepaid, addressed to it at the address set forth in the addresses listed in Article 20. Such mailing shall be deemed personal service and shall be legal and binding upon the Recipient in any action, proceeding or claim.

ARTICLE 20. NOTICES

Notices and demands required or permitted to be given hereunder shall be given by personal delivery or by registered or certified mail, postage prepaid, return receipt requested, addressed to:

A) **DVA:**

Scott Williams
Printed Name

Deputy Administrator Division of Veterans Benefits
Position

2135 Rimrock Road
Street Address

Madison, WI 53707
City, State, Zip Code

scott.williams@dva.wisconsin.gov
Email address

B) **RECIPIENT:**

DAVID M. HOLST
Printed Name

CVSO
Position

320 S. WALNUT STREET
Street Address

APPLETON, WI 54911
City, State, Zip Code

david.holst@outagamie.org
Email address

ARTICLE 21. COUNTERPARTS AND ELECTRONIC SIGNATURE AUTHORIZATION

Separate copies of this MOU shall constitute original documents, which may be signed separately but which together shall constitute a single MOU. This MOU will not be binding on any party until signed by all parties or their representatives.

A signed copy of this MOU transmitted by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this MOU. This MOU may be conducted by electronic means and the parties authorize that their electronic signatures act as their legal signatures of this MOU. This MOU will be considered signed by a party when that party's electronic signature is transmitted. Such signature shall be treated as having the same effect as an original handwritten

signature. The parties are not required to sign this MOU by electronic means or use an electronic signature, but if the parties elect to do so, then each party's authorization is hereby given pursuant to this paragraph.

ARTICLE 22. ENTIRE AGREEMENT

The written MOU constitutes the entire agreement between the DVA and the Recipient and supersedes all proposals or prior agreements, oral or written and all other communications between the parties relating to the subject matter of this MOU.

ARTICLE 23. LOBBYING

The Recipient agrees that no grant appropriated funds will be paid to any person for influencing or attempting to influence an officer or employee of any Wisconsin or federal agency, any member of the Wisconsin Legislature or United States Congress, or an employee of a member of the state or federal Legislature in connection with the awarding of any state or federal contract, the making of any state or federal grant, the making of any state or federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any state or federal contract, grant, loan, or cooperative agreement. The Recipient further agrees that no grant appropriated funds will be used to contact, or urge the public to contact, members or employees of any legislative body for the purpose of proposing, supporting, or opposing legislation, or to advocate the adoption or rejection of legislation.

Funds provided to Recipient pursuant to this MOU may not be used to influence federal contracting or financial transactions.

Schedule A

Federal Compliance Requirements

Recipient agrees to comply with the requirements of section 602 of ARPA, regulations adopted by Treasury pursuant to section 602(f) of ARPA, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.

A. Federal regulations applicable to this award include, without limitation, the following:

1. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.

2. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.

3. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.

4. OMB Guidelines on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.

5. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.

6. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.

7. New Restrictions on Lobbying, 31 C.F.R. Part 21.

8. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.

9. Generally applicable federal environmental laws and regulations, unless otherwise specified in ARPA or Treasury guidance. As specified in Treasury Department guidance, the National Environmental Policy Act (NEPA) does not apply.

10. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:

    a. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the

basis of race, color, or national origin under programs or activities receiving federal financial assistance;

b. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;

c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;

d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and

e. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

B. Protections for Whistleblowers.

1. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.

2. The list of persons and entities referenced in the paragraph above includes the following:

   a. A member of Congress or a representative of a committee of Congress;
   b. An Inspector General;
   c. The Government Accountability Office;
   d. A Treasury employee responsible for contract or grant oversight or management;
   e. An authorized official of the Department of Justice or other law enforcement agency;
   f. A court or grand jury;
   g. A contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct; or
   h. A management official or other employee of Recipient, DVA or DOA.

3. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

C. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

D. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Recipient should encourage its employees, grantees, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

E. Hatch Act. Recipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.

F. Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [the Wisconsin Department of Veterans Affairs via the Wisconsin Department of Administration] by the U.S. Department of the Treasury."

G. Assurances of Compliance with Civil Rights Requirements.

1. As a condition of receipt of federal financial assistance provided by DVA, Recipient provides the following assurances with respect to the operation of its Program:

a. Recipient will ensure its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation, denial of the benefits of, or subjection to discrimination under programs and activities receiving federal financial assistance, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury Title VI regulations at 31 CFR Part 22 and other pertinent executive orders such as Executive Order 13166, directives, circulars, policies, memoranda, and/or guidance documents.

b. Recipient acknowledges that Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English proficiency (LEP). Recipient understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and the Department of the Treasury's implementing regulations. Accordingly, Recipient shall initiate reasonable steps, or comply with the Department of the Treasury's directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Recipient understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in the Recipient's programs, services, and activities.

c. Recipient agrees to consider the need for language services for LEP persons when Recipient develops applicable budgets and conducts programs, services, and activities. As a resource, the Department of the Treasury has published its LEP guidance at 70 FR 6067. For more information on taking reasonable steps to provide meaningful access for LEP persons, please visit http://www.lep.gov.

d. Recipient acknowledges and agrees that compliance with the assurances constitutes a condition of continued receipt of federal financial assistance and is binding upon

Recipient and its successors, transferees, and assignees for the period in which such assistance is provided. Recipient understands and agrees that if any real property or structure is provided or improved with the aid of federal financial assistance by the Department of the Treasury, this assurance obligates the Recipient, or in the case of a subsequent transfer, the transferee, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property.

e. Recipient acknowledges and agrees that it must require any sub-grantees, contractors, subcontractors, successors, transferees, and assignees to comply with assurances a-d above, and agrees to incorporate the following language in every contract or agreement subject to Title VI and its regulations between Recipient and its sub-grantees, contractors, subcontractors, successors, transferees, and assignees:

> *The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.*

2. Recipient shall cooperate with DVA in any enforcement or compliance review activities by the Department of the Treasury of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. Recipient shall comply with information requests, on-site compliance reviews and reporting requirements.

3. Recipient shall maintain a complaint log and inform DVA so it can inform DOA who then can inform the Treasury Department of any complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, pending or completed, including outcome.

4. Recipient must provide documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other agreements between the Recipient and the administrative agency that made the finding. If the Recipient settles a case or matter alleging such discrimination, the Recipient must provide documentation of the settlement. If Recipient has not been the subject of any court or administrative agency finding of discrimination, please so state.

5. If the Recipient makes sub-awards to other agencies or other entities, Recipient is responsible for ensuring that grantees also comply with Title VI and other applicable authorities covered in this document. Recipient must have in place standard grant assurances and review procedures to demonstrate that that they are effectively monitoring the civil rights compliance of grantees.

H. Audit Requirements.

Federal Funded Awards:

Governmental and Non-profit Grantees, or their assignees, that **expend** federal funds during their fiscal year **shall** comply with Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), and the State Single Audit Guidelines issued by DOA. Audit reports are due to the Federal Audit Clearinghouse within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period.

State Funded Awards:

NOTE: *If an audit is required under the Uniform Guidance as described above, then this section does not apply as State Funded Awards will already be included in that audit.*

Governmental and Non-profit Grantees, or their assignees, which **received** state funds during their fiscal year, shall comply with the requirements set forth in the State Single Audit Guidelines issued by DOA. Audit reports are due to DVA within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period.

Please review DOA's Single Audit Compliance Supplement for details on submission of the reporting package. https://doa.wi.gov/Pages/StateFinances/State-Single-Audit-Guidelines.aspx

Schedule B	
County	One-Time Payment to the County Veteran Service Office (CVSO) for this County that the CVSO is eligible for pursuant to attached and incorporated agreement
Adams	$15,878.00
Ashland	$14,228.00
Barron	$17,528.00
Bayfield	$14,228.00
Brown	$19,178.00
Buffalo	$14,228.00
Burnett	$14,228.00
Calumet	$17,528.00
Chippewa	$17,528.00
Clark	$15,878.00
Columbia	$17,528.00
Crawford	$14,228.00
Dane	$19,178.00
Dodge	$19,178.00
Door	$15,878.00
Douglas	$15,878.00
Dunn	$15,878.00
Eau Claire	$19,178.00
Florence	$23,028.00
Fond Du Lac	$19,178.00
Forest	$14,228.00
Grant	$17,528.00
Green	$15,878.00
Green Lake	$14,228.00
Iowa	$15,878.00
Iron	$14,228.00
Jackson	$15,878.00
Jefferson	$19,178.00
Juneau	$15,878.00
Kenosha	$19,178.00
Kewaunee	$15,878.00
La Crosse	$19,178.00
Lafayette	$14,228.00
Langlade	$15,878.00
Lincoln	$15,878.00
Manitowoc	$19,178.00

Schedule B	
County	One-Time Payment to the County Veteran Service Office (CVSO) for this County that the CVSO is eligible for pursuant to attached and incorporated agreement
Marathon	$19,178.00
Marinette	$15,878.00
Marquette	$14,228.00
Milwaukee	$19,178.00
Monroe	$17,528.00
Oconto	$15,878.00
Oneida	$15,878.00
Outagamie	$19,178.00
Ozaukee	$19,178.00
Pepin	$23,028.00
Pierce	$15,878.00
Polk	$15,878.00
Portage	$17,528.00
Price	$14,228.00
Racine	$19,178.00
Richland	$14,228.00
Rock	$19,178.00
Rusk	$14,228.00
Saint Croix	$19,178.00
Sauk	$17,528.00
Sawyer	$14,228.00
Shawano	$15,878.00
Sheboygan	$19,178.00
Taylor	$15,878.00
Trempealeau	$15,878.00
Vernon	$15,878.00
Vilas	$15,878.00
Walworth	$19,178.00
Washburn	$14,228.00
Washington	$19,178.00
Waukesha	$19,178.00
Waupaca	$17,528.00
Waushara	$15,878.00
Winnebago	$19,178.00
Wood	$19,178.00

Schedule B	
Eleven Federally Recognized Tribe	One-Time Payment to the Tribal Veteran Service Office (TVSO) for this Federally Recognized Tribe that the TVSO is eligible for pursuant to attached and incorporated agreement
Bad River Band of Lake Superior Chippewa Tribe	$26,878.00
Forest County Potawatomi	$26,878.00
Ho-Chunk Nation	$26,878.00
Lac Courte Oreilles Band of Lake Superior Ojibwe	$26,878.00
Lac du Flambeau Band of Lake Superior Chippewa	$26,878.00
Menominee Indian Tribe of Wisconsin	$26,878.00
Oneida Nation of Wisconsin	$26,878.00
Red Cliff Band of Lake Superior Chippewa	$26,878.00
Sokagon Chippewa Community	$26,878.00
St. Croix Chippewa Indians of Wisconsin	$26,878.00
Strockbridge-Munsee Community Band of Mohican Indians	$26,878.00

Resolution No. 2—2023-24 – Public Safety Committee. Approve the Criminal Justice Treatment Services (CJTS) to accept and expend an unsolicited donation of $245, and increase the CJTS line items for Miscellaneous – Donations and Veterans Court by $245 each, as detailed on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 2—2023-24 IS ADOPTED.



VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 2—2023-24

Public Safety Committee. Approve the Criminal Justice Treatment Services (CJTS) to accept and expend an un... line items for Miscellaneous – Donations and Veterans Court by $245 each, as detailed on the attached fiscal note.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 4-18-23 County Board Meeting - April 18 2023 04:19:55 PM

April 18, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 2—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

A prior Outagamie County Veterans Court reporter's late father, Reginald Hermsen, was a Veteran of World War II. A request for donations was made in Mr. Hermsen's honor to help support the Veterans Court. Seven donations totaling $245 have been received by Criminal Justice Treatment Services (CJTS). The donations will be used to purchase gift cards for Veterans Court participants as an incentive for positive behavior. Therefore, CJTS is requesting to increase its budget to reflect the acceptance and expenditure of the donated funds.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of Criminal Justice Treatment Services to accept and expend an unsolicited donation in the amount of $245, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the CJTS Miscellaneous – Donations line item and the CJTS Veterans Court line item by $245 each, as detailed on the attached fiscal note, which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Criminal Justice Treatment Services Coordinator and the Outagamie County Finance Director.

Dated this 18th day of April, 2023

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: April 18, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 4.19.23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. Subject: Request to Accept and Expend Reginald Hermsen Memorial Donations for Veterans Court

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

A prior Veterans Court reporter's late father, Reginald Hermsen, was a Veteran of World War II. She requested donations be made in his honor to help support the Veterans Court. Seven donations totaling $245 have been received by Criminal Justice Treatment Services (CJTS). The donations will be used to purchase gift cards for participants as an incentive for positive behavior. Therefore, CJTS is requesting to increase its budget to reflect the acceptance and expenditure of the donated funds.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
CJTS	Miscellaneous - Donations	1009100.4510.20	245
CJTS	Veterans Court	1009100.5500	245

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 / Annual Revenue 0

Fiscal Note Prepared by: Bernie Vetrone/Craig Moser/Brian Massey

For Financial Services purposes only

Reviewed By: [signature]

Date: 3/6/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount
1009100.5562.85	245

Comments:

LOCK IN & ADOPTION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

Vote for lock in. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Lock In of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Lock in of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	ABSENT
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	ABSENT	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 VACANT	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **4-18-23 County Board Meeting - April 18 2023 04:25:52 PM**

April 18, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

Supervisor Croatt moved, seconded by Supervisor Smith, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—20

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	ABSENT
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	ABSENT	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 VACANT	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **4-18-23 County Board Meeting - April 18 2023 04:25:43 PM**

April 18, 2023 County Board Meeting

OpenMeeting

Resolution No. 3—2023-24 – Finance Committee. Approve all excess or deficiency of revenues over/under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund as of December 31, 2022, except for Highway, County Road & Bridge and Highway Project Related Capital Project Funds, and as noted in the resolution and attachments.

Supervisor Lawrence moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 3—2023-24 IS ADOPTED.



VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 3—2023-24

Finance Committee. Approve all excess or deficiency of revenues over/under expenditures and unexpended a … back to the County's General Fund or from the General Fund as of December 31, 2022, except for Highway, County Road & Bridge and Highway Project Related Capital Project Funds, and as noted in the resolution and attachments.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **4-18-23 County Board Meeting - April 18 2023 04:20:57 PM**

April 18, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 3—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

It is necessary that various accounts of Outagamie County be closed as of December 31, 2022, except special funds, commonly known as Revolving Funds, which are in the best interest of Outagamie County to remain intact. The budget adjustments will be made to the 2023 budget. These Revolving Funds cover all County Funds except Highway, County Road and Bridge and Highway Related Capital Project Funds, which will be brought forward with a separate resolution.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of all excess or deficiency of revenues over/under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund as indicated in the attached fiscal note and summary pages as of December 31, 2022, with the exception of those expenses, revenues or transfers as detailed in the attachments, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, unless detailed otherwise on the attachment, that should any closed projects have excess funding (except those with highway project funding that will be applied in the following year's budget), those funds will be returned to the General Fund, or if legally required, to the Debt Service fund, and

BE IT STILL FURTHER RESOLVED, that all of the following accounts shall not lapse to the County's General Fund: all Special Revenues, except Health and Human Services; all Debt Service Funds; all Capital Project Funds; all Enterprise Funds, except Brewster Village; and all Internal Service Funds; and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director.

Dated this 18th day of April, 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: April 18, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 4.19.23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Revolving Funds Requests 2022 to 2023 – All Funds (Except Highway, County Road & Bridge and Highway Project Related Capital Project Funds)

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

See attached for the complete schedule of requested Revolving Funds from the 2022 budget into the 2023 budget. The budget adjustments will be made to the 2023 budget. Note that these Revolving Funds cover all County Funds except Highway, County Road & Bridge and Highway Project Related Capital Project Funds. Those will be brought forward with a separate resolution as these have not been fully determined as of yet.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
See attached.			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Brian Massey / Tony Saucerman

For Financial Services purposes only

Reviewed By: DW 3/29/23

Date:

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditure Account Number	Amount

S:\FINANCE\9 Fiscal Notes & Intrabudget Adjustments\FISCAL NOTES - WORD\FINANCE\2023\Fiscal Note Revolving Funds 2022 to 2023.doc

OUTAGAMIE COUNTY
SUMMARY OF 2022 - 2023 REVOLVING FUNDS

Fund	Purchase Order Commitment	Additional Appropriations	Projects	Total
General Fund	112,395	18,284,530	-	18,396,925
Health & Human Services	-	96,964	-	96,964
County Roads & Bridges - TO BE DETERMINED	-	-	TBD	-
Environmental Stewardship	-	123,033	-	123,033
Watershed Grants	-	13,015	-	13,015
State Grants	-	9,529	-	9,529
Land Records	-	200,000	-	200,000
Airport	-	7,165,357	17,576,700	24,742,057
Brewster Village	3,109	525,868	-	528,977
Recycling and Solid Waste	-	424,905	-	424,905
Single Stream	-	2,236,814	-	2,236,814
Highway - PROJECTS TO BE DETERMINED (TBD)	-	466,039	TBD	466,039
Information Technology (IT)	115,241	1,294,546	-	1,409,787
Capital Projects (Highway projects TBD)	-	-	8,096,057	8,096,057
Total	230,745	30,840,600	25,672,757	56,744,102

Fund / Funding Source	Intergovernmental Revenue, Fees Fines & Costs, Charges for Service	Fund Balance / Retained Earnings	Debt Proceeds / Advances	Total
General Fund	17,880,954	515,971	-	18,396,925
Health & Human Services	-	96,964	-	96,964
County Roads & Bridges - TO BE DETERMINED	TBD	TBD	-	-
Environmental Stewardship	1,702	121,331	-	123,033
Watershed Grants	13,015	-	-	13,015
State Grants	9,529	-	-	9,529
Land Records		200,000	-	200,000
Airport	14,509,700	10,232,357		24,742,057
Brewster Village	-	528,977	-	528,977
Recycling and Solid Waste	13,000	411,905	-	424,905
Single Stream	760,517	1,476,297	-	2,236,814
Highway - PROJECTS TO BE DETERMINED (TBD)	TBD	466,039	-	466,039
Information Technology (IT)	644,440	765,347	-	1,409,787
Capital Projects (Highway projects TBD)	7,008,465	1,087,592	-	8,096,057
Total	40,841,322	15,902,780	-	56,744,102

See attached for details of rollovers by category and fund.

Please note the above summary and detailed attachments currently do not include most of the revolving funds for the Highway or County Road and Bridge Fund. Due to employee turnover, the revolving funds for the Highway have not yet been completed. Administration will bring forward the Highway's revolving funds in a separate resolution when they are completed. We felt it necessary to bring all other funds forward at this time so these departments could start working on these projects and incur these expenditures as soon as the resolution is passed.

S:\FINANCE\13 Interim & Year End (Non Audit)\Revolving Funds\2022 into 2023\Final 2022 - 2023 Revolving Funds worksheet for Resolution

OUTAGAMIE COUNTY
SUMMARY OF 2022 - 2023 REVOLVING FUNDS

Analysis of Transfers and Other Items

Fund Name / Description	Balance Available - Net of Retainages	Transfer Amount	Transfer From Fund XXX	Transfer To Fund XXX	Retained in Fund	Explanation/Comment
Single Stream Recycling	$ 1,456,879.00	$ 1,456,879.00	Single Stream Recycling (Fund 504)	Solid Waste (Fund 503)	$ 695,000	The Single Stream Recycling Fund is projected to create an excess for 2022 and that excess will be transfered back to the three BOW partners (Brown, Outagamie and Winnebago Counties) or retained. Outagamie Counties share of this amount is approximately 34%. Per agreement between the three BOW partners, they may agree to retain a portion of that excess to be used towards future major capital purchases. Outagamie Counties share of this retainage is also approximately 34%. Outagamie County's share of this equipment retainage for 2022 is $695,000.
2017 GO Notes	$ 225,817.57	$ 225,817.57	2017 GO Notes (Fund 453)	General Fund (Fund 100)	N/A	To close-out unspent funds that were not needed. Mainly due to unspent Sheriff CAD/RMS/JMS project.
2020 Capital Projects	$ 83,423.67	$ 83,423.67	2020 Capital Projects (Fund 458)	General Fund (Fund 100)	N/A	To close-out unspent funds that were not needed.
2021 Capital Projects	$ 57,297.75	$ 57,297.75	2021 Capital Projects (Fund 460)	General Fund (Fund 100)	N/A	To close-out unspent projects that are completed or it has been determined funding is not needed. Mainly due to the LWO Nature Center project not moving forward.
2022 Capital Projects	$ 82,129.97	$ 82,129.97	2022 GO Notes (Fund 462)	General Fund (Fund 100)	N/A	To close-out unspent projects that are completed or it has been determined funding is not needed.

Outagamie County
2022 - 2023 Revolving Funds

GENERAL FUND 100

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
COUNTY CLERK ELECTIONS					
Election System, Windows 10 EMS Upgrade - Project delayed and will incorporate with forthcoming system upgrade in 2023	1001900.5500		-	25,000	-
COUNTY EXECUTIVE					
Recruitment and advertising	1002200.5500		-	6,000	-
TREASURER/TAX DEEDS					
Dark Stores Tax Reimbursements	1002409.5500		-	75,000	-
COUNTY PROPERTIES					
Structural Inspection to Binghamton Tower (on hold until completion of new antenna install)	1002413.5500	124217	2,800	-	-
Replace cedar fence (delayed due to lack of contractor bids)	1002413.5500		-	15,960	-
UWO - Fox Cities					
Science Wing - Automated Logic HVAC Controls Upgrades	1002257.5500			3,358	-
Johnson Controls - Card access - fitness center	1002257.6000			5,500	-
CIRCUIT COURTS					
Chairs and equipment for courtrooms	1002500.6000		-	7,500	-
EMERGENCY MANAGEMENT					
3 Year Plan - Siren Software	1003600.5500		-	17,337	-
AMERICAN RESCUE PLAN ACT (ARP)					
ARPA Supplies (primarily PPE)	1003605.5400			18,726	
ARPA Purchased Services (Small Business and Nonprofit grants, contracted services, 3 Year Plan)	1003605.5500			15,054,411	
ARPA Allocated Applied Expenditures(Courts, ARPA eligible compensation for COVID and premium pay; Administration)	1003605.5900			2,731,743	
ARPA Capital Outlay	1003605.6000			25,000	
ARPA Revenues	1003605.4264.01		-	-	17,829,880
FINANCIAL SERVICES					
Budget Books printed and invoiced in January 2023	1004300.5500		-	1,631	-
MAINTENANCE / JC MAINTENANCE					
Replace HSBN data room HVAC unit (delayed due to lead times/schedules)	1005302.5500	124548	15,750	-	-
Replace JC data room HVAC unit (delayed due to lead times/schedules)	1005302.5500	124548	21,000	-	-
HUMAN RESOURCES					
3 Year Plan - Tyler Munis Payroll/Hr upgrade. Delayed to 2023 based on sunset schedule of current version.	1006000.5500		-	14,100	
PARKS/NATURE CENTER/MOSQUITO HILL					
Kamps Property house demo project - Project delayed due to asbestos abatement	1006200.6000		-	19,303	-
Mosquito Hill Flooring project - Project delayed until remodel project is completed	1006900.6000		-	40,122	-
DEVELOPMENT AND LAND SERVICES (INCLUDING ZONING)					
Market feasibility assessment for public campground (ie. CORP implementation)	1007300.5500		-	25,000	-
CTH CB Route Planning & Mapping - Joint with Highway department. Part of Comp plan.	1007300.5500		-	17,127	-
Comprehensive Plan Implementation - Land Development Code Audit/Revisions. Delayed due to staffing transitions.	1007300.5500		-	35,000	-

Outagamie County
2022 - 2023 Revolving Funds

GENERAL FUND 100

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
MS4 IDDE Outfall Inspections. Project to be completed in 2023.	1009300.5500		-	4,500	-
TMDL Compliance. Project delayed due to staffing transitions and DNR regulatory changes.	1009300.5500		-	5,000	-
SHERIFF - ADMINISTRATION					
Photocopier for investigation side	1008000.6000 (1008000.6236)	124535	2,288	-	-
3 Year Plan - CAD/RMS hardware upgrade consulting	1008000.5500 (1008000.5575.15)			27,000	
SHERIFF - PATROL					
Motorola - Order from 9/30/22 for microphones, chargers & batteries	1008007.5400 (1008007.5420.08)			6,783	-
Baycom - Order from 7/12/22 for batteries	1008007.5400 (1008007.5420.08)			588	-
Emmons - Order from 11/29/22 for a desk, received in January, 2023	1008007.5400 (1008007.5420.08)		-	1,518	-
Advantage Police Supply - Order from 11/15/22 for a 40 mm launcher	1008007.5400 (1008007.5420.08)		-	6,080	-
MDC Replacements (funds carried over from excess in the Netmotion & Cradlepoint project at the end of 2022)	1008007.6000 (1008007.6232)		-	16,905	-
SHERIFF - RADIO MAINTENANCE					
Baycom - Tower maintenance	1008013.5500 (1008013.5535.08)			7,000	
SHERIFF - TRAFFIC SAFETY					
Mallory - Order from 11/18/22 for a radar unit, received in January, 2023	1008009.5400 (1008009.5420.08)		-	1,625	-
SHERIFF - JAIL					
Bob Barker - Order from Novermber, 2022, vendor unable to deliver due to supply chain issues	1008015.5400 (1008015.5415.47)			1,036	-
Bob Barker - Order from Novermber, 2022, vendor unable to deliver due to supply chain issues	1008015.5400 (1008015.5415.47)		-	668	-
SHERIFF - SQUAD CARS					
Ewalds - 2023 Dodge Charger	1008017.6200 (1008017.6238)	124498	35,467		
Franks Radio - Order from November, 2022 for mount kits, not received until January, 2023	1008017.6200 (1008017.6238)		-	1,925	-
Unused grant funds allocated to fuel not used when anticipated	1008017.5400 (1008017.5410.02)		-	15,000	
LAND CONSERVATION					
Land Water Resource grant cost shares - Expenditures portion (LWRM-102 $2,280, LWRM-103 $1214; LWRM-104 $5,171; LWRM-105 $3,606; LWRM-106 $1,620; LWRM-107 $6,179; LWRM-101 $29,973)	1008200.5500		-	50,043	-
Land Water Resource grant cost shares - Revenue portion (LWRM-102 $2,280, LWRM-103 $1214; LWRM-104 $5,171; LWRM-105 $3,606; LWRM-106 $1,620; LWRM-107 $6,179; LWRM-101 $29,973)	1008200.4220.07		-	-	50,043
2023 RAM 1500 Purchase ordered but received in 2023 (supply chain issues)	1008200.6000	124532	35,290	-	-
UWMadison - Division of Extension					
Juntos funds expense	1008500.5400		-	1,031	-
Juntos funds revenue	1008500.4280.99				1,031
TOTAL REVOLVING FUND REQUESTS:			112,395	18,284,530	17,880,954

Outagamie County
2022 - 2023 Revolving Funds

HEALTH & HUMAN SERVICES FUND 206

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
DHHS - Administration					
E H R Consutant	2065010.5500		-	31,419	-
2022 E H R Programming	2065010.5500 S/L 70339		-	50,000	-
2021 TCM Programming	2065010.5500 S/L 70433		-	15,545	-
TOTAL REVOLVING FUND REQUESTS:			-	96,964	-

Outagamie County
2022 - 2023 Revolving Funds

ENVIRONMENTAL STEWARDSHIP FUND 208

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Environmental Stewardship					
Land Conservation Projects - Rolled at budget time was $12,000. Available at December 31 is $43,799 - increase of $31,799	2080200.5500		-	31,799	-
Parks Master Plan - Started in 2018 to be completed in 2023	2080200.5500		-	22,054	-
Greenway Trails Program	2080200.6000		-	13,585	-
Plamann Park Drainage Project	2080200.6000		-	2,919	-
Fishing Pier Study	2080200.6000		-	-	-
Fishing Pier Grant - Expenditure portion	2080200.6000		-	3,404	-
Fishing Pier Grant - Revenue portion	2080200.4225.22		-	-	1,702
State Trail Improvements	2080200.6000		-	49,272	-
TOTAL REVOLVING FUND REQUESTS:			-	123,033	1,702

Outagamie County
2022 - 2023 Revolving Funds

WATERSHED PROGRAMS FUND 209

Cost Center Name / Description	Cost Center Line Item	P.O. / Contract Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Land Conservation TMDL Grants					
Upper Duck GLRI - Expenditure portion	2090400.5500 (S/L 93541)		-	13,015	-
Upper Duck GLRI - Revenue portion	2090400.4280.99 (S/L 93541)		-	-	13,015
TOTAL REVOLVING FUND REQUESTS:			-	13,015	13,015

Outagamie County
2022 - 2023 Revolving Funds

STATE GRANTS FUND 210

Cost Center Name / Description	Cost Center Line Item	P.O. / Contract Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Criminal Justice Treatment Services Grants					
TAD Grant - Computer hardware	2101000.5400			1,801	
TAD Grant - Revenue portion	210100.4230.15				1,801
Land Conservation Grants					
Multi-Discharge Variance - Expenditure portion	2100400.5500		-	7,728	-
Multi-Discharge Variance - Revenue portion	2100400.4280.99		-	-	7,728
TOTAL REVOLVING FUND REQUESTS:			-	9,529	9,529

Outagamie County
2022 - 2023 Revolving Funds

LAND RECORDS FUND 213

Cost Center Name / Description	Cost Center Line Item	P.O. / Contract	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Land Records					
GIS Consulting - Parcel fabric migration - expected to complete by 3/31/23	2130100.5500		-	18,000	-
GIS Consulting - Server architecture review - consultant delayed	2130100.5500		-	9,500	-
GIS Consulting - Software related to parcel fabric migration project	2130100.5500		-	2,500	-
Register of Deeds backscanning for various documents for back years - Multi-year project	2130100.5500		-	170,000	-
TOTAL REVOLVING FUND REQUESTS:			-	200,000	-

Outagamie County
2022 - 2023 Revolving Funds

AIRPORT FUND 500 OPERATIONS

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Airport Terminal					
IT 3 YEAR PLAN - Wireless Bandwidth $27,000, Cameras $13,170, Closed Circuit TV Switches $56,922, Connected Mobile Experience $58,258, Leasing Software $53,762, Camera Servers $140,331, and Wireless System $41,995.	5000110.5500		-	391,438	-
Airport - Capital Improvement Projects					
Tenant parking lot	5002369.6000 (6212)		-	396,219	-
Terminal Sustainable Initiatives	5002370.6000 (6212)		-	70,700	-
Terminal roof repair	5002371.6300 (6304)		-	122,000	-
FBO storage building	5002402.6000 (6224)		-	750,000	-
EDA Grant project	5002408.6000 (6224)		-	3,915,000	-
EDA Grant revenue	5002408.8151		-	-	3,010,000
Tenant fuel farm	5002409.6300 (6304)		-	1,400,000	-
CBT System	5002410.6000		-	50,000	-
Airfield Tractor GPS system	5002411.6000		-	70,000	-
TOTAL REVOLVING FUND REQUESTS:			-	7,165,357	3,010,000

Outagamie County
2022 - 2023 Revolving Funds

AIRPORT FUND 500 PROJECTS

Cost Center Name / Description	Cost Center Line Item	Project Expenses	Revenue Amount
SA 89/AIP 56 Apron, Taxiway and Business Park			
SA 89/AIP 56Apron, Taxiway and Business Park - Expense	5000473.6000	93,000	-
SA 89/AIP 56 Apron, Taxiway and Business Park - Revenue	5000473.8081	-	55,600
SA 87 - Airport Layout Plan			
SA 87 - Airport Layout Plan - Expense	5000475.6000	83,000	-
SA 87 - Airport Layout Plan - Revenue	5000475.8081	-	74,700
SA 94 - Terminal Ramp Additional PH I			
SA 94 - Terminal Ramp Additional Ph I Expense	5000477.6000	14,716,000	-
SA 94 - Terminal Ramp Additional Ph I Revenue	5000477.8081	-	14,379,400
SA 97 - Concourse Addition			
SA 97 - Concourse Addition Expense	5000478.6000	2,497,200	-
Waterloop			
Waterloop - Expense	5000493.6000	187,500	-
TOTAL REVOLVING FUND REQUESTS:		17,576,700	14,509,700

Outagamie County
2022 - 2023 Revolving Funds

BREWSTER VILLAGE FUND 501

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Outdoor Wireless	5017665.6000	124541	3,109		
Roof Replacement (Phase 3) - Multi-year project	5017665.6000		-	191,323	-
Generator Replacement - Engineering is complete	5017665.6000		-	199,000	-
Main Kitchen Cooler/Freezer - Replace original unit	5017665.6000		-	50,000	-
Nurse Call Exterior Wireless Upgrade - IT currently working on in 2023.	5017551.5500		-	69,000	-
Nurse Call Phone System - Equipment upgrades	5017665.5500		-	18,545	-
TOTAL REVOLVING FUND REQUESTS:			3,109	525,868	-

Outagamie County
2022 - 2023 Revolving Funds

HIGHWAY - NONPROJECT - FUND 600

Cost Center Name / Description	Cost Center Line Item	P.O. Number (HWY)	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Highway					
3 Year plan - IT Direct purchases (Security Cameras S/L 70357 $25,000; Conf Room Audio/Visual S/L 70408 $34,400; Sign Printer S/L 70407 $800)	6008000.5500		-	60,200	-
Monroe Truck Equipment - Dump body, hydraulic system, prewet system, reversible plow, scraper and L/R wings	6001010.6000	44149		221,996	-
Aring Equipment Co - Trail King TK20LP	6001010.6000	46502		23,985	-
Aring Equipment Co - Trail King 16K lb trailer	6001010.6000	46573		20,577	-
Mirsberger Sales & Service - Emergency response trailer	6001010.6000	46574		14,195	-
Service Motor Co - Kubota SSV65 #309	6001010.6000	46576		50,173	-
Service Motor Co - Kubota SVL97-2 #313	6001010.6000	46577		74,913	-
TOTAL REVOLVING FUND REQUESTS:			-	466,039	-

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Outagamie County
2022 - 2023 Revolving Funds

RECYCLING AND SOLID WASTE FUND 503

Cost Center Name / Description	Cost Center / Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Tri-County Landfill Operations					
IT 3 Year Plan Items (Wireless $16,604, WIFI expansion $1,251, SCADA Systems Upgrade $27,624, Fiber Optic Phase III & Flow Meter $64,500)	5039000.5500		-	109,979	-
NE Landfill LFG Vertical Wells -2023 (from 2022 S/L 53343)	5039000.6000 (6304) S/L 53360			93,649	
Credit Card Kiosk (ARPA funded) - Expense portion	5039000.6000 (6304) S/L 53341		-	13,000	-
Credit Card Kiosk (ARPA funded) - Revenue portion	5039000.8151.4264 S/L 53341		-	-	13,000
Single Stream Activity					
Outagamie County's share of SSR capital outlay revolved from 2022 to 2023	5039004.9900.504		-	208,277	-
TOTAL REVOLVING FUND REQUESTS:			-	424,905	13,000

Outagamie County
2022 - 2023 Revolving Funds

SINGLE STREAM FUND 504

Cost Center Name / Description	Cost Center / Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Single Stream Capital Outlay					
Container Baler	5040200.6000 (6234) S/L 53352		-	161,844	
Forklift Replacement (2023)	5040200.6000 (6234) S/L 53373		-	23,142	
Relocate Glass Cleanup	5040200.6000 (6234) S/L 53329		-	120,980	
Production Light Changeout	5040200.6000 (6234) S/L 53326		-	4,034	
Maintenance Shop Expansion	5040200.6000 (6234) S/L 53267		-	138,750	
Asphalt Repair	5040200.6000 (6234) S/L 53334		-	300,000	
Leadpoint Breakroom	5040200.6000 (6234) S/L 53355		-	50,000	
Forklift Replacement (2022)	5040200.6000 (6234) S/L 53326		-	96,858	
Loader Replacement (2021)	5040200.6000 (6234) S/L 53328		-	312,434	
Residual Line AI Robotics Unit	5040200.6000 (6234) S/L 53354		-	878,772	
Building Security	5040200.6000 (6304) S/L 53330		-	75,000	
OCC Dust Hood	5040200.6000 (6304) S/L 53333		-	75,000	
Other Financing Sources and Operating Transfer In - Outagamie, Brown and Winnebago Counties contributions toward the capital outlay projects noted above (approximately 34.75% Outagamie, 40% Brown and 25.25% Winnebago)					
Brown	5040100.8081.01		-		304,207
Winnebago	5040100.8081.02		-		192,031
Outagamie	5040100.8900.503		-		264,280
Restricted Cash Portion - Fund Balance Applied	5040100.8955		-	-	1,476,297
TOTAL REVOLVING FUND REQUESTS:			-	2,236,814	2,236,814

Outagamie County
2022 - 2023 Revolving Funds

IT FUND 604

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
IT Operations					
HBS - Systems - Capital network parts	6040100.6000 (6040100.6250.03 S/L 70400)	124542	9,000	-	-
HBS - Network - Infrastructure parts - Capital	6040100.6000 (6040100.6250.08 S/L 70401)	124542	8,374	-	-
HBS - Network - Infrastructure parts - LAN switches	6040100.5400 (6040100.5420.15)	124543	13,000	-	
EDCI - Citrix consulting	6040100.5500 (6040100.5525.04)	124134	6,359	-	-
Graybar - Server rack power	6040100.6000 (6040100.6250.03) S/L 70169	124289	6,787	-	-
Graybar - Server rack power	6040100.6000 (6040100.6250.03) S/L 70169	124299	1,629	-	-
Inventory equipment placed in service in 2023 - desktops	6040100.5400 (6040100.5420.14) S/L 70371		-	87,324	-
Inventory equipment placed in service in 2023 - laptops	6040100.5400 (6040100.5420.14) S/L 70372		-	65,166	-
Inventory equipment placed in service in 2023 - monitors	6040100.5400 (6040100.5420.14) S/L 70371		-	8,326	-
Inventory equipment placed in service in 2023 - printers	6040100.5400 (6040100.5420.14001)		-	2,482	-
Inventory equipment placed in service in 2023 - scanners	6040100.5400 (6040100.5420.24)		-	1,782	-
Smartboard PC replacements	6040100.5400 (6040100.5420.14) S/L 70375		-	4,915	-
HHS - Social Worker laptops	6040100.5400 (6040100.5420.17) S/L 70380		-	800	-
HR - Fax to E-mail	6040100.5400 (6040100.5420.17) S/L 70382		-	800	-
Projector replacements	6040100.5400 (6040100.5420.25)		-	1,190	-
IT Systems Dual Factor Authentication	6040100.5400 (6040100.5420.51)		-	18,450	-
Consulting services	6040100.5500 (6040100.5525.04)		-	50,000	-
Contract programming	6040100.5500 (6040100.5525.36		-	5,000	-
Contract Training/PCI Compliance	6040100.5500 (6040100.5525.37)		-	34,890	-
IT - Conract LAN services	6040100.5500 (6040100.5525.38		-	15,343	-
HHS - Upgrade In/Out Board	6040100.6000 (6040100.5570.14) S/L 70335		-	550	-
SWR - Video editing software	6040100.6000 (6040100.5570.14) S/L 70385		-	381	-
IT Network - Fusion splice Highway fiber	6040100.6000 (6040100.5570.14001) S/L 70336		-	4,360	-
HHS - E H R programming	6040100.8000 (6040100.6240) S/L 70433		-	49,287	-

Outagamie County
2022 - 2023 Revolving Funds

IT FUND 604

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
IT Systems - Netscaler	6040100.6000 (6040100.6244) S/L 70435		-	64,200	-
Sheriff - Jail cameras	6040100.6000 (6040100.6244) S/L 70436			49,320	-
IT Network - Firewall management	6040100.6000 (6040100.6250.03) S/L 70342			17,950	-
IT Analysts - Upgrade work order system	6040100.6000 (6040100.6250.03) S/L 70390			14,600	-
IT Network - SSL Internet traffic	6040100.6000 (6040100.6250.03) S/L 70391			15,000	-
IT Network - Network segmentation	6040100.6000 (6040100.6250.03) S/L 70392			9,000	-
IT Network - DR UPS batteries	6040100.6000 (6040100.6250.03) S/L 70393			8,500	-
IT Network - Sheriff Telecom UPS batteries	6040100.6000 (6040100.6250.03) S/L 70394			6,500	-
IT Network - KVM units	6040100.6000 (6040100.6250.03) S/L 70396			5,849	-
IT Network - Data warehouse	6040100.6000 (6040100.6250.03) S/L 70398			20,000	-
IT Network - Server rack power distribution	6040100.6000 (6040100.6250.03) S/L 70169			3,740	-
IT Network - Server rack power distribution	6040100.6000 (6040100.6250.03) S/L 70220			2,018	-
Add electrical power to computer room	6040100.6000 (6040100.6250.08) S/L 70170			17,500	-
Network - Infrastructure parts - Capital	6040100.6000 (6040100.6250.08) S/L 70401			3,822	-
IT security assessment for compliance	6040100.6000 (6040100.6298) S/L 70060			100,000	-
Three Year Plan and Department Maintenance Items					
IT Systems Dual Factor Authentication - multi-year project	6040500.5500 (6040500.5573.269)		-	31,153	-
Three Year Plan Purchased Services - Expense Portions	**6040500.5500 See Below (6040500.5570.14001) S/L XXXXX**				
Three Year Plan Purchased Services - Revenue Portions	**6040500.4400 See Below (6040500.4415.17001) S/L XXXXX**				
HR - Tyler Munis Upgrade	S/L 70301		-	14,100	
HR - Tyler Munis Upgrade	S/L 70301		-		14,100
Airport - increase Wireless Bandwith	S/L 70232		-	27,000	
Airport - Increase Wireless Bandwith	S/L 70232		-		27,000
Solid Waste - Fiber Optic Phase III & Flow Meter / Gas analyzer	S/L 70182		-	64,500	
Solid Waste - Fiber Optic Phase III & Flow Meter / Gas analyzer	S/L 70182		-		64,500
Solid Waste - SCADA Systems Upgrade	S/L 70353		-	27,624	
Solid Waste - SCADA Systems Upgrade	S/L 70353		-		27,624

Outagamie County
2022 - 2023 Revolving Funds

IT FUND 604

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
Sheriff - CAD/RMS hardware upgrade consulting	S/L 70403		-	27,000	
Sheriff - CAD/RMS hardware upgrade consulting	S/L 70403		-		27,000
Three Year Plan Purchased Services - Expense Portions	**6040500.6000 See Below (6040500.6250.50001) S/L XXXXXX**				
Three Year Plan Purchased Services - Revenue Portions	**6040500.4400 See Below (6040500.4415.17001) S/L XXXXX**				
Airport - Contntl Comp - Cameras	S/L 70411	124501	13,170		
Airport - Contntl Comp - Cameras	S/L 70411				13,170
Airport - HBS Airport network switches	S/L 70412	124540	7,079		
Airport - HBS Airport network switches	S/L 70412				7,079
Airport - HBS Airport network switches	S/L 70307	124540	24,527		
Airport - HBS Airport network switches	S/L 70307				24,527
Airport - HBS Airport network switches	S/L 70307	124544	7,005		
Airport - HBS Airport network switches	S/L 70307				7,005
Airport - HBS Airport network switches	S/L 70307	124543	1,013		
Airport - HBS Airport network switches	S/L 70307				1,013
Airport - HBS Airport network switches	S/L 70361	124540	17,298		
Airport - HBS Airport network switches	S/L 70361				17,298
Airport Connected Mobile Experience	S/L 70247		-	58,258	
Airport Connected Mobile Experience	S/L 70247		-		58,258
Airport - Leasing software	S/L 70413		-	53,762	
Airport - Leasing software	S/L 70413		-		53,762
Airport - Camera servers	S/L 70409			140,331	
Airport - Camera servers	S/L 70409				140,331
Airport - Replace wireless system	S/L 70414		-	41,995	
Airport - Replace wireless system	S/L 70414		-		41,995
ARPA - EOC Audio/Visual solution	S/L 70405		-	24,386	
ARPA - EOC Audio/Visual solution	S/L 70405		-		24,386
EM - Siren software	S/L 70410		-	17,337	
EM - Siren software	S/L 70410		-		17,337
Solid Waste - Replace wireless system	S/L 70415		-	16,604	
Solid Waste - Replace wireless system	S/L 70415		-		16,604
Solid Waste - WIFI Expansion	S/L 70243		-	1,251	
Solid Waste - WIFI Expansion	S/L 70243		-		1,251
Highway - Security cameras	S/L 70357		-	25,000	
Highway - Security cameras	S/L 70357		-		25,000
Highway - Conference room audio/visual	S/L 70408		-	34,400	
Highway - Conference room audio/visual	S/L 70408		-		34,400
Highway - Sign printer	S/L 70407		-	800	
Highway - Sign printer	S/L 70407		-		800
TOTAL REVOLVING FUND REQUESTS:			115,241	1,294,546	644,440
6040100			45,149	689,045	0
6040300			0	0	0
6040500			70,092	605,501	644,440
			115,241	1,294,546	644,440

Outagamie County
2022 - 2023 Revolving Funds

CIP - CAPITAL IMPROVEMENT PROJECTS

Cost Center Name / Description	Cost Center Line Item	Previously Revolved per Adopted 2023 Budget	Available to Revolve into the 2023 Budget	Additional Request to Revolve 2023 Budget	Revenue Amount
2016 - Capital Projects					
Security and Space Needs Parking	4500800.6000	130,000	1,862,497	1,732,497	-
Security and Space Needs - Small Projects ($20,000 ARPA funded) - Expenditure Portion	4500900.6000	-	70,155	70,155	-
2016 GO Notes:					
Courtrooms Video Conferencing	4510300.6000	-	25,859	25,859	-
2017 - Capital Projects					
IT Software/Hardware Systems - $10,257 Security/PCI Compliance S/L 70121	4520200.6000	-	10,257	10,257	-
2017 - Capital Projects - GO Debt					
UWO - Fox Cities - Student Dev and Food Services Design	4541600.6000	79,308	109,308	30,000	-
2019 - Capital Projects					
UWO - Fox Cities - Roof Repairs	4561300.6000	-	15,208	15,208	-
2020 - Capital Projects					
Land Con - Streambank Restoration	4580200.5500	-	10,000	10,000	-
Various IT projects ($50,000 JDE Upgrade S/L 70313)	4580300.6000	-	50,000	50,000	-
County Phone System	4580400.6000	225,250	1,354,615	1,129,365	-
CE Trail	4581300.6000	-	50,000	50,000	-
Parks Pavillion Design	4581400.6000	-	25,633	25,633	-
UWO - Fox Cities - Design Stdnt Dev/Food Service Area	4581900.6000	135,000	175,000	40,000	-
UWO - Fox Cities - Child Care Addition Construction	4582100.6000	-	105,828	105,828	-
Highway Construction	4582200.6000	-	**TBD**	**TBD**	-
2021 - Capital Projects					
Land Con - Land Mitigation Bank	4600500.6000	750,000	750,000	-	-
Sheriff Body Cameras	4601300.6000	-	138,797	138,797	-
Parks - Various designs - Phase 1 projects	4601500.6000	63,651	171,977	108,326	-
Parks - Water and Sewer project - Expenditure Portion	4601600.6000	-	112,200	112,200	-
Parks - Water and Sewer project - Revenue Portion	4600100.4264.01	-	-	-	112,200
Parks - Pavilion construction - Non Debt	4601700.6000	2,000,000	2,938,126	938,126	-
Parks - Central Parking Lot Construction	4601800.6000	550,000	550,000	-	-
UWO - Fox Cities - Building Purchase $9,265 & Parks Pavillion $300,000	4601900.6000	9,265	309,265	300,000	-
UWO - Fox Cities - Science Room Fume Hoods	4602100.6000	96,570	105,169	8,599	-
DLS -Greenways Trails	4602200.6000	-	11,248	11,248	
Highway Construction	4602300.6000	-	**TBD**	**TBD**	
Parks - Dog Park Development - Expenditure Portion	4602400.6000	775,000	775,000	-	-
Parks - Dog Park Development - Revenue Portion	4600100.4264.01	-	-	-	60,000
Parks and Mosquito Hill and Trails - Expenditure Portion	4602500.6000	100,000	85,840	(14,160)	-
Parks and Mosquito Hill and Trails - Revenue Portion	4600100.4264.01	-	-	-	25,841

Outagamie County
2022 - 2023 Revolving Funds

CIP - CAPITAL IMPROVEMENT PROJECTS

Cost Center Name / Description	Cost Center Line Item	Previously Revolved per Adopted 2023 Budget	Available to Revolve into the 2023 Budget	Additional Request to Revolve 2023 Budget	Revenue Amount
2022 - Capital Projects					
Veterans Village Community Grant	4620200.5500	45,000	25,000	(20,000)	
DLS - Bike/Pedestrian Plan	4620300.5500	50,000	43,069	(6,931)	
Various IT/City Systems ($2,000,000 HHS E H R system, $360,468 Replace wireless system)	4620400.6000	-	2,360,468	2,360,468	
CAB Elevator Upgrade	4620700.6000	-	59,513	59,513	
VPI Building Improvements	4621000.6000	-	582,555	582,555	
Sheriff - Comm Center Renovations - Expenditure Portion	4621100.6000	7,500,000	7,346,897	(153,103)	
Sheriff - Comm Center Renovations - Revenue Portion	4620100.4264.01	-	-	-	5,471,897
Sheriff - Van & Trailer	4621200.6000	298,622	312,928	16,306	
Sheriff - 4th Floor Jail Remodel - Expenditure Portion	4621400.6000	255,000	256,000	1,000	
Sheriff - 4th Floor Jail Remodel - Revenue Portion	4620100.4264.01	-	-	-	256,000
Parks - Plamann Lake Upgrade	4621500.6000	-	19,439	19,439	
Parks - Dog Park	4621600.6000	564,469	564,469	-	
Parks - Mosquito Hill Improvements - Expenditure Portion	4621700.6000	243,986	230,026	(13,960)	
Parks - Mosquito Hill Improvements - Revenue Portion	4620100.4264.01	-	-	-	115,027
Parks - Replace Trail Bridges	4622000.6000	130,780	122,795	(7,985)	
Parks - ADA Football Field - Expenditure Portion	4622100.6000	517,500	717,500	200,000	
Parks - ADA Football Field - Revenue Portion	4620100.4510.12	-	-	-	717,500
UWOFC - Observatory Facility	4622200.6000	6,180	6,180	-	
UWOFC - Replace Blacktop	4622300.6000	40,000	40,000	-	
UWOFC - Parking Lot Maintenance	4622400.6000	21,535	21,535	-	
Broadband - Initial Capitalization - Expenditure Portion	4622500.6000	250,000	250,000	-	
Broadband - Initial Capitalization - Revenue Portion	4620100.4264.01				250,000
Greenways Trails	4622600.6000	16,248	25,000	8,752	
Highway Construction	4622700.6000	-	**TBD**	**TBD**	
Onsite Clinic Design	4622900.6000	-	102,102	102,102	
Parks - Prefab Bathroom	4623000.6000	-	49,963	49,963	
TOTAL REVOLVING FUND REQUESTS:		14,851,364	22,947,421	8,096,057	7,008,465

LOCK IN & ADOPTION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

Vote for lock in. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Lock In of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Lock in of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	ABSENT
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	ABSENT	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 VACANT	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **4-18-23 County Board Meeting - April 18 2023 04:25:52 PM**

April 18, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

Supervisor Croatt moved, seconded by Supervisor Smith, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—20

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	ABSENT
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	ABSENT	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 VACANT	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **4-18-23 County Board Meeting - April 18 2023 04:25:43 PM**

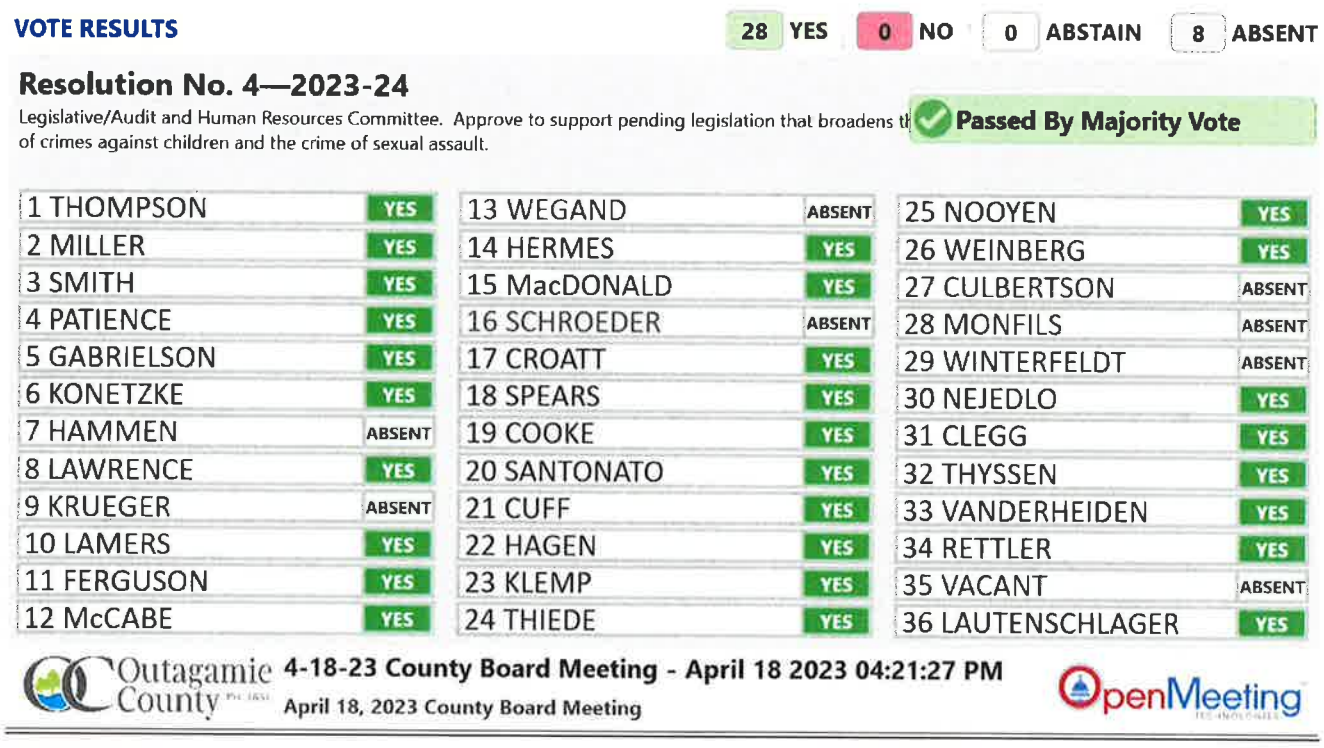
April 18, 2023 County Board Meeting

OpenMeeting

Resolution No. 4—2023-24 – Legislative/Audit and Human Resources Committee. Approve to support pending legislation that broadens the definition of "sexual contact" for the purposes of crimes against children and the crime of sexual assault.

Supervisor Spears moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 4—2023-24 IS ADOPTED.



VOTE RESULTS — 28 YES | 0 NO | 0 ABSTAIN | 8 ABSENT

Resolution No. 4—2023-24

Legislative/Audit and Human Resources Committee. Approve to support pending legislation that broadens th of crimes against children and the crime of sexual assault.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 4-18-23 County Board Meeting - April 18 2023 04:21:27 PM
April 18, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 4—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Current law defines "sexual contact" for the purposes of crimes against children and the crime of sexual assault. In the definitions in current law, if the perpetrator intentionally touches the victim's intimate parts, or if the perpetrator instructs the victim to intentionally touch the intimate parts of the perpetrator or another person, for the purpose of sexually degrading or sexually humiliating the victim or sexually arousing or sexually gratifying the perpetrator, then it is "sexual contact."

There is pending legislation that "sexual contact" also addresses any person that forces a complainant to touch bodily fluids or waste upon the intentional instruction of the perpetrator, upon the use of threat of force or violence by the perpetrator, or upon intentional act of the perpetrator. The pending legislation broadens the definition of sexual contact to better enable prosecutors to obtain justice for the victims of these crimes.

The proposed legislation creates a new crime or revises a penalty for an existing crime, therefore, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that broadens the definition of "sexual contact" for the purposes of crimes against children and the crime of sexual assault, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Wisconsin Counties Association and the Outagamie County Lobbyist for distribution to the State Senators and State Representatives representing Outagamie County and the Governor of the State of Wisconsin.

Dated this 18th day of April, 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: April 18, 2023

Signed: _____ _____
Board Chairperson County Clerk

4.19.23

Approved: _____ Vetoed: _____

Signed: _____
County Executive

State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-0446/1
CMH:amn&cdc

2023 SENATE BILL 149

April 3, 2023 - Introduced by Senators TESTIN, WANGGAARD, MARKLEIN and TOMCZYK, cosponsored by Representatives RETTINGER, NEDWESKI, C. ANDERSON, BEHNKE, BODDEN, BRANDTJEN, DITTRICH, DONOVAN, GUNDRUM, MOSES, MURPHY, MURSAU, ORTIZ-VELEZ, ROZAR, SAPIK, SUBECK and WICHGERS. Referred to Committee on Judiciary and Public Safety.

AN ACT ***to create*** 940.225 (5) (b) 1. c. and 948.01 (5) (a) 3. of the statutes; **relating to:** definition of "sexual contact" for purposes of crimes against children and sexual assault and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law defines "sexual contact" for the purposes of crimes against children and the crime of sexual assault. In the definitions in current law, if the perpetrator intentionally touches the victim's intimate parts, or if the perpetrator instructs the victim to intentionally touch the intimate parts of the perpetrator or another person, for the purpose of sexually degrading or sexually humiliating the victim or sexually arousing or sexually gratifying the perpetrator, then it is "sexual contact." Under this bill, "sexual contact" also includes when the victim is made to touch the ejaculate, urine, or feces of any person upon instruction from the perpetrator, upon the use or threat of force or violence by the perpetrator, or upon an intentional act of the perpetrator, if the purpose is to sexually degrade or sexually humiliate the victim or sexually arouse or sexually gratify the perpetrator.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 940.225 (5) (b) 1. c. of the statutes is created to read:

940.225 **(5)** (b) 1. c. Touching by the complainant of the ejaculate, urine, or feces of any person upon the intentional instructions of the defendant, upon the use or threat of force or violence by the defendant, or upon an intentional act of the defendant.

SECTION 2. 948.01 (5) (a) 3. of the statutes is created to read:

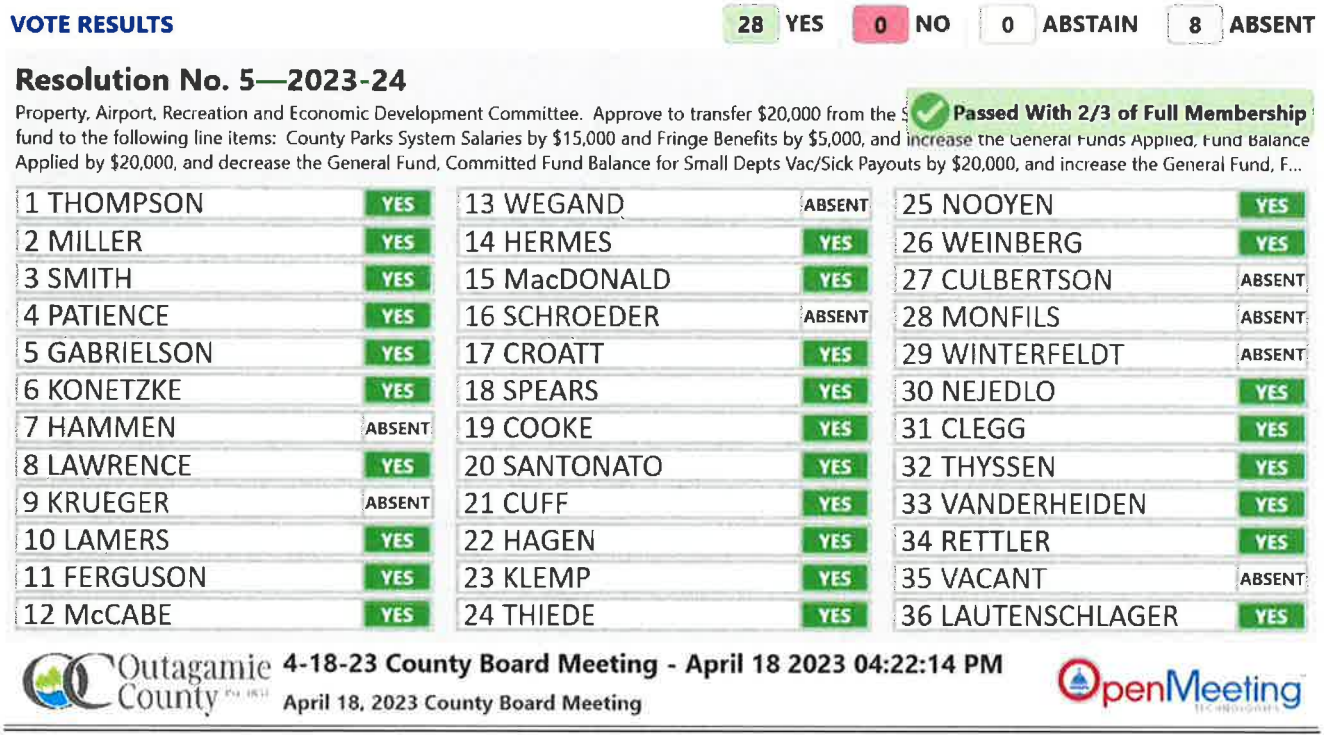
948.01 **(5)** (a) 3. Touching by the complainant of the ejaculate, urine, or feces of any person upon the intentional instructions of the defendant, upon the use or threat of force or violence by the defendant, or upon an intentional act of the defendant.

(END)

Resolution No. 5—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to transfer $20,000 from the Small Department Vacation/Sick Leave Payout fund to the following line items: County Parks System Salaries by $15,000 and Fringe Benefits by $5,000, and increase the General Funds Applied, Fund Balance Applied by $20,000, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts by $20,000, and increase the General Fund, Fund Balance Unassigned by $20,000, as noted on the resolution and attachments.

Supervisor Konetzke moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 5—2023-24 IS ADOPTED.



VOTE RESULTS — 28 YES | 0 NO | 0 ABSTAIN | 8 ABSENT

Resolution No. 5—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to transfer $20,000 from the S... fund to the following line items: County Parks System Salaries by $15,000 and Fringe Benefits by $5,000, and increase the General Funds Applied, Fund Balance Applied by $20,000, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts by $20,000, and increase the General Fund, F...

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	ABSENT
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	ABSENT	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 VACANT	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — 4-18-23 County Board Meeting - April 18 2023 04:22:14 PM

April 18, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 5—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Due to the retirement of the Parks Caretaker II position, who has been employed with Outagamie County for 39 years, the Parks Department is requesting a transfer from the Small Department Vacation/Sick Leave Fund of $20,000 ($15,000 for salary and $5,000 for fringes). This will allow the department to fill the position during the busiest months for the Parks Department (April – October) and before the seasonal crew is on the job. It is the intention of the Parks Department to have two weeks of overlap with the successor and new staff member for training purposes.

The current balance of the Small Department Vacation/Sick Leave Payout fund is $504,906.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the request to transfer $20,000 from the Small Department Vacation/Sick Leave Payout fund to the County Parks System Salaries line item for $15,000 and Fringe Benefits line item for $5,000, and increase the General Funds Applied, Fund Balance Applied line item by $20,000, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts line item by $20,000, and increase the General Fund, Fund Balance Unassigned line item by $20,000 as noted on the attached fiscal note and Small Departments Vacation and Sick Leave Payout Budget Request Form, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Parks Director.

Dated this 18th day of April, 2023.

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: April 18, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 4.19.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for transfer from small department sick and vacation payout fund for Parks

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Operational Impact (i.e. risks, productivity, cost, etc) if not allowed to fill the vacated position until the vacation and sick payout is recovered on a budgetary basis: The Parks Caretaker II position plays a vital role in our department, specifically during our busiest months (April – October). This person is responsible for the Children's Farm, grass mowing, and other general maintenance duties. This role is especially critical in the months before our seasonal crew arrives. Given the difficulties we are currently experiencing with recruiting seasonal employees, this position becomes even more vital to departmental operations. The person retiring has been with the County for 39 years and is taking a lot of knowledge with him. Given that, it is the intent to have two weeks of overlap with his successor for training purposes. Therefore, we are requesting a transfer from the Small Department Sick and Vacation Fund for $20,000 in order to assist with starting the new staff early and funding a portion of the sick and vacation payout.

The current balance of the small department sick and vacation payout fund is $504,906.

Current Year Budget Impact **(Check one or more of the following boxes)**

[ ] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	(DECREASE) AMOUNT
County Parks System	Salaries	1006200.5100	15,000
County Parks System	Fringe Benefits	1006200.5200	5,000
General Funds Applied	Fund Balance Applied	1002223.8955	20,000
BALANCE SHEET ENTRY - 2023			
General Fund	Committed Fund Balance for Small Depts Vac/Sick Payouts	1000000.3870	(20,000)
General Fund	Fund Balance Unassigned	1000000.3891	20,000

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Loren Dieck/Craig Moser/Brian Massey

For Financial Services purposes only

Reviewed By: 1/5/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:
Detail Expenditures Account Number Amount

SMALL DEPARTMENTS VACATION AND SICK LEAVE PAYOUT BUDGET REQUEST FORM

Department	Parks
Department Head	Loren Dieck
Date	3/30/2023
Position Vacated	Parks Caretaker II
Vacation and Sick Payout Estimate	$22,800
Budgeted Transfer Request Amount	$20,000

Operational Impact (i.e. risks, productivity, cost, etc) if not allowed to fill the vacated position until the vacation and sick payout is recovered on a budgetary basis: This position plays a vital role in our department, specifically during our busiest months (April – October). This person is responsible for our beloved Children's Farm, grass mowing, and other general maintenance duties. This role is especially critical in the months before our seasonal crew arrives. Given the difficulties we are currently experiencing with recruiting seasonal employees; this position becomes even more vital to departmental operations. The person retiring has been with us for 39 years and is taking a lot of knowledge with him. That said, we would like to have his successor spend a couple weeks with him for training purposes prior to his departure.

LOCK IN & ADOPTION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

Vote for lock in. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Lock In of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Lock in of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24 **Passed By Majority Vote**

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **4-18-23 County Board Meeting - April 18 2023 04:25:52 PM**

April 18, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

Supervisor Croatt moved, seconded by Supervisor Smith, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—20

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	ABSENT
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	ABSENT	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 VACANT	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

4-18-23 County Board Meeting - April 18 2023 04:25:43 PM

April 18, 2023 County Board Meeting

OpenMeeting

Resolution No. 6—2023-24 – Finance Committee. Approve all excess or deficiency of revenues over/under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund as of December 31, 2022, for the Highway, County Road & Bridge and Highway Project Related Capital Project Funds, except as noted on the resolution and attachments.

Supervisor Hagen moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 6—2023-24 IS ADOPTED.



VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 6—2023-24

Finance Committee. Approve all excess or deficiency of revenues over/under expenditures and unexpended a… back to the County's General Fund or from the General Fund as of December 31, 2022, for the Highway, County Road & Bridge and Highway Project Related Capital Project Funds, except as noted on the resolution and attachments.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 4-18-23 County Board Meeting - April 18 2023 04:23:34 PM

April 18, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 6—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

It is necessary that various accounts of Outagamie County be closed as of December 31, 2022, except special funds, commonly known as Revolving Funds, which are in the best interest of Outagamie County to remain intact. The budget adjustments will be made to the 2023 budget.

Resolution 3—2023-24, also presented to the County Board on April 18, 2023, included the majority of the requested County's Revolving Funds for the year 2022 into 2023. However, the resolution did not include the Highway Department Revolving Funds, as the amounts were not available at that time.

This resolution approves the Highway Department related revolving funds that were not included in the original requested resolution. These items will be included in the budget adjustments that will be made to the 2023 budget.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of all excess or deficiency of revenues over/under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund as indicated in the attached fiscal note and summary pages, with the exception of those expenses, revenues or transfers as detailed in the attachments, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, unless detailed otherwise on the attachment, that should any closed projects have excess funding (except highway project funded that will be applied to the following year's budget), those funds will be returned to the General Fund, or if legally required, to the Debt Service fund, and

BE IT STILL FURTHER RESOLVED, that all of the following accounts shall not lapse to the County's General Fund: County Roads & Bridges Fund; Highway Fund; Capital Projects – Highway Related, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director.

Dated this 18th day of April, 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: April 18, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 4.19.23

Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Revolving Funds Request 2022 to 2023 – Highway Related Funds not included in previous revolving funds resolution.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Resolution #3-2023/2024 was the original resolution that includes the majority of the requested County's Revolving Funds for the year 2022 into 2023. This resolution is going to the Board also on April 18th. That original resolution did not include the Highway Revolving Funds as the amounts were not available at that time. This fiscal note and attachment includes the Highway related revolving funds not included in that original request and resolution. These items will be included in the budget adjustments that will be made to the 2023 budget.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
See attached			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Brian Massey

For Financial Services purposes only	
Reviewed By:	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditure Account Number / Amount
Date: 4/12/23	

OUTAGAMIE COUNTY
SUMMARY OF 2022 - 2023 REVOLVING FUNDS
Highway Related and Additional Items Not Included on the Original Request

Fund	Purchase Order Commitments	Additional Appropriations	Projects	Total
County Roads & Bridges	-	-	2,192,900	2,192,900
Highway	-	-	4,630,322	4,630,322
Capital Projects (Highway related projects)	-	-	2,173,129	2,173,129
Total	-	-	8,996,351	8,996,351

Fund / Funding Source	Intergovernmental Revenue, Fees Fines & Costs, Charges for Service	Fund Balance / Retained Earnings	Debt Proceeds / Advances	Total
County Roads & Bridges	892,007	1,300,893	-	2,192,900
Highway	4,630,322	-	-	4,630,322
Capital Projects (Highway related projects)	-	2,173,129	-	2,173,129
Total	5,522,329	3,474,022	-	8,996,351

See attached for details of rollovers by category and fund.

Outagamie County
Detail of 2022- 2023 Revolving Funds
Highway Related Items Not Included on the Original Request

Cost Center Name / Description	Cost Center Line Item	P.O. Number	Purchase Order Commitment	Additional Appropriation	Revenue Amount
COUNTY ROAD & BRIDGE FUND					
Highway Projects - See attached	Various		-	2,192,900	892,007
HIGHWAY FUND					
Highway Projects - See attached	Various		-	4,630,322	4,630,322
CAPITAL PROJECTS - Highway Related					
2020 CAPITAL PROJECTS FUND					
Highway Projects	4582200.6000		-	220,000	-
2021 CAPITAL PROJECTS FUND					
Highway Projects	4602300.6000		-	205,401	-
2022 CAPITAL PROJECTS FUND					
Highway Projects	4622700.6000		-	1,747,728	-
TOTAL REVOLVING FUND REQUESTS:			-	8,996,351	5,522,329

COUNTY ROADS & BRIDGES FUND - REMAINING BALANCES 2022 TO 2023

Revised: 04/12/23

EXPENSES:	2022 Revised Budget	2022 Actual	Remaining	+ or - Revenue Variance	Transfer	Available Revolving	Less Revolved/Used Per Budget	Less Per Budget Undesignated	Less Revolved 22 to 23 Per Revolving Funds Resolution	Total Undesignated/ Not Revolved
CTH - Maintenance (g/m & w/m)	5,165,889	4,951,345	214,544	26,627	-	241,171	-	-	-	241,171
Construction	3,319,244	1,279,597	2,039,647	-	2,104	2,041,751	-	-	1,951,283	90,468
Bituminous	551,536	569,617	81,919	-	(2,104)	79,815	-	-	79,809	6
County Aid Bridges	963,543	342,901	620,642	-	-	620,642	-	-	161,808	458,834
Operating Transfer Out	-	-	-	-	-	-	-	-	-	-
TOTAL	10,100,212	7,143,460	2,956,752	26,627	-	2,983,379	-	-	2,192,900	790,479

REVENUES:	Beg Balance 2022	Applied In 2022	Remaining Fund Balance	Plus Revenue		Available Fund Balance	Less Revolved/Used Per 2022 Budget	Revolved/Used Per Revolving Funds Resolution	Revolved 22 to 23 Used/Per Revolving Funds Resolution	Undesignated/ Not Revolved
Fund Balance Designated	250,000		250,000			250,000	-			250,000
Fund Balance	1,698,631	1,018,912	679,719	-	-	679,719	-	-	-	679,719
GRAND TOTAL	-	-	-	26,627	-	3,913,098	-	-	2,192,900	1,720,198
		$32,800 was for highway on call pay								
Revenues:										
Levy	3,644,266	3,644,266	-							
Transportation Aids	3,510,000	3,552,658	42,658							
ARPA	100,000	100,000	-							
LRIP/CHI	-	6,858	6,858							
Jurisdictional Transfer fund	240,541	27,693	(212,848)	215,818	Construction					
State HSIP Funds	94,332	94,116	(216)							
STP Urban Funding	277,637	79,495	(198,142)	198,142	Construction					
STP Rural Funding	479,493	86,112	(393,381)	393,381	Construction					
Federal Bridge	711,942	266,070	(445,872)	84,686	Construction					
Miscellaneous - Other	23,089	200	(22,889)							
Revolving Funds	-	-	-	892,007	Jurisdictional Transfer/Federal Bridge/S:					
TOTAL	9,081,300	7,857,468	(1,223,832)	892,007	Total Revolving Funds Revenues					
				Revolved to 2023 (Paid Direct to Vendor)						
Net Cost or (Income)	1,018,912	(714,008)	1,732,920							
			1,732,920							

Year end revolving	2,192,900
Applied in 2023 Budget	712,491
Expenditures Needed	2,905,391
Revenues Revolved	(892,007)
DESIGNATED	250,000
Undesignated	-
Net Fund Balance Needed	2,263,384
Beginning Fund Balance	1,948,631
Add/Less: 2022 Activity	714,008
Net Fund Balance Available 12/31/22	2,662,639
Undesignated	399,255
Year End Revolving	2,192,900
Applied in 2023 Budget	712,491
Less: Revenues Revolved	(892,007)
Cash Amount Nedd fr Revlvng Funds/FB applied	2,013,384
Cash Amount Nedd fr Revlvng Funds/FB applied	2,013,384
DESIGNATED	250,000
Undesignated	399,255
Total Fund Balance	2,662,639

REVOLVING FUNDS FROM 2022 TO 2023 PROJECTS
HIGHWAY DEPARTMENT

PROJECT NUMBER	DESCRIPTION	STATE / FEDERAL CR&B SHARE	LOCAL MUNICIPALITY SHARE	COUNTY SHARE HWY FUND BAL	COUNTY SHARE CAP PROJECT	COUNTY SHARE CR&B FUND	TOTAL HIGHWAY COSTS
CONSTRUCTION							
6005805	CTH CE & RAILROAD INTERSECTION		692		47,177		**47,869**
6005812	CTH OO & FRENCH RD INTERSECTION		15,813			65,463	**81,276**
6005815	BRIDGE 9-44-0003 CTH KK OVER KONKAPOT CREEK	84,666				(15,512)	**69,154**
6005818	CTH OO -CTH OO & CTH E (BALLARD)					6,500	**6,500**
6005819	CTH OO -CTH OO & ONEIDA ST					3,500	**3,500**
6005820	CTH OO -CTH OO & ROEMER RD				87,147	46,502	**133,649**
6005821	CTH Z - KAVANAUGH RD TO OUTAGAMIE	393,381				54,106	**447,487**
6005822	CTH JJ (OLD STH 15) INDUSTRIAL TO DOUGLAS	95,195					**95,195**
6005823	CTH JJ (OLD STH 15) DOUGLAS TO WARNER	94,614					**94,614**
6005824	CTH V V - HOLZER RD TO CTH Y				1,433,297	2,104	**1,435,401**
6005825	BRIDGE P-44-0709 CTH JJ OVER BLACK OTTER CRREK	26,009			30,000	(3,000)	**53,009**
6005827	CTH N - CTH KK TO CTH CE	198,142	45,962			43,262	**287,366**
6005830	CTH Z - CTH ZZ TO KAVANAUGH RD				53,268	105,000	**158,268**
6005831	CTH JJ - CTH A TO STH 47		120,874			120,873	**241,747**
6005833	CTH G - ISAAR RD TO CTH Y					34,580	**34,580**
6005835	CTH U - CTH S TO CTH EE				50,000	139,048	**189,048**
6005836	CTH N & CTH JJ ROUNDABOUT					24,568	**24,568**
6005839	CTH JJ - BLACK OTTER BRIDGE TO NASH					220,888	**220,888**
6005894	CTH U - I41 TO CTH S				4,436		**4,436**
6005899	Culvert Replacement Program				300,125	211,393	**511,518**
	TOTAL CONSTRUCTION	**892,007**	**183,341**	**-**	**2,005,450**	**1,059,275**	**4,140,073**

REVOLVING FUNDS FROM 2022 TO 2023 PROJECTS
HIGHWAY DEPARTMENT

PROJECT NUMBER	DESCRIPTION	STATE / FEDERAL CR&B SHARE	LOCAL MUNICIPALITY SHARE	COUNTY SHARE HWY FUND BAL	COUNTY SHARE CAP PROJECT	COUNTY SHARE CR&B FUND	TOTAL HIGHWAY COSTS
BITUMINOUS							203,931
6005906	CTH Q - CTH CE TO CTH Z				60,000		60,000
6005907	CTH J - I41 TO CTH JJ					837	837
6005998	CTH D - STH 76 TO CTH XX				107,679	78,972	186,651
	TOTAL BITUMINOUS	**-**	**-**	**-**	**167,679**	**79,809**	**247,488**
COUNTY AID BRIDGES							
6008500	Unallocated Bridge Funds (All extra bridge funds go in this account)		64,903			62,262	127,165
6008506	Baumgart Bridge - Village of Greenville					14,461	14,461
6008507	Ries Bridge - Village of Greenville					8,833	8,833
6008508	Micke Bridge - Town of Buchanan					14,465	14,465
6008509	Mahoney Bridge - Town of Buchanan					12,632	12,632
6008510	Isaar Bridge - Town of Seymour					33,105	33,105
6008599	Bodde Arch Bridge - Kaukauna		16,050			16,050	32,100
	TOTAL COUNTY AID BRIDGES	**-**	**80,953**	**-**	**-**	**161,808**	**242,761**
COUNTY AID BRIDGES							
	GRAND TOTAL	892,007	264,294	-	2,173,129	1,300,693	4,630,322

LOCK IN & ADOPTION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

Vote for lock in. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6,7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Lock In of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24

Lock in of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24 — **Passed By Majority Vote**

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — **4-18-23 County Board Meeting - April 18 2023 04:25:52 PM**

April 18, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

Supervisor Croatt moved, seconded by Supervisor Smith, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 28 yes, 7 absent, 1 vacant. SUPERVISOR DISTRICT 35 APPOINTMENT & RESOLUTION NOS. 1, 3, 4, 6, 7—2023-24.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—20

Reconsideration of District 35 Supervisor Appointment & Resolution Nos. 1, 3, 4, 6, 7—2023-24 **Passed By Majority Vote**

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 4-18-23 County Board Meeting - April 18 2023 04:25:43 PM
April 18, 2023 County Board Meeting
OpenMeeting

Resolution No. 7—2023-24 – Finance Committee. Approve of entering into the attached Memorandum of Understanding with New North, Inc., to provide support for the Public Service Commission (PSC) Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant project (as noted on the resolution), and approve of the Development and Land Services Office to accept and expend $10,000 in BEAD Local Planning Grant funding, and approve the following line items: increase the Development and Land Services, Miscellaneous by $10,000 and decrease the General Fund Surplus, Fund Balance Applied by $10,000, as noted on the resolution and attachments.

Supervisor Croatt moved, seconded by Supervisor Miller, for adoption.

ROLL CALL: 28 yes, 7 absent, 1 vacant. RESOLUTION NO. 7—2023-24 IS ADOPTED.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 7—2023-24

Finance Committee. Approve of entering into the attached Memorandum of Understanding with New North, Inc., to provide support for the Public Service Commission (PSC) Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant project (as noted on the resolution), and approve of the Development and Land Services Office to accept and expend $10,000 in BEAD Local Planning Grant funding.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT ABSENT
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 VACANT ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 4-18-23 County Board Meeting - April 18 2023 04:25:04 PM
April 18, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 7—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Wisconsin Public Service Commission Broadband Office has awarded New North, Inc. a Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant. New North, Inc. has formed the New North Broadband Alliance to work in partnership with counties within New North Inc.'s region, including Outagamie County, to coordinate and align planning activities across the region. Per the terms of the attached Memorandum of Understanding (MOU) between Outagamie County and New North Inc., Outagamie County would receive up to $10,000 to help compensate for county staff time needed to conduct county responsibilities as outlined in Section 3 of the MOU. Affordable, reliable, high-speed broadband service was identified as one of the key investment targets as part of the county's American Rescue Plan Act (ARPA) implementation and this planning effort will assist in that endeavor. Since the staff time is already budgeted and no additional hours are needed, the budget entry will be to accept the additional funding and reduce the fund balance applied line item.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of entering into the attached Memorandum of Understanding (MOU), which by reference is made a part hereof, with New North, Inc. to provide support for the Public Service Commission (PSC) Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant project, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of the Development and Land Services Office to accept and expend $10,000 in BEAD Local Planning Grant funding to help compensate for county staff time needed to conduct responsibilities related to implementation of affordable, reliable, high-speed broadband service, and

BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Development and Land Services, Miscellaneous line item by $10,000 and decreasing the General Fund Surplus, Fund Balance Applied line item by $10,000, as detailed in the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Development and Land Services Director.

Dated this 18th day of April, 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: April 18, 2023

Signed: _____
Board Chairperson

_____
County Clerk

4.19.23

Approved: _____

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Accept and Expend Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant

2. **Description:** The Wisconsin Public Service Commission Broadband Office has awarded New North, Inc.a Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant. New North Inc. has formed the New North Broadband Alliance to work in partnership with counties within New North Inc.'s region, including Outagamie, to coordinate and align planning activities across the region. Per the terms of the attached Memorandum of Understanding between Outagamie County and New North Inc., Outagamie County would receive up to $10,000 to help compensate for county staff time needed to conduct county responsibilities as outlined in Section 3 of the MOU. Affordable, reliable, high-speed broadband service was identified as one of the key investment targets as part of the county's American Rescue Plan Act (ARPA) implementation and this planning effort will assist in that effort. Since the staff time is already budgeted and no additional hours are needed, the budget entry will be to accept the additional funding and reduce the fund balance applied.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (x) no ( )

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Dev and Land Services	Miscellaneous	1007300.4510.12	10,000
General Fund Surplus	Fund Balance Applied	1002223.8955	(10,000)

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost N/A; Annual Revenue N/A

Fiscal Note Prepared by: Kevin Englebert/Craig Moser/Brian Massey

For Financial Services purposes only	
Reviewed By: BM	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 4/17/23	
Comments:	

Memorandum of Understanding

Public Service Commission of Wisconsin (PSC)
Broadband, Equity, Access and Deployment (BEAD) Local Planning Grant

Among Outagamie County and New North, Inc.

New North Broadband Alliance

This Memorandum of Understanding (MOU) is made and entered into by and between Outagamie County and New North, Inc. (New North) in order to provide support for the PSC BEAD Local Planning Grant (project).

1. PURPOSE

a. Outagamie County and New North agree to work together in a collaborative spirit and negotiate in good faith on tasks and deliverables required for the execution of the project for the purposes of providing reports for inclusion in Wisconsin Public Service Commission Broadband Office Broadband Equity, Access, and Deployment (BEAD) Five-Year Action Plan as part of the Federal Bi-Partisan Infrastructure BEAD Program.

b. To be successful both New North and Outagamie County agree to invest time and resources to prepare and plan to improve broadband access locally and throughout the region.

2. TIMEFRAME

a. This MOU shall be effective for the time-period **beginning on the signing of this document and ending on July 1, 2024, which may be continued with the consent of both entities.**

b. This MOU may be extended, with the consent in writing of both parties, to cover other grants or joint activities such as USDA Broadband grants.

3. COUNTY ROLES AND RESPONSIBILITIES

To ensure joint success, Outagamie County shall make its staff, community representatives, volunteers and other resources available to provide the services as outlined:

a. Identify a "Broadband Champion" to act as the main point of contact. This person will:

i. Act as the conduit between New North and OUtagamie County

ii. Attend/Participate in regional and state (if needed) Broadband Champion collaborative meetings (frequency TBD)

iii. On behalf of Outagamie County interact with: WI-PSC, WEDC, UW-Extension, utilities and other entities as required

b. Reach out to stakeholders in the community, which will likely include the creation or continuation of a County Broadband Committee or Task Force;

i. Hosting of events to discuss broadband and barriers to adoption;

ii. Identifying existing broadband activity in support of the vison and goals

c. Assist and/or collaborate to provide content, reports, information as needed to complete project and activities as outline by county through agreed performance period

i. Continue GIS mapping provided by GEO Partners and paid for by WEDC along with other speed testing that each county currently provides

ii. Provide overlay mapping of the various mapping tool results

iii. Submission of an invoice for the full amount of the award to New North as request for reimbursement

d. Participate in regional-level community visioning and goal setting

e. Begin planning and preparation work for possible local and/or regional BEAD grant applications

f. Facilitate broadband related speed tests and/or surveys at the discretion of each county

4. NEW NORTH ROLES AND RESPONSIBILITIES

New North shall make its staff resources available to provide the services as outlined:

a. Perform as Fiscal Agent to PSC – financial management and auditing

b. Function as the Regional point of contact and act as the conduit for information sharing to and from the region

c. Lead regional "Broadband Champion" collaborative meetings (frequency TBD)

d. Coordinate, communicate, share and/or facilitate broadband planning grant related activities statewide

e. Assist with meeting planning and convening of partners, as needed

f. Assist with access to mapping tools through GEO Partners or other entities

g. Assist with use of existing broadband information such as the New North regional Broadband study, Microsoft's Equity information and other existing data sources, demographic data

h. Assist with data collection, primarily acting as a broadband library and information access coordination

i. Provide the WI-PSC report outline or work with partners to create an outline for the initial regional 5yr plan broadband plan

j. Include Broadband Workforce Planning reports and Digital Equity Reports as part of overall regional submission

k. Coordinate the dissemination of WEDC's Broadband Toolkit and UW Extension's educational material/technical assistance

l. Submit the required deliverables to PSC by June 19, 2023

5. REPORTING REQUIREMENTS

New North shall

a. Administer funds and submission of related request for payment requirements

b. Consolidate, prepare and submit required regional documentation and reports as per PSC grant agreement:

i. Required deliverables by June 19, 2023
ii. Interim Project Status Report
iii. Final Project Status Report

Outagamie County shall

a. Provide all initial information generated by Outagamie County for the PSC BEAD Local Planning Grant shall be provided to the New North by Monday, May 29, 2023.

b. See Also #6 Compensation and Billing

6. **Compensation and Billing – Total Allocation $302,567.25**

   a. $30,000 - New North, Inc. - Project management responsibilities to include contract administration, financing, audit, reporting, state agencies' point of contact

   b. $225,000 - *$15,000 to each participating county (15) to help compensate for county responsibilities as noted in Section 3

      Amount of individual county award would depend if county decides to use their staff for layered mapping/data aggregation or would want to participate in a shared GIS mapping position for the purposes of this grant along with a shared data-use agreement with the PSC for additional mapping and survey tools through WISR, which New North would facilitate. ($5,000 of the $15,000 allocation per county towards these activities)

      i. County would provide New North with an invoice for the amount of $15,000 or other agreed upon amount. Payment of invoice will be made upon receipt of findings for report completion (May 29, 2023 or sooner).

   c. $47,567.25 - New North's Broadband Alliance Activities - available for additional mapping, data collection, and reporting activities as agreed upon by participating counties

   d. At Counties discretion, New North can act as a coordinator to pool funds for additional Broadband related activity such as multi-county mapping, survey and/or outreach efforts.

7. **Amendments, Renewal & Termination**

   a. This MOU and its provisions may be modified or amended only by written mutual agreement of the parties at any time during the effective time period.

   b. The termination of this agreement can be initiated by any of the parties with the provision of a 30-day written notice stating the reasons for termination. Parties shall negotiate in good faith prior to termination.

   c. Termination, or non-participation does not eliminate the Monday, May 29, 2023 reporting requirement. Outagamie County shall be compensated by New North for work complete up to, and through the termination date.

8. **Acceptance of Terms**

This MOU and its conditions, terms and expectations are hereby agreed upon and will be upheld to the highest of standards.

Name, Title, County, Date

Barb LaMue, President & CEO, New North, Inc., Date

APPROVED AS TO FORM:

Kyle J. Sargent
Corporation Counsel
Outagamie County
Date Approved: 4/12/23

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the April 18, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on April 18, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 18th day of April, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerk's Office (832-5077) if you would like further elaboration of these minutes.

RUN: May 19, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, May 9, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 32 present, 4 absent. Members present: Thompson, Miller, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Lamers, Ferguson, McCabe, Hermes, MacDonald, Schroeder, Croatt, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, Thyssen, VanderHeiden, Rettler, Koury, and Lautenschlager. Members Absent: Smith, Krueger, Wegand, Spears.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Smith, Krueger, Wegand, and Spears. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE APRIL 18, 2023 COUNTY BOARD MEETING
Supervisor Croatt moved, seconded by Supervisor Cooke, to approve the minutes of the April 18, 2023, County Board meeting.

ROLL CALL: 30 yes, 2 abstain (Schroeder, Monfils), 4 absent. MINUTES OF THE APRIL 18, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS
Major Cooper, Equity, Diversity and Inclusion Officer and Lisa Lux, Human Resources Director, will give a brief update related to equity, diversity and inclusion

Lisa Lux, Human Resources Director, introduced Major Cooper, Equity, Diversity and Inclusion Officer (EDI). EDI Cooper joined Outagamie County in December 2022. This position was created in 2021 as a position that was focused internally.

The focus of the position is creating the best employment experience for employees and the best client experience for those that the County serves. EDI Cooper provided an update on the progression and accomplishments that have been made since joining the County in December 2022.

EDI Cooper has been focused on laying a foundation for changes in the culture at Outagamie County. EDI Cooper provided a definition of equality vs equity, diversity, and inclusion.

The three areas of focus within EDI have been relationship building, culture and values, and education. EDI Cooper gave examples of what has been taking place in each of these highlighted areas:

Relationship Building:

- EDI Cooper has focused on meeting internally with several department heads and employees.
- EDI Cooper has met with the Utech Group as well as the Culture Team to learn about the values created.
- EDI Cooper has presented EDI at New Employee Orientation—new employees recognize their

value to the County from day one.
- Implemented a first 30-day check in with new employees.
- Externally a member of a team hosting Hispanic High School College and Career Fair. Helping students understand there are opportunities at the County right out of high school and different college majors that provide opportunities at the County as well.
- Collaborating with the DEI Coordinator for City of Appleton for joint initiatives.
- Collaborating with Lawrence VP of DEI to showcase Outagamie County jobs.
- Co-host Madison 365 Northwest DEI Leadership Conference-presented on a panel about the good things that Outagamie County is doing.
- Board member for Fox Valley Boys and Girls Club STAR Program.
- Member for New North DEI Roundtable.

Culture and Values:
- Did 1 on 1's with the original culture team and department personality.
- Started to meet with Department Heads to discuss the implementation of the County Core Values.
- EDI Cooper has met with 50 percent of County Departments and discussed the County Core Values.
- The plan is that 100 percent of departments will discuss the County Core Values by June.
- Creating an upcoming Day of Service for the County.

Education:
- EDI Connections and Conversations
- EDI Book Club
- Trainings for Departments on EDI Topics
- EDI interview questions for recruitment
- Civil Rights trainings and updates
- EDI panel discussions

EDI Cooper presented his plans for the 2nd quarter of 2023:
- Create opportunities for employees to educate the County on their culture
- Employee summer cookout
- EDI Leadership series
- Plan for Value Conference Fall 2023
- Review County Holiday Schedule to change days that can be equitable to all

Supervisor Questions/Comments followed.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have Resolution Nos. 8, 9, 11, 12, 13 and 15 —2023-24 locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

May 9, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	04/18/2023	Price County	Resolution 9-23 Request the State of Wisconsin to Use a Portion of the 2023 Budget Surplus for Maintenance of the County Trunk Highway System	Highway, Recycling and Solid Waste Committee
2	04/12/2023	La Crosse County	Resolution # 2-4/23 Requesting the State to Revise the Current Real Estate Transfer Fees Revenue Sharing Formula	Resolution No.: 14-2022-23
3	04/18/2023	Green Lake County	Resolution Number 7-2023 Resolution Recommending Revision to State Renewable Energy Contract Regulations	Zoning Committee

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.
- March IT training needs to be completed by one remaining Supervisor. Legislative Services has emailed a link to this Supervisor for completion.
- For planning purposes, there will be two meetings in June. The 2nd meeting in June will include an update from McGrath on the total rewards study.
- The latest issue of Wisconsin Counties magazine has a number of articles addressing county board operations.
- Corporation Counsel Kyle Sargent updated the County Board in regards to a previous discussion on text messaging and emailing during County Board meetings. These communications could be considered as quorums within the quorum and as communications not put on record. Corporation Counsel Sargent asked that Supervisors be cautious.

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY) – none.

APPOINTMENTS—

County Executive Nelson nomination for re-appointments of Roy Hegard and Bob Stadel to the Board of Adjustment Zoning Ordinance; said terms expiring June 30, 2026.

Supervisor Konetzke moved, seconded by Supervisor Hagen, for confirmation of the above-listed re-appointments.

ROLL CALL: 30 yes, 1 no (Lautenschlager), 1 abstain (Koury), 4 absent. ROY HEGARD AND BOB STADEL ARE RE-APPOINTED TO THE BOARD OF ADJUSTMENT ZONING ORDINANCE.

County Executive Nelson nomination for appointment of Ryan Weyers to the Outagamie County Local Emergency Planning Committee; said term expiring June 30, 2025.

Supervisor Konetzke moved, seconded by Supervisor Cuff, for confirmation of the above-listed appointment.

ROLL CALL: 31 yes, 1 no (Hermes), 4 absent. RYAN WEYERS IS APPOINTED TO THE OUTAGAMIE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE.

REPORT BY THE COUNTY EXECUTIVE– County Executive Thomas Nelson gave an Administrative Update.

There is a lot of new business coming before the Administration and the County Board in the next six months.

Administration has been working with two firms in the recruitment of the Director of Finance position. There is an application being reviewed later this week.

The initial results from the total rewards study have been received. There will be a second County Board meeting in June to address the total rewards study. In connection, the State is currently in serious discussion of local funding reform.

Airport Director Abe Weber has been working closely with Senator Rachael Cabral-Guevara and the Legislature on allocating approximately $11 million to the concourse expansion.

The Plamann Park pavilion is going to be opening this summer. Thank you to the County Board, Finance Committee, and Property Committee for all of their support on this project.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. Z-1–2023-24 –Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Gregory and Kerri Klister, for parcels 030066100, approximately 1.56 acres, from the Local Commercial District and 030065700, approximately 3.18 acres, from the General Agriculture District, both parcels to be rezoned to the Planned Commercial District, in the Town of Buchanan, as noted on the attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. Z-1—2023-24 IS ADOPTED.

Resolution No. Z-2–2023-24 –Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request submitted by the Town of Grand Chute, for parcel 101033003, approximately 1.01 acres, from the General Agriculture District to the Planned Commercial District, in the Town of Grand Chute, as noted on the attachments.

Supervisor Weinberg moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. Z-2—2023-24 IS ADOPTED.

Resolution No. 8—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to support pending legislation that would make changes to the State Wildlife Damage Abatement and Claims Program, as noted on the resolution.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 8—2023-24 IS ADOPTED.

Resolution No. 9—2023-24 – Health and Human Services Committee. Approve of entering into the Professional Services Agreement (attached to the resolution) with MSA Professional Services, Inc., for design work for an accessible Canoe/Kayak launch at the Koepke Access Point, and approve to increase the Aging Services line items, as noted on the fiscal note.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 9—2023-24 IS ADOPTED.

Resolution No. 10—2023-24 – Highway, Recycling and Solid Waste Committee. Respectfully request additional funding through budgetary surplus be allocated to the County General Transportation Aids appropriation as well as for the Local Roads Improvement Program for the backlog of maintenance on the county trunk highway system.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 10—2023-24 IS ADOPTED.

Resolution No. 11—2023-24 – Highway, Recycling and Solid Waste Committee. Approve of granting We Energies an easement for the area described as a strip of land ten (10) feet in width being a part of grantor's premises in the Southeast ¼ of the Southeast ¼ of Section 17, Township 21 North, Range 18 East, in the Village of Little Chute, as shown on the attachments.

Supervisor Nejedlo moved, seconded by Supervisor Hagen, for adoption.

ROLL CALL: 31 yes, 1 abstain (Hermes), 4 absent. RESOLUTION NO. 11—2023-24 IS ADOPTED.

Resolution No. 12—2023-24 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization (TO) request to move one full-time Mental Health Court Coordinator position from the Health and Human Services Mental Health TO to the Criminal Justice Treatment Services TO along with the related budget adjustments for 2023, as noted on the attachments.

Supervisor Gabrielson moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 12—2023-24 IS ADOPTED.

Resolution No. 13—2023-24 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization (TO) request to move one full-time Drug & Alcohol Treatment Coordinator position from the Health and Human Services Mental Health TO to the Criminal Justice Treatment Services TO along with the related budget adjustments for 2023, as noted on the attachments.

Supervisor Patience moved, seconded by Supervisor Schroeder, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 13—2023-24 IS ADOPTED.

Resolution No. 14—2023-24 – Legislative/Audit and Human Resources Committee. Approve the Administrative Rule AR-2023-02 (attached), replacing AR-2022-02, which amends the County Employee Handbook with adjustments and clarifying language to reflect current practice in several areas (as noted on the resolution and attachments), and will be on file in the County Clerk's Office in a manual labeled "Outagamie County Administrative Rules".

Supervisor Santonato moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 30 yes, 2 no (MacDonald, Thiede), 4 absent. RESOLUTION NO. 14—2023-24 IS ADOPTED.

Resolution No. 15—2023-24 – Legislative/Audit and Human Resources Committee. Respectfully request that the State of Wisconsin provide regular revenue increases for mandated county programs at the rate of inflation in order to maintain programs operated by the County for the benefit of Wisconsin residents, and respectfully request that the Shared Revenue program be increased in order to provide additional state aid to local governments.

Supervisor Konetzke moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 31 yes, 1 no (Hermes), 4 absent. RESOLUTION NO. 15—2023-24 IS ADOPTED.

REPORTS – none.

RECONSIDERATION OF RESOLUTION NOS. 8, 9, 11, 12, 13 AND 15—2023-24.

Supervisor Croatt moved, seconded by Supervisor Thiede, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13 AND 15 —2023-24 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13 AND 15—2023-24 ARE ADOPTED & LOCKED IN.

ADJOURNMENT
Supervisor Santonato moved, seconded by Supervisor Lawrence to adjourn until May 23, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 8:04 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

Resolution No. Z-1—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Gregory and Kerri Klister, for parcels 030066100, approximately 1.56 acres, from the Local Commercial District and 030065700, approximately 3.18 acres, from the General Agriculture District, both parcels to be rezoned to the Planned Commercial District, in the Town of Buchanan, as noted on the attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. Z-1—2023-24 IS ADOPTED.



VOTE RESULTS — 32 YES | 0 NO | 0 ABSTAIN | 4 ABSENT

Resolution No. Z-1—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for approximately 1.56 acres, from the Local Commercial District and 030065700, approximately 3.18 acres, from the General Agriculture District, both parcels to be rezoned to the Planned Commercial District, in the Town of Buchanan, as noted on the attachments.

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — **5-9-23 County Board Meeting - May 9 2023 07:48:48 PM**

May 9, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: Z-1—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Buchanan has adopted a comprehensive Zoning Ordinance separate from that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that all zoning amendments made by the Town of Buchanan be approved by Outagamie County before they are effective. The Outagamie County Planning Staff and Zoning Committee both recommend approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the proposed rezoning request for Gregory and Kerri Klister. The proposed rezoning is for parcel 030066100 approximately 1.56 acres, from the Local Commercial District, to the Planned Commercial District and a portion of parcel 030065700, approximately 3.18 acres, from the General Agriculture District to the Planned Commercial District. The parcel is located east of State Highway 55 in the Town of Buchanan, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Zoning Administrator and the Clerk of the Town of Buchanan.

Dated this 9th day of May 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debbie Vander Heiden

Daniel Rettler

Sarah Weinberg

Rick Lautenschlager

Dustin Koury

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 5/12/23

Vetoed: _____

Signed: _____ County Executive

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: Outagamie County Zoning Committee
FROM: Sadie DiNatale Burda, Principal Planner
DATE: March 27, 2023
RE: PL202300073 – Town Rezoning - Town Review & Recommendation

Application Details:

Applicant / Property Owners:	Cynthia Sieracki, Town of Buchanan, on behalf of Gregory and Kerri Klister (property owners)
Request:	Rezoning - Town
Parcel(s):	030066100 and a portion of 030065700
Location:	East of HWY 55 TOWN OF BUCHANAN
Public Hearing:	February 13, 2023 at 7:00 PM held by Town of Buchanan

Background & Analysis:
A Town Rezoning request was received from the Town of Buchanan, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone parcel 030066100 (approx. 1.56 acres) from the Local Commercial District to the Planned Commercial District and a portion of parcel 030065700 (approx. 3.18 acres) from the General Agriculture District to the Planned Commercial District. The rezone would accommodate an indoor volleyball court, and potentially condominiums in the future. More information is located in the Town's staff memo (Exhibit 2).

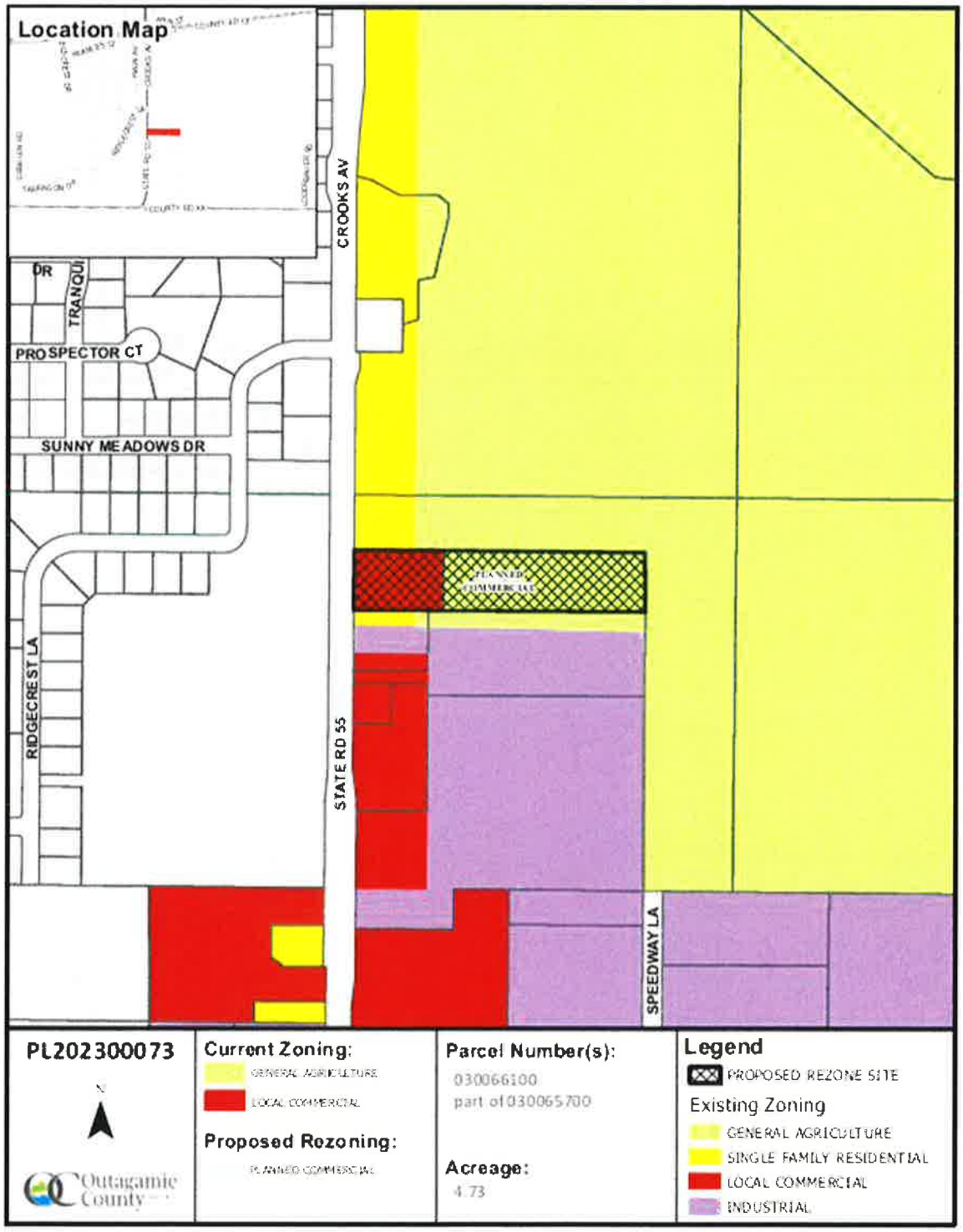
The site contains no significant environmental indicators of concerns.

The Town of Buchanan exercises village powers and adopted General Town Zoning; as such, the County is not statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3).

The Town of Buchanan found this rezoning consistent with its Comprehensive Plan. The Town reviewed the request at a public hearing held on February 13, 2023 and the Town Board voted to approve this request on March 6, 2023.

Staff Recommendation:
Based on our review and the above analysis of this proposed Rezoning - Town, Staff recommends to: approve the rezoning of parcel 030066100 (approx. 1.56 acres) from the Local Commercial District to the Planned Commercial District and a portion of parcel 030065700 (approx. 3.18 acres) from the General Agriculture District to the Planned Commercial District.

Exhibit 1


Location Map
CROOKS AV
TRANQUIL DR
PROSPECTOR CT
SUNNY MEADOWS DR
RIDGECREST LA
STATE RD 55
SPEEDWAY LA
PLANNED COMMERCIAL
PL202300073
N
Outagamie County
Current Zoning:
GENERAL AGRICULTURE
LOCAL COMMERCIAL
Proposed Rezoning:
PLANNED COMMERCIAL
Parcel Number(s):
030066100
part of 030065700
Acreage:
4.73
Legend
PROPOSED REZONE SITE
Existing Zoning
GENERAL AGRICULTURE
SINGLE FAMILY RESIDENTIAL
LOCAL COMMERCIAL
INDUSTRIAL

Resolution No. Z-2—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request submitted by the Town of Grand Chute, for parcel 101033003, approximately 1.01 acres, from the General Agriculture District to the Planned Commercial District, in the Town of Grand Chute, as noted on the attachments.

Supervisor Weinberg moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. Z-2—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. Z-2—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request sub… 101033003, approximately 1.01 acres, from the General Agriculture District to the Planned Commercial District, in the Town of Grand Chute, as noted on the attachments.

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **5-9-23 County Board Meeting - May 9 2023 07:49:35 PM**

May 9, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: Z-2—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Grand Chute has adopted a comprehensive Zoning Ordinance separate from that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that all zoning amendments made by the Town of Grand Chute be approved by Outagamie County before they are effective. The Outagamie County Planning Staff and Zoning Committee both recommend approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the proposed rezoning request submitted by the Town of Grand Chute. The proposed rezoning is for parcel 101033003, totaling approximately 1.01 acres, from the General Agriculture District to the Planned Commercial District. The parcel is located north of Grand Chute's Town Hall in the Town of Grand Chute, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Zoning Administrator and the Town of Grand Chute Clerk, the Town of Grand Chute Community Development Director, and the Town of Grand Chute Community Development Administrative Assistant.

Dated this 9th day of May, 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debbie Vander Heiden

Daniel Rettler

Sarah Weinberg

Rick Lautenschlager

Dustin Koury

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5-12-23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: Outagamie County Zoning Committee
FROM: Sadie DiNatale Burda, Principal Planner
DATE: April 12, 2023
RE: PL202300111 – Town Rezoning - Town Review & Recommendation

Application Details:

Applicant / Owner:	Tracy Olejniczak, Town Clerk, on behalf of Town of Grand Chute (Owner)
Request:	Rezoning - Town
Parcel(s):	A portion of 101033003, see Exhibit 1
Location:	North of Grand Chute's Town Hall TOWN OF GRAND CHUTE
Public Hearing:	March 21, 2023 at 6:00 PM held by the Town of Grand Chute

Background & Analysis:

A Town Rezoning request was received from the Town of Grand Chute, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone a portion of parcel 101033003 (1.01 acres) from the General Agriculture District (AGD) to the Planned Commercial District (CP) to allow for the expansion of the Town of Grand Chute's Public Works yard and their Police Department's vehicles/evidence impoundment lot. More information is located in the Town's staff memo (Exhibit 2).

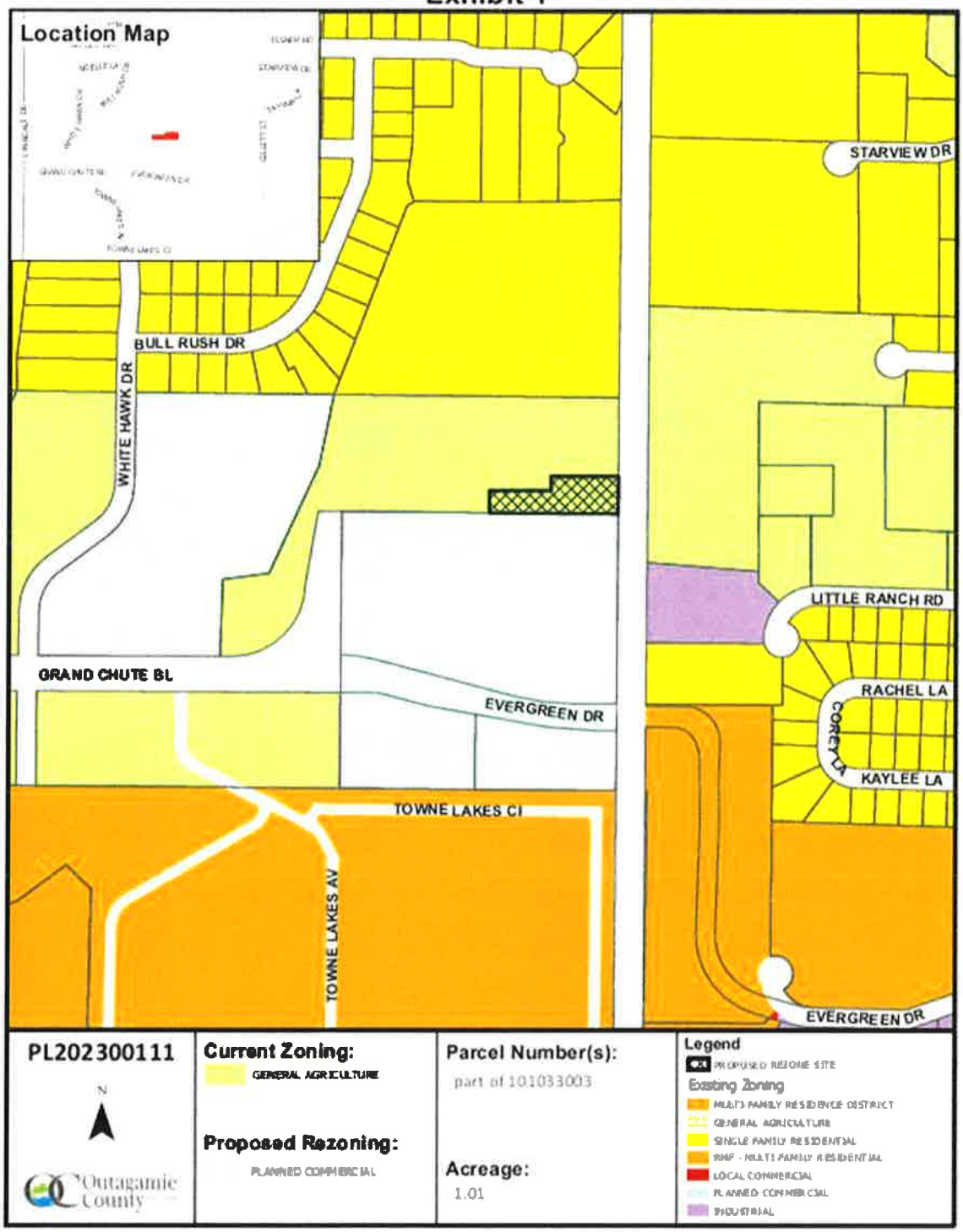
A portion of the site to be rezoned contains presence of hydric soils. However, stormwater and erosion control jurisdiction rests with the Town of Grand Chute; the Town would determine whether a wetland delineation is required prior to development of the site.

The Town of Grand Chute exercises village powers and adopted General Town Zoning; as such, the County is not statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3).

The Town of Grand Chute found this rezoning consistent with its Comprehensive Plan, which designates this area as Town Center. The Town reviewed the request at a public hearing held on March 21, 2023 and the Town Board voted to approve this request on April 6, 2023.

Staff Recommendation:
Based on our review and the above analysis of this proposed Rezoning - Town, Staff recommends to: approve the rezoning of parcel 101033003 (1.01 acres) from the General Agriculture District (AGD) to the Planned Commercial District (CP).

Exhibit 1


Location Map
STARVIEW DR
BULL RUSH DR
WHITE HAWK DR
LITTLE RANCH RD
GRAND CHUTE BL
EVERGREEN DR
RACHEL LA
COREY LA
KAYLEE LA
TOWNE LAKES CI
TOWNE LAKES AV
EVERGREEN DR
PL202300111
N
Outagamie County
Current Zoning:
GENERAL AGRICULTURE
Proposed Rezoning:
PLANNED COMMERCIAL
Parcel Number(s):
part of 101033003
Acreage:
1.01
Legend
PROPOSED REZONE SITE
Existing Zoning
MULTI FAMILY RESIDENCE DISTRICT
GENERAL AGRICULTURE
SINGLE FAMILY RESIDENTIAL
MMF - MULTI FAMILY RESIDENTIAL
LOCAL COMMERCIAL
PLANNED COMMERCIAL
INDUSTRIAL

LOCK IN & ADOPTION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Lock In of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Lock in of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

5-9-23 County Board Meeting - May 9 2023 08:04:07 PM

May 9, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Supervisor Croatt moved, seconded by Supervisor Thiede, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE RECONSIDERED.



VOTE RESULTS — 32 YES | 0 NO | 0 ABSTAIN | 4 ABSENT

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — **5-9-23 County Board Meeting - May 9 2023 08:03:58 PM**

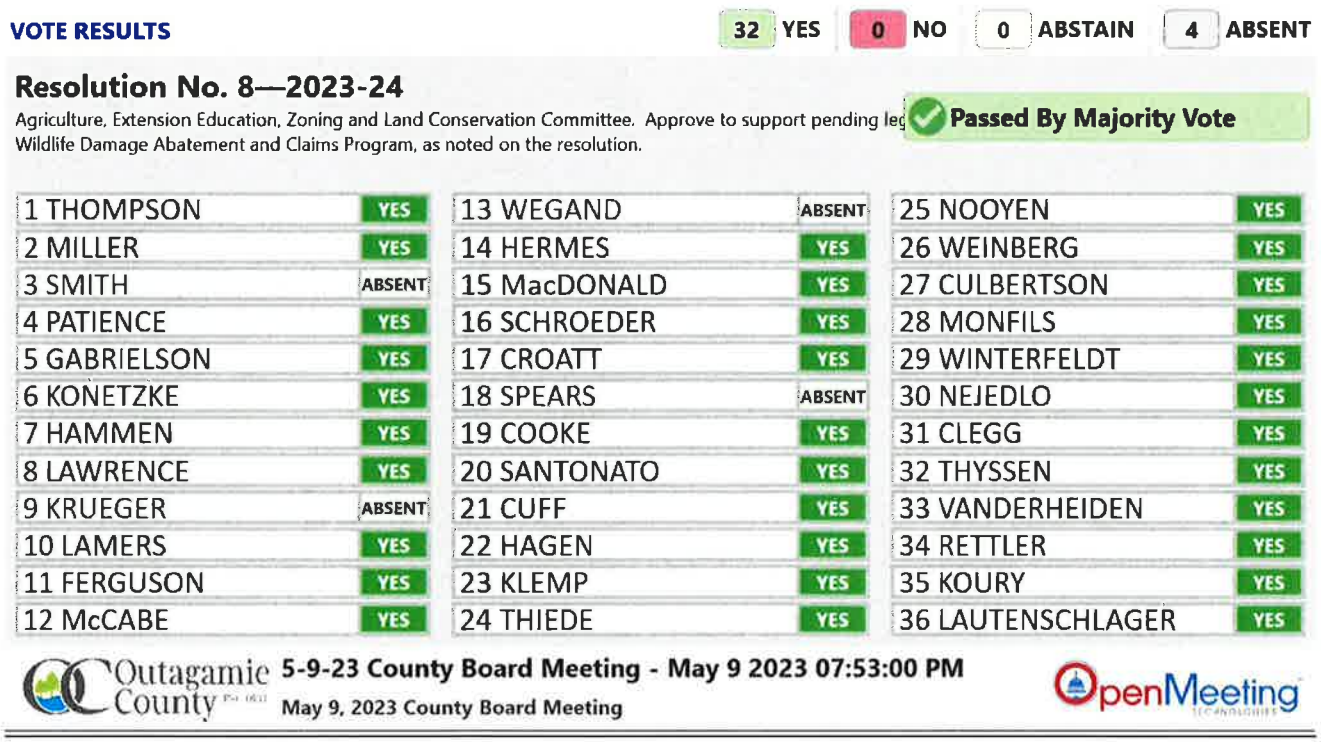
May 9, 2023 County Board Meeting

OpenMeeting

Resolution No. 8—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to support pending legislation that would make changes to the State Wildlife Damage Abatement and Claims Program, as noted on the resolution.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 8—2023-24 IS ADOPTED.



VOTE RESULTS — 32 YES | 0 NO | 0 ABSTAIN | 4 ABSENT

Resolution No. 8—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to support pending leg… Wildlife Damage Abatement and Claims Program, as noted on the resolution.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 5-9-23 County Board Meeting - May 9 2023 07:53:00 PM

May 9, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 8—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The State Wildlife Damage Abatement and Claims Program (WDACP), fully funded by a surcharge on hunting licenses, is a voluntary Department of Natural Resources (DNR) program to assist a person who owns, leases, or controls land on which certain wild animals cause damage to crops or livestock the ability to apply to the county for wildlife damage claim payments and for wildlife damage abatement assistance. Wildlife damage payments include damage caused by deer, bears, geese and cougars, as well as elk and sandhill cranes if hunting those animals is authorized. The Outagamie County Land Conservation Department currently contracts with a representative from USDA Animal and Plant Health Inspection Service for the Wildlife Damage Program, with said claims reviewed by the Land Conservation Committee.

There is pending legislation that would make changes to the Wildlife Damage Abatement and Claims program by requiring the DNR to administer the wildlife damage abatement program and the wildlife damage claim program in a county that does not administer one or both of these programs.

Additionally, pending legislation would eliminate a $10,000 limit under current law on the total amount that may be paid to a claimant for each wildlife damage claim. The pending legislation maintains the current law requirement that the DNR pay wildlife damage claimants on a prorated basis if there is not a sufficient amount appropriated to pay all the claims.

Additionally, pending legislation would eliminate the requirement under current law that a county participate in the administration of the WDACP in order to be eligible for reimbursement by DNR for the costs that the county incurs in processing and donating venison from cetain deer carcasses and in processing and donating meat from certain wild turkey carcasses.

Additionally, pending legislation would add that damage to commercial seedings or crops growing on agricultural land caused by operating a vehicle in a field in order to place a bear trap under the wildlife damage abatement program is eligible for a wildlife damage claim payment.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning & Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would make changes to the State Wildlife Damage Abatement and Claims Program (WDACP) by requiring the Department of Natural Resources (DNR) administer the wildlife damage abatement program and the wildlife damage claim program in a county that does not administer one or both of these programs; eliminating a $10,000 limit on the total amount that may be paid to a claimant for each wildlife damage claim; eliminating the requirement that a county participate in the administration of the WDACP in order to be eligible for reimbursement by DNR for the costs that the county incurs in processing and donating deer carcasses and wild turkey carcasses; and adding that damage to commercial seedings or crops growing on agricultural land caused by operating a vehicle in a field in order to place a bear trap under the wildlife damage abatement program is eligible for a wildlife damage claim payment, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Wisconsin Counties Association and the Outagamie County Lobbyist for distribution to the State Senators and State Representatives representing Outagamie County and the Governor of the State of Wisconsin.

Dated this 9th day of May 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING AND LAND CONSERVATION COMMITTEE

Debbie Vander Heiden

Daniel Rettler

Rick Lautenschlager

Sarah Weinberg

Dustin Koury

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5/12/23 Vetoed: _____

Signed: _____
County Executive

State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-0270/P1
EHS:skw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT ***to repeal*** 29.889 (3) (a), 29.889 (4) (a), 29.889 (6) (a), 29.889 (7) (b) 4. and 29.89 (3) (a); ***to renumber*** 29.889 (5) (c) and 29.889 (7m) (ar) 1. and 2.; ***to amend*** 20.370 (5) (fq), 29.889 (1) (intro.), 29.889 (2) (a), 29.889 (4) (b), 29.889 (5) (a), 29.889 (5) (b), 29.889 (5) (bm), 29.889 (5) (bs), 29.889 (6) (d), 29.889 (6) (em), 29.889 (6) (f), 29.889 (7) (a), 29.889 (7) (b) (intro.), 29.889 (7) (b) 2., 29.889 (7) (b) 3., 29.889 (7) (bm), 29.889 (7) (d) 2., 29.889 (7m) (a), 29.889 (7m) (ar) (intro.), 29.889 (8g) and 29.89 (5) (b) 2. c.; and ***to create*** 29.889 (1) (am), 29.889 (2) (am), 29.889 (5) (b) 3., 29.889 (5) (c) 2., 29.889 (5) (d) and 29.889 (7m) (ar) 2m. of the statutes; **relating to:** the wildlife damage abatement program and the wildlife damage claim program.

Analysis by the Legislative Reference Bureau

This bill makes changes to the wildlife damage abatement program and the wildlife damage claim program.

Current law authorizes a person who owns, leases, or controls land on which certain wild animals cause damage to crops or livestock (wildlife damage) to apply to the county for wildlife damage claim payments and for wildlife damage abatement assistance (wildlife damage payments). Wildlife damage for which a person is

eligible to receive wildlife damage payments includes damage caused by deer, bears, geese, and cougars, as well as elk and sandhill cranes if hunting those animals is authorized. Current law requires that, to be eligible for wildlife damage payments, the location must be in a county that participates in the administration of these programs. A county must apply to the Department of Natural Resources to administer these programs, including in its application a plan of administration that meets certain requirements. Once approved, DNR provides funding to the county for the costs incurred in administering these programs.

Under current law and DNR rule, a county pays 75 percent of the actual costs of providing wildlife damage abatement assistance, for which it is reimbursed by DNR, and the person receiving the assistance pays 25 percent of the costs. DNR pays wildlife damage claims directly.

Effective January 1, 2024, DNR is required to administer the wildlife damage abatement program and the wildlife damage claim program in a county that does not administer one or both of those programs. The bill specifies that, if DNR administers the wildlife damage abatement program in a county and provides wildlife damage abatement assistance to a person, DNR must determine the actual cost of providing that assistance and pay 75 percent of that cost, leaving the remaining 25 percent as the responsibility of the recipient.

The bill eliminates a $10,000 limit under current law on the total amount that may be paid to a claimant for each wildlife damage claim. The bill maintains the current law requirement that DNR pay wildlife damage claimants on a prorated basis if there is not a sufficient amount appropriated to pay all claims.

The bill also eliminates the requirement under current law that a county participate in the administration of these programs in order to be eligible for reimbursement by DNR for the costs that the county incurs in processing and donating venison from certain deer carcasses and in processing and donating meat from certain wild turkey carcasses.

Under current law, the type of wildlife damage that is eligible for wildlife damage claim payments is limited to damage to commercial seedings or crops growing on agricultural land, damage to crops that have been harvested for sale or further use but that have not been removed from the agricultural land, damage to orchard trees or nursery stock, and damage to apiaries or livestock. The bill adds that damage to commercial seedings or crops growing on agricultural land caused by operating a vehicle in a field in order to place a bear trap under the wildlife damage abatement program is eligible for a wildlife damage claim payment.

Under current law, if the amount of a wildlife damage claim exceeds $500 but does not exceed $5,250, the claimant is paid 100 percent of the amount, and if the amount of the claim exceeds $5,250, the claimant is paid that amount plus 80 percent of the amount that exceeds $5,250. The bill increases the wildlife damage claim amount threshold from $5,250 to $5,500.

Under current law, with certain exceptions, a person may receive wildlife damage payments only if the person opens the land for hunting the type of animal that caused the wildlife damage. Under this bill, this hunting requirement does not apply to a person who receives wildlife damage abatement assistance to acquire a

bear trap for land the person leases if the person waives any eligibility to receive a wildlife damage claim payment for damage caused by bears.

Under the bill, effective June 30, 2023, DNR must require all bear traps acquired with wildlife damage abatement assistance to be equipped with remote monitors, including traps placed under the program prior to the effective date of the bill.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.370 (5) (fq) of the statutes is amended to read:

20.370 **(5)** (fq) *Wildlife damage claims and abatement.* All moneys received under ss. 29.181, 29.559 (1r), and 29.563 (13) and not appropriated under par. (fr) and subs. (1) (hs), (hx), and (Ls) and (5) (fs) to provide state aid for the wildlife damage abatement program under s. 29.889 (5) (c) and the wildlife damage claim program under s. 29.889 (7) (d), for department administration costs under s. 29.889, for county administration costs under s. 29.889 (2) (d), and for payments under s. 29.89.

SECTION 2. 29.889 (1) (intro.) of the statutes is amended to read:

29.889 **(1)** DEFINITION. (intro.) In this section, ~~"wildlife:~~

(b) "Wildlife damage" means damage caused by any of the following wild animals that are not subject to regulation under ch. 169:

SECTION 3. 29.889 (1) (am) of the statutes is created to read:

29.889 **(1)** (am) "Administrator" means a county that administers the wildlife damage abatement program or the wildlife damage claim program or the department with respect to one or both of those programs if the program or programs are not administered by the county.

SECTION 4. 29.889 (2) (a) of the statutes is amended to read:

29.889 **(2)** (a) *Assistance.* The department shall assist participating counties in developing and administering the wildlife damage abatement and wildlife damage claim programs. The department shall provide this assistance through technical aid, program guidance, research, demonstration, funding, plan review, audit, and evaluation services.

SECTION 5. 29.889 (2) (am) of the statutes is created to read:

29.889 **(2)** (am) *Administration.* If a county does not administer the wildlife damage abatement program or the wildlife damage claim program, the department shall administer that program in that county. The department shall maintain a list of participants in the programs that it administers and shall make the list available for public inspection.

SECTION 6. 29.889 (3) (a) of the statutes is repealed.

SECTION 7. 29.889 (4) (a) of the statutes is repealed.

SECTION 8. 29.889 (4) (b) of the statutes is amended to read:

29.889 **(4)** (b) *Filing of application.* In order to be eligible for wildlife damage abatement assistance, a person is required to file an application with the ~~participating county~~ administrator in a form acceptable to the ~~county~~ administrator. An owner or lessee of land, a person who controls land, or an owner of an apiary or livestock may file an application.

SECTION 9. 29.889 (5) (a) of the statutes is amended to read:

29.889 **(5)** (a) *Review.* ~~A participating county~~ The administrator shall review each application for wildlife damage abatement assistance it receives to determine if wildlife damage is occurring or likely to occur.

SECTION 10. 29.889 (5) (b) of the statutes is amended to read:

29.889 **(5)** (b) *Assistance.* ~~A participating county~~ The administrator may provide wildlife damage assistance ~~where~~ for the reimbursement of costs associated with wildlife damage abatement measures if all of the following are satisfied:

1. The administrator determines that wildlife damage is occurring or is likely to occur ~~for the reimbursement of costs associated with wildlife damage abatement measures if the~~.

2. If the administrator is a county, the wildlife damage abatement measures are authorized in the plan of administration under sub. (3) (c) 2.

SECTION 11. 29.889 (5) (b) 3. of the statutes is created to read:

29.889 **(5)** (b) 3. If the administrator is the department, the wildlife damage abatement measures are authorized in the rules adopted by the department under sub. (2) (b) and are carried out in full compliance with the direction of the department.

SECTION 12. 29.889 (5) (bm) of the statutes is amended to read:

29.889 **(5)** (bm) *Cost-effectiveness of abatement.* ~~A participating county~~ The administrator may recommend only those wildlife damage abatement measures that are cost-effective in relation to the wildlife damage claim payments that would be paid if the wildlife damage abatement measures are not implemented.

SECTION 13. 29.889 (5) (bs) of the statutes is amended to read:

29.889 **(5)** (bs) *Abatement authorized.* Notwithstanding par. (bm), for damage caused by elk to crops or grasses grown for use by a bird hunting preserve licensed under ch. 169, ~~a participating county~~ the administrator may recommend fencing the affected property as a damage abatement measure.

SECTION 14. 29.889 (5) (c) of the statutes is renumbered 29.889 (5) (c) 1.

SECTION 15. 29.889 (5) (c) 2. of the statutes is created to read:

29.889 **(5)** (c) 2. If the department provides wildlife damage abatement assistance to a person, the department shall determine the actual cost of providing that wildlife damage abatement assistance. The department shall pay 75 percent of the actual cost of providing wildlife damage abatement assistance and shall require the recipient to be responsible for the remaining 25 percent of that cost.

SECTION 16. 29.889 (5) (d) of the statutes is created to read:

29.889 **(5)** (d) *Bear traps.* The department shall require that any bear trap acquired with wildlife damage abatement assistance be equipped with a remote monitor.

SECTION 17. 29.889 (6) (a) of the statutes is repealed.

SECTION 18. 29.889 (6) (d) of the statutes is amended to read:

29.889 **(6)** (d) *Compliance with wildlife damage abatement measures.* In order to be eligible for wildlife damage claim payments for an occurrence of wildlife damage, a person seeking wildlife damage claim payments shall have complied with any wildlife damage abatement measures to abate that wildlife damage that were recommended by the ~~county~~ administrator.

SECTION 19. 29.889 (6) (em) of the statutes is amended to read:

29.889 **(6)** (em) *Type of wildlife damage.* The type of wildlife damage that is eligible for wildlife damage claim payments shall be limited to damage to commercial seedings or crops growing on agricultural land, damage to crops that have been harvested for sale or further use but that have not been removed from the agricultural land, damage to orchard trees or nursery stock, or damage to apiaries or livestock. Damage to commercial seedings or crops growing on agricultural land caused by operating a vehicle in a field in order to place a bear trap pursuant to the wildlife damage abatement program is eligible for wildlife damage claim payment.

SECTION 20. 29.889 (6) (f) of the statutes is amended to read:

29.889 **(6)** (f) *Other eligibility requirements.* In order to be eligible for wildlife damage claim payments, a person is required to comply with eligibility requirements adopted by the department under sub. (2) (b) and, if the administrator is a county, with eligibility requirements specified in the plan of administration under sub. (3) (c).

SECTION 21. 29.889 (7) (a) of the statutes is amended to read:

29.889 **(7)** (a) *Investigation.* ~~A participating county~~ The administrator shall investigate each statement of claim and determine the total amount of the wildlife damage that occurred, regardless of the amount that may be eligible for payment under par. (b).

SECTION 22. 29.889 (7) (b) (intro.) of the statutes is amended to read:

29.889 **(7)** (b) *Calculating amount of payment.* (intro.) In calculating the amount of the wildlife damage claim payment to be paid for a claim under par. (a), the ~~participating county~~ administrator shall determine the amount as follows:

SECTION 23. 29.889 (7) (b) 2. of the statutes is amended to read:

29.889 **(7)** (b) 2. If the amount of claim is more than $500 but not more than ~~$5,250~~ $5,500, the claimant will be paid 100 percent of the amount of the claim that exceeds $500.

SECTION 24. 29.889 (7) (b) 3. of the statutes is amended to read:

29.889 **(7)** (b) 3. If the amount of the claim is more than ~~$5,250~~ $5,500, the claimant will be paid the amount calculated under subd. 2., plus 80 percent of the amount of the claim that exceeds ~~$5,250, subject to subd. 4.~~ $5,500.

SECTION 25. 29.889 (7) (b) 4. of the statutes is repealed.

SECTION 26. 29.889 (7) (bm) of the statutes is amended to read:

29.889 **(7)** (bm) *Multiple counties.* If the land where the wildlife damage occurred is located in more than one ~~participating~~ county and the person files a statement of claim with more than one ~~participating county~~ administrator, the amount of the claim, as determined under par. (a), shall be prorated between or among the ~~participating~~ counties administrators based on the amount of wildlife damage occurring in each county.

SECTION 27. 29.889 (7) (d) 2. of the statutes is amended to read:

29.889 **(7)** (d) 2. The department shall pay claimants under subd. 1. from the appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq) the department's administrative costs, payments made for county administrative costs under sub. (2) (d), and payments made for wildlife damage abatement assistance under sub. (5) (c). If the amount remaining after these deductions from the appropriation under s. 20.370 (5) (fq) are not sufficient to pay the full amount required under subd. 1., the department shall pay claimants on a prorated basis.

SECTION 28. 29.889 (7m) (a) of the statutes is amended to read:

29.889 **(7m)** (a) *Requirements.* A person who receives wildlife damage abatement assistance or wildlife damage claim payments and any other person who owns, leases, or controls the land where the wildlife damage occurred shall permit hunting of the type of wild animals causing the wildlife damage on that land and on contiguous land under the same ownership, lease or control, subject to par. (ae). In order to satisfy the requirement to permit hunting under this subsection, the land shall be open to hunting during the appropriate open season. The ~~county, with the assistance of the department,~~ administrator shall determine the acreage of land suitable for hunting, in consultation with the department if the administrator is a county.

SECTION 29. 29.889 (7m) (ar) (intro.) of the statutes is amended to read:

29.889 **(7m)** (ar) *Exemption; land not required to be open to hunting.* (intro.) The requirement under par. (a) does not apply to ~~a~~ any of the following:

1m. A person to whom the department grants a shooting permit for deer causing damage that is issued as an abatement measure recommended under this section if all of the following apply:

SECTION 30. 29.889 (7m) (ar) 1. and 2. of the statutes are renumbered 29.889 (7m) (ar) 1m. a. and b.

SECTION 31. 29.889 (7m) (ar) 2m. of the statutes is created to read:

29.889 **(7m)** (ar) 2m. A person who acquires a bear trap with wildlife damage abatement assistance under this section if all of the following apply:

a. The person leases the land on which the trap is placed.

b. The person waives any eligibility to receive a wildlife damage claim payment under sub. (7) for wildlife damage caused by bears.

SECTION 32. 29.889 (8g) of the statutes is amended to read:

29.889 **(8g)** REVIEW. ~~A participating county's~~ The administrator's determination of the amount of wildlife damage, the amount of a wildlife damage claim, or the amount of wildlife damage abatement assistance shall be treated as a final ~~decisions~~ decision for purposes of review.

SECTION 33. 29.89 (3) (a) of the statutes is repealed.

SECTION 34. 29.89 (5) (b) 2. c. of the statutes is amended to read:

29.89 **(5)** (b) 2. c. Moneys are available under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq) payments made for department and county administrative costs, payments made for wildlife damage abatement assistance, and wildlife damage claim payments under s. 29.889.

SECTION 35. Initial applicability.

(1) REMOTE MONITORING OF BEAR TRAPS. The treatment of s. 29.889 (5) (d) first applies to a bear trap acquired with wildlife damage abatement assistance on July 2, 1983.

SECTION 36. Effective dates. This act takes effect on January 1, 2024, except as follows:

(1) REMOTE MONITORING OF BEAR TRAPS. The treatment of s. 29.889 (5) (d) and SECTION 35 (1) of this act take effect on June 30, 2023.

(2) TYPES OF ELIGIBLE DAMAGE AND HUNTING LAND EXEMPTION. The treatment of s. 29.889 (6) (cm) and (7m) (ar) (intro.), 1., 2., and 2m. takes effect on the day after publication.

(END)

LOCK IN & ADOPTION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Lock In of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Lock in of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **5-9-23 County Board Meeting - May 9 2023 08:04:07 PM**

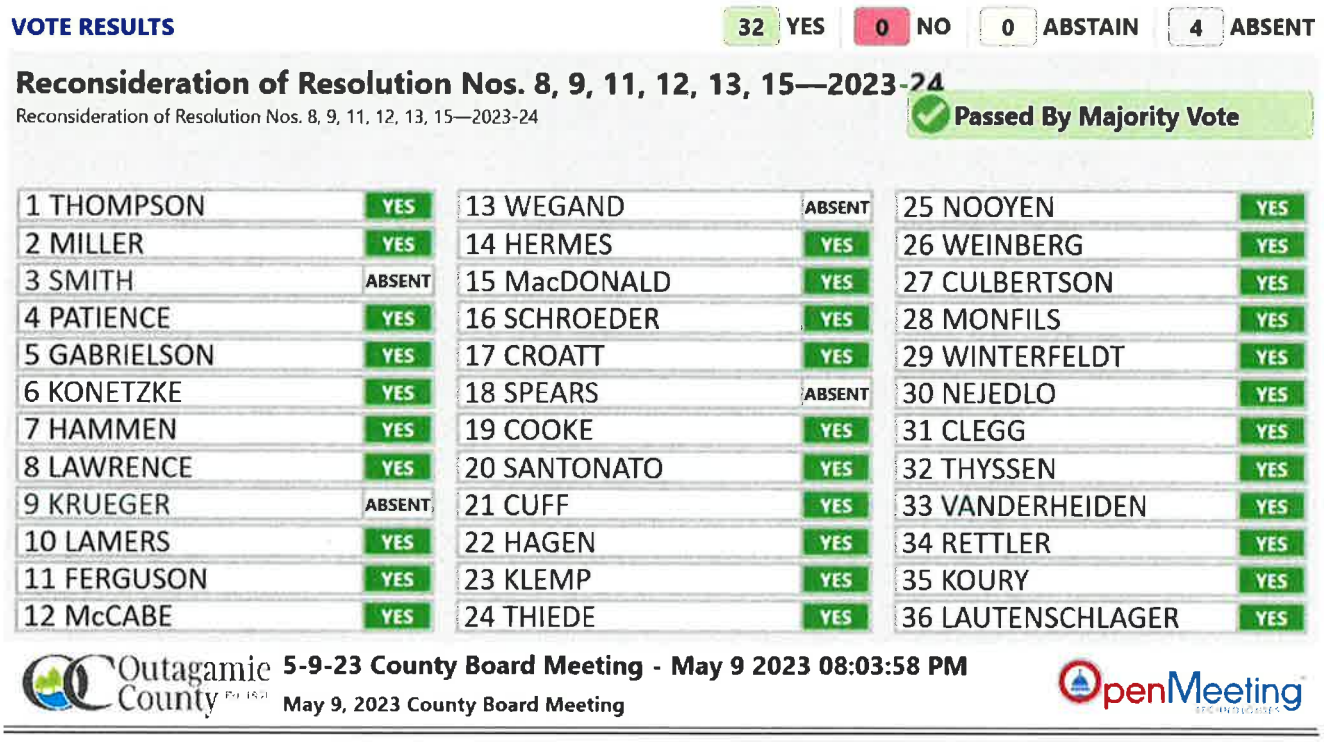
May 9, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Supervisor Croatt moved, seconded by Supervisor Thiede, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE RECONSIDERED.



VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

5-9-23 County Board Meeting - May 9 2023 08:03:58 PM

May 9, 2023 County Board Meeting

OpenMeeting

Resolution No. 9—2023-24 – Health and Human Services Committee. Approve of entering into the Professional Services Agreement (attached to the resolution) with MSA Professional Services, Inc., for design work for an accessible Canoe/Kayak launch at the Koepke Access Point, and approve to increase the Aging Services line items, as noted on the fiscal note.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 9—2023-24 IS ADOPTED.



VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 9—2023-24

Health and Human Services Committee. Approve of entering into the Professional Services Agreement (attac Services, Inc., for design work for an accessible Canoe/Kayak launch at the Koepke Access Point, and approve to increase the Aging Services line items, as noted on the fiscal note.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

5-9-23 County Board Meeting - May 9 2023 07:54:00 PM

May 9, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 9—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

For several years the Health and Human Services Deparment has underspent its 85.21 Transportation Funds allocated to the department by the Wisconsin Department of Transportation (WisDOT). These funds are used to provide specialized transportation to elderly and disabled citizens of the county. Underspent funds in a calendar year are added to an 85.21 Trust Fund for that particular county to be used for specialized and restrictive purchases that benefit the elderly and disabled. Trust funds cannot be used for normal yearly services. Over the years, Outagamie County has used funds in the trust fund to help purchase buses and small vans that help provide specialized transportation services to the elderly and disabled citizens of the county. Recently, demand for buses and vehicles has decreased and the trust fund balance has grown to over $846,461. Working closely with the County Parks Department and the WisDOT, the Health and Human Services Department is recommending that over the next three years a significant amount of these accumulated trust funds be used to increase access to County Parks for the elderly and disabled.

In the 2023 budget, the Health and Human Services Department budgeted $238,000 for the purchase of two buses. Those buses are not currently needed. Therefore, this request is to reallocate $238,000 of 85.21 trust funds plus an additional $18,889 of 85.21 trust funds to purchase the following items in 2023 (combined total $256,889):

- Create accessible Kayak Boat Launch at the Koepke Access Point / Wolf River: $246,924
- Purchase two 5' x 50' Mobi Mat Walkways at Plamann Park: $4,438
- Purchase one 5' x 16.5' Mobi Mat Walkway at Plamann Park: $829
- Purchase two MobiChair Beach Wheelchairs at Plamann Park: $4,698

NOW THEREFORE, the undersigned members of the Health and Human Services Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Boad of Supervisors does approve of entering into the attached Professional Services Agreement with MSA Professional Services, Inc., which by reference is made a part hereof, for design work for an accessible Canoe/Kayak launch at the Koepke Access Point, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Aging Services – Expenditures, Capital Outlay line item and Aging Services – Revenue, Trans-WI 85.21 line item by $18,889 each as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Health and Human Services Director and the Outagamie County Finance Director.

Dated this 9th day of May 2023

Respectfully Submitted,

HEALTH AND HUMAN SERVICES COMMITTEE

Dan Gabrielson

Justin Krueger

Jeff McCabe

Cathy Thompson

Kelly Schroeder

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 5.12.23

Vetoed: _____

Signed: _____ County Executive

Professional Services Agreement

MSA Project Number: 17716006

This AGREEMENT (Agreement) is made today January 19, 2023 by and between OUTAGAMIE COUNTY (OWNER) and MSA PROFESSIONAL SERVICES, INC. (MSA), which agree as follows:

Project Name: Outagamie County - Koepke Access Canoe/Kayak Launch Design

The scope of the work authorized is: See attached.

The schedule to perform the work is: Approx. Start Date: February 1, 2023
Approx. Completion Date: November 1, 2023

The lump sum fee for the work is: $24,500.00

All services shall be performed in accordance with the General Terms and Conditions of MSA, which is attached and made part of this Agreement. Any attachments or exhibits referenced in this Agreement are made part of this Agreement. Payment for these services will be on a time and expense basis.

Approval: Authorization to proceed is acknowledged by signatures of the parties to this Agreement.

OUTAGAMIE COUNTY	**MSA PROFESSIONAL SERVICES, INC.**
Loren Dieck	Raine Gardner, PE
Parks Director	Team Leader
Date:_____	Date: January 19, 2023
410 S. Walnut St.	1230 South Blvd.
Appleton, WI 54911	Baraboo, WI 53913
Phone: 920-832-4791	Phone: 608-355-8913

ATTACHMENT A:
RATE SCHEDULE

CLASSIFICATION	LABOR RATE
Administrative	$ 85 – $140/hr.
Architects	$ 70 – $205/hr.
Community Development Specialists	$140 – $175/hr.
Digital Design	$165 – $180/hr.
Environmental Scientists/Hydrogeologists	$100 – $170/hr.
Geographic Information Systems (GIS)	$ 90 – $175/hr.
Housing Administration	$ 90 – $160/hr.
Inspectors/Zoning Administrators	$100 – $120/hr.
IT Support	$165 – $180/hr.
Land Surveying	$ 90 – $175/hr.
Landscape Designers & Architects	$ 70 – $205/hr.
Planners	$ 95 – $160/hr.
Principals	$200 – $300/hr.
Professional Engineers/Designers of Engineering Systems	$140 – $175/hr.
Project Managers	$145 – $220/hr.
Real Estate Professionals	$130 – $145/hr.
Staff Engineers	$ 70 – $130/hr.
Technicians	$ 90 – $140/hr.
Wastewater Treatment Plant Operator	$ 85 – $105/hr.

REIMBURSABLE EXPENSES	
Copies/Prints	Rate based on volume
Specs/Reports	$10
Copies	$0.20/page
Plots	$0.015/sq.in.
Flash Drive	$10
GPS Equipment	$30/hour
Laser Level	$10/per day
Mailing/UPS	At cost
Mileage – Reimbursement	IRS Rate – IRS Rate + $5/day
Mileage – MSA Vehicle	$0.70 mile
Nuclear Density Testing	$25.00/day + $10/test
Organic Vapor Field Meter	$100/day
PC/CADD Machine	Included in labor rates
Robotic Survey Equipment	$40/hour
Stakes/Lath/Rods	At cost
Travel Expenses, Lodging, & Meals	At cost
Traffic Counting Equipment & Data Processing	At cost
Geodimeter	$30/hour
Drone Flight	$390/flight

Labor rates represent an average or range for a particular job classification. These rates are in effect until December 31, 2023.

Outagamie County, WI – Koepke Access Canoe/Kayak Launch Design
Scope of Services
MSA Project #17716004.0

PROJECT UNDERSTANDING/ASSUMPTIONS

Outagamie County is looking to develop an ADA compliant canoe/kayak launch at Koepke Access near Shiocton on the Wolf River. The current site has a motorized boat launch, ADA vehicle parking, gravel parking lot, and fishing piers, but a separated canoe/kayak launch is desired to accommodate the different recreational activity on the river. With the fluctationg river elevation and maintenance concerns, it has been discussed to consider for this project the stepped canoe/kayak approach that will accmodate various safe paddling river elevations. With prior work at this this current site, it is assumed, the County has the proper site survey for the access point to be designed. If any additional survey is needed, it is assumed, the County will use their contacted surveyor to collect the additional survey work needed to complete the design. The launch design will consider overall canoe/kayak launch access, shoreline protection around the new launch, ADA compliance, ADA access to the launch from the parking area, and river fluctaiton for the proper useable and safe range for the access.

Our Scope of Services is as follows:

CONCEPT PLAN DEVELOPMENT-

1. Kick-off meeting will be held with the County to discuss the overall project and site. **(Meeting #1)** Meeting will review the site, locate the launch at the site, and consider overall structure sizing. In conjunction with the project kick-off, the meeting would be expanded to include and meet with the WDNR permiter at the site to review their needs and requirements for the permits required to construct the project.
2. Upon meeting with the County and WDNR, MSA will begin the overall design for the stepped canoe/kayak launch design. River water fluctuation and elevation data will be analyzed for the site to develop the safe, useable range for the launch and paddlers to set the overall height of the steps and needed ADA accsss to the launch area. County shall provide as much historical information to MSA about the site to assist with supporting the design.
3. MSA will develop overall biddable construction plans for the launch and site design. Upon developing plans to about 50% design, MSA will meet with the County staff to review the design and collect comments. **(Meeting #2 – virtual)** A preliminary project estimate will also be developed at this point to considered.
4. As plans are developed for the project, WDNR permits will be applied for and submitted. Assumed WDNR permits required for this project include:
    a. WDNR – Ch. 30 Miscellaneous Structure, Shoreline Restroation, and possibly a Wetlands Disturbance Permit
5. Upon the completion of the design review meeting and submission of permits, MSA will complete the overall design plans to be used for bidding. Project specifications will also be developed as part of the construction documents to be used for bidding.
6. A final cost estimate will be developed upon completion of the construction documents.
7. **The following is a list of final deliverables MSA will provide for the development such docments listed above:**
    a. Final Constructoin Documents (plans and specifications), as a PDF file.
    b. Preliminary and Final project cost estimates (PDF).
    c. WDNR Permits (PDF).
8. It is assumed the County will bid the project per their bidding process. During this time, MSA will be available to answer questions and develop any required addendums as needed.

9. During the project construction phase, MSA will assist with reviewing applicable shop drawing submittals for the project. It is assumed eight (8) hours of submittal review. In addition, the County may share photos of the consturciton with MSA to review and comment during construction. MSA will plan to make two (2) site trips to review construction progress and review the site (estimated total of 8 hours for site review). MSA may also attend a virtual pre-construciton meeting to assist with kicking off the project for construction.

ESTIMATED PROJECT SCHEDULE

Date	Milestone
February 2023	**Project Kickoff and Meeting #1**
February - April 2023	**Launch Design & Review Meeting with County – Meeting #2**
May – June 2023	**Finalize the Pier Design and answer Bidding Quesions**
August – September 2023	**Reivew Shop Drawings**
August – November 2023	**Construction Site Observations**

Additional Services (not included in the above scope for this project but could be added if desired)

1) Additional meetings and public engagement beyond the above listed.
2) Project Bidding
3) Consturciton Administration/Full Observation
4) Grant Applications/Administration.
5) Wetland Delineation and Floodplain Analysis
6) Archeological Review
7) Soil Borings and Geotechnical Report
8) Site Topographic Survey

Work Performed by Owner

1) Provide Record Drawings of previous work or other historical data on the site
2) Provide any other applicable documentation relating to the project site.
3) Project Bidding
4) Construction Administration and Observation
5) County to provide to MSA any required specification information to be used in the Consturciton/Bidding documents.

MSA PROFESSIONAL SERVICES, INC. (MSA)
GENERAL TERMS AND CONDITIONS OF SERVICES (PUBLIC)

1. **Scope and Fee.** The scope of Owner's Project (the "Project"), scope of MSA's services (the "Work"), and quoted fees for those services are defined in Attachment A. The scope and fee constitute a good faith estimate of the tasks and associated fees required to perform the services defined in Attachment A. This agreement upon execution by both parties hereto, can be amended only by written instrument signed by both parties. For those projects involving conceptual or process development service or involve renovation of an existing building or structure, activities often cannot be fully defined during initial planning. As the Project progresses, facts uncovered may reveal a change in direction which may alter the Work. MSA will promptly inform the OWNER in writing of such situations so that changes in this agreement can be made as required.

2. **Owner's Responsibilities.**

(a) Project Scope and Budget

The OWNER shall define the scope and budget of the Project and, when applicable, periodically update the Project budget, including that portion allocated for the cost of the Work. The Project budget shall include contingencies for design, development, and, when required by the scope of the Project, construction of the Project. The OWNER shall not significantly increase or decrease the overall Project scope or schedule, the portion of the budget allocated for the cost of the Work, or contingencies included in the overall budget or a portion of the budget, without the agreement of MSA to a corresponding change in the Project scope, quality, schedule, and compensation of MSA.

(b) Designated Owner Representative

The OWNER shall identify a Designated Representative who shall be authorized to act on behalf of the OWNER with respect to the Project. OWNER's Designated Representative shall render related decisions in a timely manner so as to avoid unreasonable delay in the orderly and sequential progress of MSA's services. MSA shall not be liable for any error or omission made by OWNER, OWNER's Designated Representative, or OWNER's consultant.

(c) Tests, Inspections, and Reports

When required by the scope of the Project, the OWNER shall furnish tests, inspections, and reports required by law or the Contract Documents, such as planning studies; preliminary designs; structural, mechanical, or chemical tests; tests for air, water, or soil pollution; and tests for hazardous materials.

(d) Additional Consultants

MSA's consultants shall be identified in Attachment A. The OWNER shall furnish the services of other consultants other than those designated in Attachment 1, including such legal, financial, accounting, and insurance counseling services as may be required for the Project.

(e) OWNER Provided Services and Information

MSA shall be entitled to rely on the accuracy and completeness of services and information furnished by the OWNER, Designated OWNER Representative, or Consultant. MSA shall use reasonable efforts to provide prompt written notice to the OWNER if MSA becomes aware of any errors, omissions, or inconsistencies in such services or information.

3. **Billing.** MSA will bill the OWNER monthly with net payment due upon receipt. Balances due past thirty (30) days shall be subject to an interest charge at a rate of 12% per year from said thirtieth day. In addition, MSA may, after giving seven days written notice, suspend service under any agreement until the OWNER has paid in full all amounts due for services rendered and expenses incurred, including the interest charge on past due invoices.

4. **Costs and Schedules.** Costs (including MSA's fees and reimbursable expenses) and schedule commitments shall be subject to change for delays caused by the OWNER's failure to provide specified facilities or information or for delays caused by unpredictable occurrences including, without limitation, fires, floods, riots, strikes, unavailability of labor or materials, delays or defaults, by suppliers of materials or services, process shutdowns, pandemics, acts of God or the public enemy, or acts of regulations of any governmental agency. Temporary delays of services caused by any of the above which result in additional costs beyond those outlined may require renegotiation of this agreement.

5. **Access to Site.** Owner shall furnish right-of-entry on the Project site for MSA and, if the site is not owned by Owner, warrants that permission has been granted to make planned explorations pursuant to the scope of

services. MSA will take reasonable precautions to minimize damage to the site from use of equipment, but has not included costs for restoration of damage that may result and shall not be responsible for such costs.

6. **Location of Utilities.** Owner shall supply MSA with the location of all pre-existent utilities and MSA has the right to reasonably rely on all Owner supplied information. In those instances where the scope of services require MSA to locate any buried utilities, MSA shall use reasonable means to identify the location of buried utilities in the areas of subsurface exploration and shall take reasonable precautions to avoid any damage to the utilities noted. However, Owner agrees to indemnify and defend MSA in the event of damage or injury arising from damage to or interference with subsurface structures or utilities which result from inaccuracies in information of instructions which have been furnished to MSA by others.

7. **Professional Representative.** MSA intends to serve as the OWNER's professional representative for those services as defined in this agreement, and to provide advice and consultation to the OWNER as a professional. Any opinions of probable project costs, reviews and observations, and other recommendations made by MSA for the OWNER are rendered on the basis of experience and qualifications and represents the professional judgment of MSA. However, MSA cannot and does not warrant or represent that proposals, bid or actual project or construction costs will not vary from the opinion of probable cost prepared by it.

8. **Construction.** When applicable to the scope of the Project, the OWNER shall contract with a licensed and qualified Contractor for implementation of construction work utilizing a construction contract based on an EJCDC construction contract and general conditions appropriate for the scope of the Project and for the delivery method. In the construction contract, the OWNER shall use reasonable commercial efforts to require the Contractor to (1) obtain Commercial General Liability Insurance with contractual liability coverage insuring the obligation of the Contractor, and name the OWNER, MSA and its employees and consultants as additionally insureds of that policy; (2) indemnify and hold harmless the OWNER, MSA and its employees and consultants from and against any and all claims, damages, losses, and expenses ("Claims"), including but not limited to reasonable attorney's fees and economic or consequential damages arising in whole or in part out of the negligent act or omission of the contractor, and Subcontractor or anyone directly or indirectly employed by any of them. This agreement shall not be construed as giving MSA, the responsibility or authority to direct or supervise construction means, methods, techniques, sequence, or procedures of construction selected by the contractors or subcontractors or the safety precautions and programs incident to the work, the same being the sole and exclusive responsibility of the contractors or subcontractors.

9. **Standard of Care.** In conducting the services, MSA will apply present professional, engineering and/or scientific judgment, which is known as the "standard of care". The standard of care is defined as that level of skill and care ordinarily exercised by members of the same profession practicing at the same point in time and in the same or similar locality under similar circumstances in performing the Services. The OWNER acknowledges that "current professional standards" shall mean the standard for professional services, measured as of the time those services are rendered, and not according to later standards, if such later standards purport to impose a higher degree of care upon MSA.

MSA does not make any warranty or guarantee, expressed or implied, nor have any agreement or contract for services subject to the provisions of any uniform commercial code. Similarly, MSA will not accept those terms and conditions offered by the OWNER in its purchase order, requisition, or notice of authorization to proceed, except as set forth herein or expressly agreed to in writing. Written acknowledgement of receipt, or the actual performance of services subsequent to receipt of such purchase order, requisition, or notice of authorization to proceed is specifically deemed not to constitute acceptance of any terms or conditions contrary to those set forth herein.

10. **Municipal Advisor**. MSA Professional Services, Inc. is not acting as a 'Municipal Advisor' to the owner pursuant to Section 15B of the Exchange Act. For financial advice related to the corresponding project, the client is encouraged to discuss their finances with internal and/or external advisors and experts before making decisions incurring debt and/or supporting those obligations. MSA desires to serve each client well by providing the best information publicly available and is providing information as part of its engineering responsibilities to inform client options. The information is not intended to provide financial advice or recommendations and is not bound by the formal Municipal Advisor fiduciary duty.

11. **Conduct Expectations.** Owner and MSA understand their respective obligations to provide a safe, respectful work environment for their employees. Both parties agree that harassment on the job (unwelcome verbal, physical or other behavior that is related to sex, race, age, or protected class status) will not be tolerated and will be addressed timely and in compliance with anti-harassment laws.

12. **Electronic Documents and Transmittals**. Owner and MSA agree to transmit and accept project related correspondence, documents, text, data, drawings and the like in digital format in accordance with MSA's Electronic Data Transmittal policy. Each party is responsible for its own cybersecurity, and both parties waive the right to pursue liability against the other for any damages that occur as a direct result of electronic data sharing.

13. **Building Information Modelling (BIM).** For any projects, and not limited to building projects, utilizing BIM, OWNER and MSA shall agree on the appropriate level of modelling required by the project, as well as the degree to which the BIM files may be made available to any party using the Electronic Document Transmittal provisions of section 10 of this Agreement.

14. **Construction Site Visits.** If the scope of services includes services during the Construction Phase, MSA shall make visits to the site as specified in Attachment A– Scope of Services. MSA shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct or have control over Contractor's work nor shall MSA have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor, for safety precautions and programs incident to the work of Contractor or for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor's furnishing and performing the work. Accordingly, MSA neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

15. **Termination.** This Agreement shall commence upon execution and shall remain in effect until terminated by either party, at such party's discretion, on not less than thirty (30) days' advance written notice. The effective date of the termination is the thirtieth day after the non-terminating party's receipt of the notice of termination. If MSA terminates the Agreement, the OWNER may, at its option, extend the terms of this Agreement to the extent necessary for MSA to complete any services that were ordered prior to the effective date of termination. If OWNER terminates this Agreement, OWNER shall pay MSA for all services performed prior to MSA's receipt of the notice of termination and for all work performed and/or expenses incurred by MSA in terminating Services begun after MSA's receipt of the termination notice. Termination hereunder shall operate to discharge only those obligations which are executory by either party on and after the effective date of termination. These General Terms and Conditions shall survive the completion of the services performed hereunder or the Termination of this Agreement for any cause.

This agreement cannot be changed or terminated orally. No waiver of compliance with any provision or condition hereof should be effective unless agreed in writing and duly executed by the parties hereto.

16. **Betterment.** If, due to MSA's error, any required or necessary item or component of the Project is omitted from the construction documents, MSA's liability shall be limited to the reasonable costs of correction of the construction, less what OWNER'S cost of including the omitted item or component in the original construction would have been had the item or component not been omitted. It is intended by this provision that MSA will not be responsible for any cost or expense that provides betterment, upgrade, or enhancement of the Project.

17. **Hazardous Substances.** OWNER acknowledges and agrees that MSA has had no role in identifying, generating, treating, storing, or disposing of hazardous substances or materials which may be present at the Project site, and MSA has not benefited from the processes that produced such hazardous substances or materials. Any hazardous substances or materials encountered by or associated with Services provided by MSA on the Project shall at no time be or become the property of MSA. MSA shall not be deemed to possess or control any hazardous substance or material at any time; arrangements for the treatment, storage, transport, or disposal of any hazardous substances or materials, which shall be made by MSA, are made solely and exclusively on OWNER's behalf for OWNER's benefit and at OWNER's direction. Nothing contained within this Agreement shall be construed or interpreted as requiring MSA to assume the status of a generator, storer, treater, or disposal facility as defined in any federal, state, or local statute, regulation, or rule governing treatment, storage, transport, and/or disposal of hazardous substances or materials.

All samples of hazardous substances, materials or contaminants are the property and responsibility of OWNER and shall be returned to OWNER at the end of a project for proper disposal. Alternate arrangements to ship such samples directly to a licensed disposal facility may be made at OWNER's request and expense and subject to this subparagraph.

18. **Insurance.** MSA will maintain insurance coverage for: Worker's Compensation, General Liability, and Professional Liability. MSA will provide information as to specific limits upon written request. If the OWNER requires coverages or limits in addition to those in effect as of the date of the agreement, premiums for additional

insurance shall be paid by the OWNER. The liability of MSA to the OWNER for any indemnity commitments, or for any damages arising in any way out of performance of this contract is limited to such insurance coverages and amount which MSA has in effect.

19. **Reuse of Documents.** Reuse of any documents and/or services pertaining to this Project by the OWNER or extensions of this Project or on any other project shall be at the OWNER's sole risk. The OWNER agrees to defend, indemnify, and hold harmless MSA for all claims, damages, and expenses including attorneys' fees and costs arising out of such reuse of the documents and/or services by the OWNER or by others acting through the OWNER.

20. **Indemnification.** To the fullest extent permitted by law, MSA shall indemnify and hold harmless, OWNER, and OWNER's officers, directors, members, partners, consultants, and employees (hereinafter "OWNER") from reasonable claims, costs, losses, and damages arising out of or relating to the PROJECT, provided that any such claim, cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting therefrom but only to the extent caused by any negligent act or omission of MSA or MSA's officers, directors, members, partners, employees, or Consultants (hereinafter "MSA"). In no event shall this indemnity agreement apply to claims between the OWNER and MSA. This indemnity agreement applies solely to claims of third parties. Furthermore, in no event shall this indemnity agreement apply to claims that MSA is responsible for attorneys' fees. This agreement does not give rise to any duty on the part of MSA to defend the OWNER on any claim arising under this agreement.

To the fullest extent permitted by law, OWNER shall indemnify and hold harmless, MSA, and MSA's officers, directors, members, partners, consultants, and employees (hereinafter "MSA") from reasonable claims, costs, losses, and damages arising out of or relating to the PROJECT, provided that any such claim, cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting therefrom but only to the extent caused by any negligent act or omission of the OWNER or the OWNER's officers, directors, members, partners, employees, or Consultants (hereinafter "OWNER"). In no event shall this indemnity agreement apply to claims between MSA and the OWNER. This indemnity agreement applies solely to claims of third parties. Furthermore, in no event shall this indemnity agreement apply to claims that the OWNER is responsible for attorneys' fees. This agreement does not give rise to any duty on the part of the OWNER to defend MSA on any claim arising under this agreement.

To the fullest extent permitted by law, MSA's total liability to OWNER and anyone claiming by, through, or under OWNER for any cost, loss or damages caused in part or by the negligence of MSA and in part by the negligence of OWNER or any other negligent entity or individual, shall not exceed the percentage share that MSA's negligence bears to the total negligence of OWNER, MSA, and all other negligent entities and individuals.

21. **Accrual of Claims**. To the fullest extent permitted by Laws and Regulations, all causes of action arising under this Agreement will be deemed to have accrued, and all statutory periods of limitation will commence, no later than the date of Substantial Completion; or, if Engineer's services do not include Construction Phase services, or the Project is not completed, then no later than the date of Owner's last payment to Engineer.

22. **Dispute Resolution.** OWNER and MSA desire to resolve any disputes or areas of disagreement involving the subject matter of this Agreement by a mechanism that facilitates resolution of disputes by negotiation rather than by litigation. OWNER and MSA also acknowledge that issues and problems may arise after execution of this Agreement which were not anticipated or are not resolved by specific provisions in this Agreement. Accordingly, both OWNER and MSA will endeavor to settle all controversies, claims, counterclaims, disputes, and other matters in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect, unless OWNER and MSA mutually agree otherwise. Demand for mediation shall be filed in writing with the other party to this Agreement. A demand for mediation shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for mediation be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations. Neither demand for mediation nor any term of this Dispute Resolution clause shall prevent the filing of a legal action where failing to do so may bar the action because of the applicable statute of limitations. If despite the good faith efforts of OWNER and MSA any controversy, claim, counterclaim, dispute, or other matter is not resolved through negotiation or mediation, OWNER and MSA agree and consent that such matter may be resolved through legal action in the court having jurisdiction as specified in section 29 of this Agreement.

23. **Exclusion of Special, Indirect, Consequential and Liquidated Damages.** MSA shall not be liable, in contract or tort or otherwise, for any special, indirect, consequential, or liquidated damages including specifically, but without limitation, loss of profit or revenue, loss of capital, delay damages, loss of goodwill, claim of third parties, or similar damages arising out of or connected in any way to the Project or this contract.

24. **Limitation of Liability.** Neither MSA, its Consultants (if any), nor their employees shall be jointly, severally, or individually liable to the OWNER in excess of the amount of the insurance proceeds available.

25. **Successors and Assigns.** The successors, executors, administrators, and legal representatives of Owner and Engineer are hereby bound to the other party to this Agreement and to the successors, executors, administrators and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement. Neither party may assign, sublet, or transfer any rights under or interest (including, but without limitation, claims arising out of this Agreement or money that is due or may become due) in this Agreement without the written consent of the other party, which shall not be unreasonable withheld, except to the extent that any assignment, subletting, or transfer is mandated by law.

26. **Notices.** Any notice required under this Agreement will be in writing, and delivered: in person (by commercial courier or otherwise); by registered or certified mail; or by e-mail to the recipient, with the words "Formal Notice" or similar in the e-mail's subject line. All such notices are effective upon the date of receipt.

27. **Survival.** Subject to applicable Laws and Regulations, all express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.

28. **Severability.** Any provision or part of the Agreement held to be void or unenforceable under any Laws or Regulations will be deemed stricken, and all remaining provisions will continue to be valid and binding upon Owner and MSA.

29. **No Waiver.** A party's non-enforcement of any provision will not constitute a waiver of that provision, nor will it affect the enforceability of that provision or of the remainder of this Agreement.

30. **State Law.** This agreement shall be construed and interpreted in accordance with the laws of the State of Wisconsin.

31. **Jurisdiction.** OWNER hereby irrevocably submits to the jurisdiction of the state courts of the State of Wisconsin for the purpose of any suit, action or other proceeding arising out of or based upon this Agreement. OWNER further consents that the venue for any legal proceedings related to this Agreement shall be Sauk County, Wisconsin.

32. **Understanding.** This agreement contains the entire understanding between the parties on the subject matter hereof and no representations. Inducements, promises or agreements not embodied herein (unless agreed in writing duly executed) shall be of any force or effect, and this agreement supersedes any other prior understanding entered into between the parties on the subject matter hereto.

Greetings Lori and Eric,

As you know, Outagamie County Transportation Trust Fund is currently pretty significant. At the end of 2021 our balance was $687,084.41 with fully matched dollars. Outagamie County would like to provide a formal request to spend this trust fund on transportation activities and items to help make Outagamie County Parks more accessible to the elderly and disabled population. Outagamie County is committed to making our community available to all who reside here regardless of age and disability. I have included a detailed spreadsheet to outline the costs and I have described them below. Please let me know if you would like to discuss and what your timeline is for approval. We will need to do some Board approvals and Budget adjustments before we are able to move forward, therefore we are excited to get started with DOT's approval!

Accessible Kayak Launches – Our plan is to do 1 per year, with a total of 3 being constructed on the Wolf River in Outagamie County. I have attached the *'Proposal for Launches'* and the *'Launch Cost Estimate'* from MSA Professional Services to this email.

LAUNCH	COST	YEAR OF COMPLETION
Koepke Access - Shiocton	$246,924	Summer **2023**
Barker Access - Shiocton	$246,924	Summer **2024**
Stephensville Access - Stephensville	$246,924	Summer **2025**

Here is the design that the Contractor came up with that has been used around the State for accessibility to rivers. Ours will have a removable bench to assist boaters down to the water and entering their vessel, regardless of their mobility issues and limitations. The Wolf River can be pretty volatile, so we need an option that will stand the test of time and also the flow of the river.



Here are the 3 Outagamie County Parks that will receive the Kayak Launches:

Koepke Access – Shiocton





Barker Park Access – Shiocton





Stephensville Access – Stephensville





Accessible Equipment – In addition to the 3 Kayak launches, we are proposing to purchase some equipment to help individuals navigate down to the water in one of our largest County Parks – Plamann Park. This Park has several opportunities to hold gatherings and events, along with having a lake and beach to swim and enjoy. This will allow those with mobility issues and limitations to enjoy the lake as well and give them a solution to navigate to the water.

Equipment	Cost	Year of Completion
2 - 5ft x 50ft Mobi Mat Walkways	$4438	**2023**
5ft x 16.5 ft Mobi Mat Walkway	$829	**2023**
2 MobiChair Beach Wheelchairs	$4698	**2023**
	Total: $9965	

*These prices do not include shipping.

Here are the items we are proposing to purchase to allow the park to be more accessible.







Trackchairs - We are proposing to purchase 2 Action Trackchairs for our parks if there is additional funds available. These would be managed and secured by the park management and would allow those who are elderly and/or have a mobility impairment to enjoy our nature trails throughout our park system.

Equipment	Cost	Year of Completion
2- Action Trackchairs	$25,000	2025
	Total: $50,000	



In closing, I want to thank you for the opportunity to propose these important projects to use our Trust Fund balance. This will create some partnerships with the Outagamie County Parks and Aging and Long Term Support. In the end, our parks will be accessible for all abilities to use and enjoy. We hope you consider our proposals and see the value in these enhancements as we do.

TRUST FUND SPENDING SUMMARY

2023

Project	Cost	Year of Completion
Koepke Access - Shiocton	$246,924	2023
2 - 5ft x 50ft Mobi Mat Walkways	$4438	2023
5ft x 16.5 ft Mobi Mat Walkway	$829	2023
2 MobiChair Beach Wheelchairs	$4698	2023
	Total: $256,889	

2024

Project	Cost	Year of Completion
Barker Access - Shiocton	$246,924	2024
	Total: $246,924	

2025

Project	Cost	Year of Completion
Stephensville Access - Stephensville	$246,924	2025
Action Trackchair	$25,000	2025
Action Trackchair	$25,000	2025
	Total: $296,924	

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request to Reallocate 85.21 Transportation Trust Fund Expenditures in the 2023 Budget

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

For several years now, Health and Human Services has underspent its 85.21 Transportation Funds allocated to the Department by the Department of Transportation (DOT). These funds are used to provide specialized transportation to elderly and disabled citizens of the county. Underspent funds in a calendar year are added to an 85.21 trust fund for that particular county to be used for specialized and restrictive purchases that benefit the elderly and disabled. Trust funds cannot be used for normal yearly services. Over the years, Outagamie County has used funds in the trust fund to help purchase buses and small vans that help provide specialized transportation services to the elderly and disabled citizens of the county. Recently demand for buses and vehicles has decreased and the trust fund balance has grown to over $846,461. Working closely with the County Parks Department and the Department of Transportation, Health and Human Services is recommending that over the next three years we utilize a significant amount of these accumulated trust funds to increase access to County Parks for the elderly and disabled.

In the 2023 budget, Health and Human Services budgeted $238,000 for the purchase of two buses. Those buses are not currently needed, so we are requesting to reallocate the $238,000 of 85.21 trust funds plus an additional $18,889 of 85.21 trust funds to purchase the following items in 2023 (combined total $256,889):

Create accessible Kayak Boat Launch at the Koepke Access Point/Wolf River - $246,924
Purchase Two 5 foot by 50 foot Mobi Mat Walkways/Plamann Park - $4,438
Purchase One 5 foot by 16.5 foot Mobi Mat Walkway/Plamann Park - $829
Purchase Two MobiChair Beach Wheelchairs/Plamann Park - $4,698

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (x)
4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )
5. Is the proposal to accept additional revenues only? yes ( ) no (x)
6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (x) no ( )
7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

Cost Center Name	Line Item	Account Number Including Cost Center	Increase (Decrease) Amount
Aging Services - Expenditures	Capital Outlay	2063005.6000	$ 18,889
Aging Services - Revenue	Trans-WI 85.21	2063005.4205.07	$ 18,889
	Net Budget Impact		$ -

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost _____ Annual Revenue _____

Fiscal Note Prepared by: Betty Gehring

For Financial Services purposes only	
Reviewed By: BM	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:
Date: 4/18/23	Detail Expenditures Account Number: Capital Outlay 2063005.6238 — Amount: $18,889
Comments:	

Resolution No. 10—2023-24 – Highway, Recycling and Solid Waste Committee. Respectfully request additional funding through budgetary surplus be allocated to the County General Transportation Aids appropriation as well as for the Local Roads Improvement Program for the backlog of maintenance on the county trunk highway system.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 10—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 10—2023-24

Highway, Recycling and Solid Waste Committee. Respectfully request additional funding through budgetary s
Transportation Aids appropriation as well as for the Local Roads Improvement Program for the backlog of maintenance on the county trunk highway system.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County

5-9-23 County Board Meeting - May 9 2023 07:55:20 PM

May 9, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 10—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On January 25, 2023, the non-partisan Legislative Fiscal Bureau reports the State of Wisconsin has a budgetary surplus estimated at $7.1 billion, which is the largest budget surplus in Wisconsin's history.

Established in 1991, the Local Roads Improvement Program (LRIP) assists local governments in improving seriously deteriorating county highways, town roads, and city and village streets. LRIP is a reimbursement program which pays up to 50% of total eligible costs, with local governments providing the balance.

Governor Evers and the Legislature have recently devoted additional funding to counties through General Transportation Aids (GTA) and LRIP, however, counties throughout Wisconsin continue to not receive appropriate financial support to make roads and bridges safe for the speeds and weight of travel experienced throughout the State of Wisconsin.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does respectfully request additional funding through budgetary surplus be allocated to the County General Transportation Aids appropriation as well as for the Local Roads Improvement Program for the backlog of maintenance on the county trunk highway system, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Wisconsin Counties Association and the Outagamie County Lobbyist for distribution to the State Senators and State Representatives representing Outagamie County and the Governor of the State of Wisconsin.

Dated this 9th day of May 2023

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5 12 23 Vetoed: _____

Signed: _____
County Executive

LOCK IN & ADOPTION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Lock In of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Lock in of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **5-9-23 County Board Meeting - May 9 2023 08:04:07 PM**

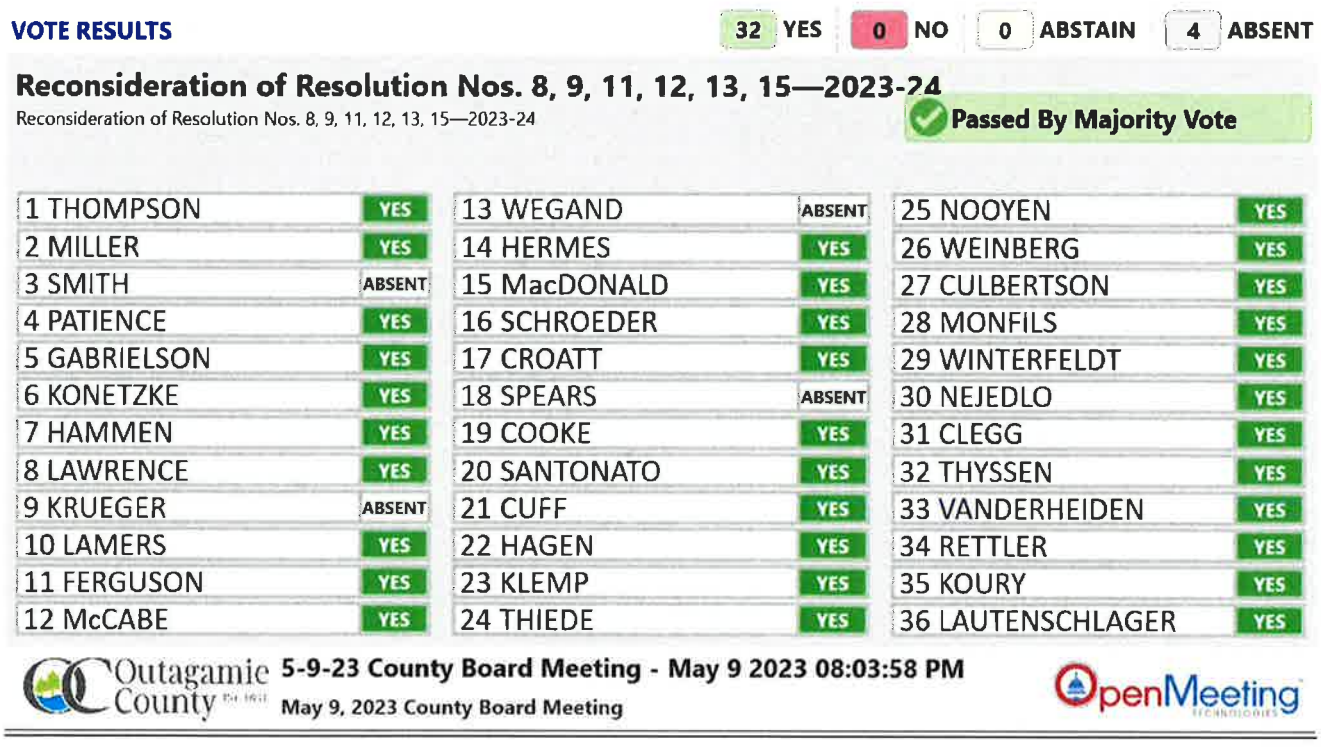
May 9, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Supervisor Croatt moved, seconded by Supervisor Thiede, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE RECONSIDERED.



VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
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10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

5-9-23 County Board Meeting - May 9 2023 08:03:58 PM

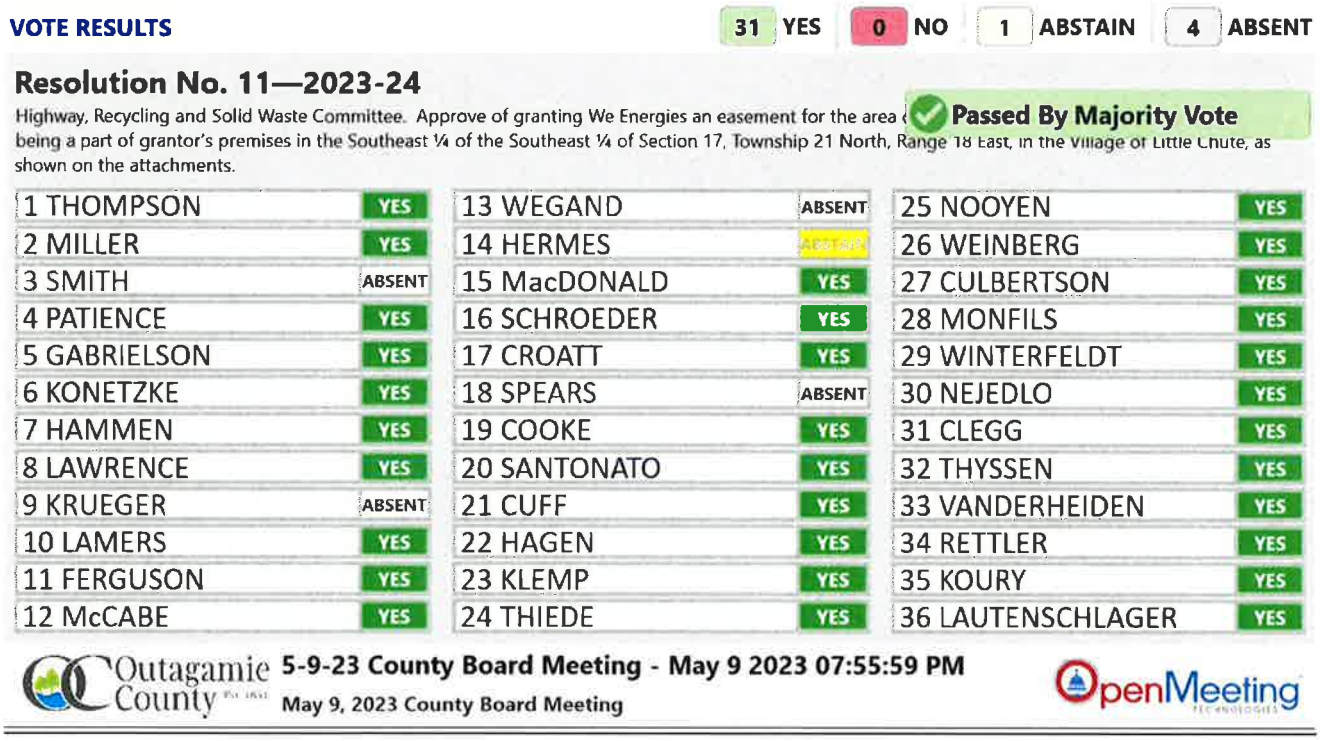
May 9, 2023 County Board Meeting

OpenMeeting

Resolution No. 11—2023-24 – Highway, Recycling and Solid Waste Committee. Approve of granting We Energies an easement for the area described as a strip of land ten (10) feet in width being a part of grantor's premises in the Southeast ¼ of the Southeast ¼ of Section 17, Township 21 North, Range 18 East, in the Village of Little Chute, as shown on the attachments.

Supervisor Nejedlo moved, seconded by Supervisor Hagen, for adoption.

ROLL CALL: 31 yes, 1 abstain (Hermes), 4 absent. RESOLUTION NO. 11—2023-24 IS ADOPTED.



VOTE RESULTS — 31 YES | 0 NO | 1 ABSTAIN | 4 ABSENT

Resolution No. 11—2023-24

Highway, Recycling and Solid Waste Committee. Approve of granting We Energies an easement for the area (being a part of grantor's premises in the Southeast ¼ of the Southeast ¼ of Section 17, Township 21 North, Range 18 East, in the Village of Little Chute, as shown on the attachments.

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES		26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
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7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — **5-9-23 County Board Meeting - May 9 2023 07:55:59 PM**

May 9, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 11—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wisconsin Electric Power Company, doing business as We Energies (Grantee) is requesting an easement in order to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize granting We Energies an easement for the area described as a strip of land ten (10) feet in width being a part of grantor's premises in the Southeast ¼ of the Southeast ¼ of Section 17, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin; said land is shown on the attached Distribution Easement Underground and Temporary Exhibit A which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner and We Energies, Property Rights & Information Group, 231 W. Michigan Street, Room P277, P.O. Box 2046, Milwaukee, WI 53201-2046.

Dated this 9th day of May 2023

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 5-12-23 Vetoed: _____

Signed: _____ County Executive

DISTRIBUTION EASEMENT UNDERGROUND

Document Number

WR NO. **4782327** IO NO. **52967**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **OUTAGAMIE COUNTY, a municipal corporation,** hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies,** hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as a strip of land **Ten (10) feet** in width being a part of grantor's premises in the **Southeast 1/4 of the Southeast 1/4 of Section 17, Township 21 North, Range 18 East**, Village of Little Chute, Outagamie County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM P277
PO BOX 2046
MILWAUKEE, WI 53201-2046

146-260400700
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.

3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.

4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.

7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

8. **Easement Review**: Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

9. **Indemnification and Hold Harmless:** In consideration of the foregoing grant, it is understood that during the time said electric facilities are located on the premises of the Grantor pursuant to this grant, Grantee will indemnify, save, and hold harmless the Grantor, its successors and assigns, from any and all claims, liabilities, losses, costs, damages or expenses for injury or death of any person and any damages to property arising out of Grantee's exercise of any of its rights under this easement; excepting, however, 1) any claims, liabilities, losses, costs, damages or expenses arising out of negligence or willful acts on the part of the Grantor, its successors and assigns, employees, agents and invitees; 2) any special, consequential or indirect damages, including but not limited to, loss of profit or revenue, and diminution in value; and 3) any environmental claims, liabilities, losses, costs, damages or expenses not directly caused by the construction or operation of said facilities.

10. **Future Adjustment:** In consideration of granting the foregoing easement, the grantee, its successors and assignees, agree that in the event the said county trunk highway is reconstructed, repaired, changed or widened in any manner and it becomes necessary as a result that the facility must be raised, lowered, or moved to some other location as a result of the proposed highway improvement, the grantee, its successors and assignees, agree to do all things necessary with the said service as may be required by the grantor so as to facilitate these changes, and at no expense to Outagamie County.

Grantor:
OUTAGAMIE COUNTY, a municipal corporation

By: _____ By: _____

(Print name and title): _____ (Print name and title): _____

By: _____

(Print name and title): _____

Acknowledged before me in _____ County, State of Wisconsin, on _____, 2023,

the above named _____, the _____,

and _____, the _____,

and _____, the _____,

of OUTAGAMIE COUNTY, A Municipal Corporation, on behalf of the corporation pursuant to a Resolution adopted by the

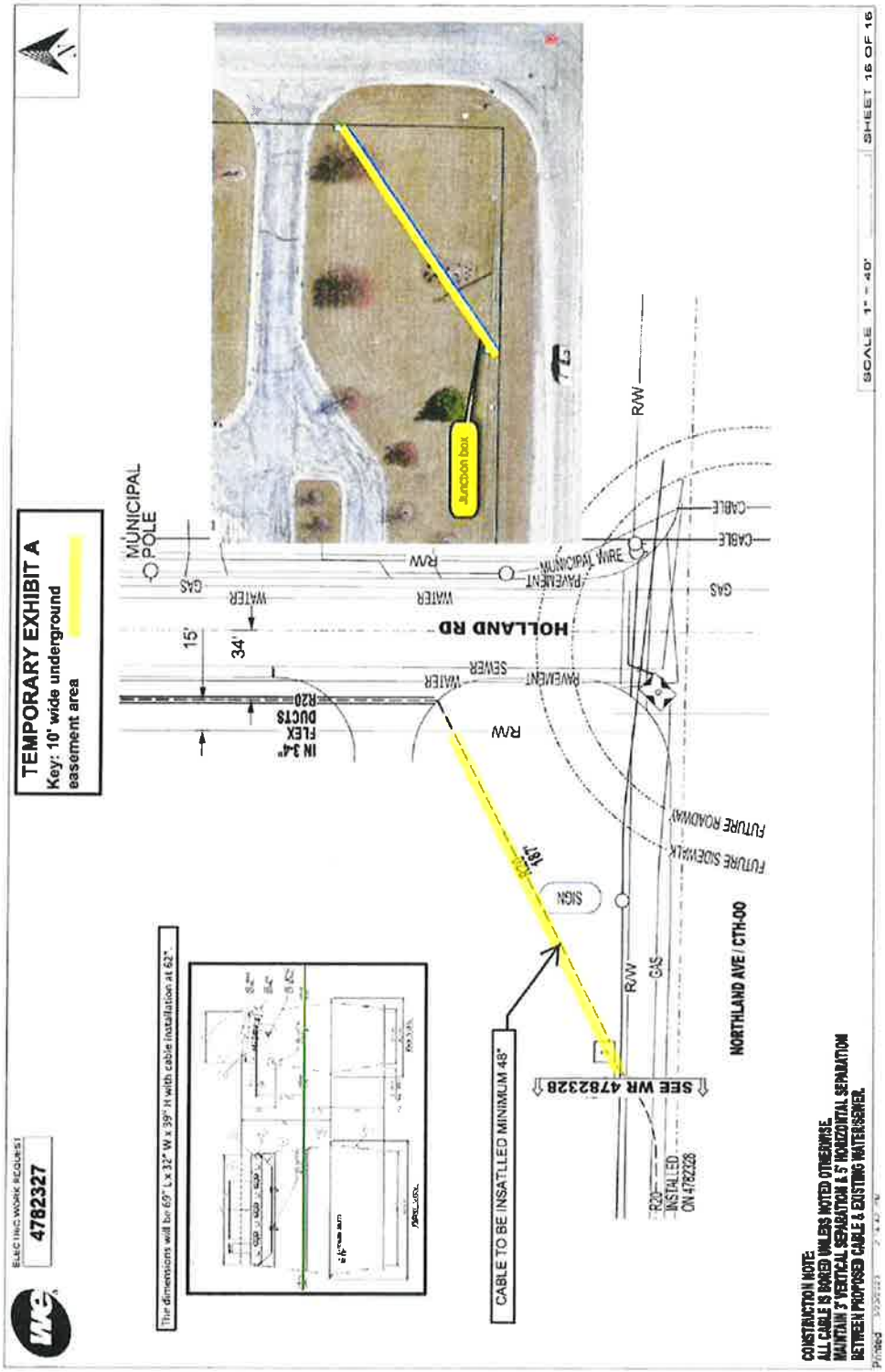
County Board on _____ as Resolution No. _____.

_____
Notary Public Signature, State of Wisconsin

_____
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL) My commission expires _____

This instrument was drafted by Deanna L. Drum on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.


TEMPORARY EXHIBIT A
Key: 10' wide underground easement area
ELECTRIC WORK REQUEST
4782327
SCALE 1" = 40'
SHEET 16 OF 16
Junction box
MUNICIPAL POLE
GAS
WATER
R/W
MUNICIPAL WIRE
PAVEMENT
CABLE
HOLLAND RD
15'
34'
SEWER
IN 3/4" FLEX DUCTS R20
FUTURE ROADWAY
FUTURE SIDEWALK
SIGN
NORTHLAND AVE / CTH-00
SEE WR 4782328
INSTALLED ON 4782228
CABLE TO BE INSATLLED MINIMUM 48"
The dimensions will be 69" L x 32" W x 39" H with cable installation at 62".
CONSTRUCTION NOTE:
ALL CABLE IS BORED UNLESS NOTED OTHERWISE
MAINTAIN 3" VERTICAL SEPARATION & 5" HORIZONTAL SEPARATION
BETWEEN PROPOSED CABLE & EXISTING WATER/SEWER

RIGHTS-OF-WAY AND EASEMENTS

For Electric and Gas Distribution Facility Construction

INTRODUCTION

This pamphlet is intended to help you, the landowner, better understand the possible need for new utility facilities, how utilities build those facilities, and how you can be an important part of the process.

Electric distribution lines carry electricity from substations to customers. These types of electric lines include customer service connections and local distribution lines.

Gas distribution pipes carry natural gas from regulator stations to customers. These types of gas pipes include distribution mains of various sizes and service laterals.

A utility right-of-way (ROW) is a strip of land that a utility uses to construct, maintain, repair, or replace an overhead power line, underground power line, or gas mains. The ROW allows the utility to provide clearance from trees, buildings and other structures that could interfere with the installation, maintenance and operation of the utility facilities. This ROW may be located in the roadway or on private property. It usually is from 6 to 12 feet wide, unless terrain, vegetation, larger utility facilities, or unusual construction obstacles require a wider easement.

1) **What are some reasons new or reconstructed power lines might be needed?**

   New power lines may be needed because of:

   a. Growth in customer's average electricity use
   b. Growth in the number of customers and businesses in Wisconsin
   c. Replacement of old lines due to age of equipment
   d. Additional lines constructed from new substations needed to meet increased demand

2) **What are some reasons new or reconstructed gas facilities might be needed:**

   New gas facilities may be needed because of:

   a. Growth in the number of natural gas customers
   b. Replacement of old pipes due to age or condition
   c. Increased usage of natural gas by existing customers

3) **Do utilities need government approval to build new power lines or gas mains?**

   Yes. A variety of permits are needed from various governmental agencies. The Public Service Commission of Wisconsin (PSCW) reviews our request if a project exceeds $5 million in cost.

   Local road permits, Wisconsin Department of Transportation permits, Wisconsin Department of Natural Resources permits, Federal Aviation Authority permits, etc. are all required if the interests of those agencies are involved.

4) **Can conservation eliminate the need for power lines or gas mains?**

   Yes and no. Right now, conservation helps reduce the need for new power lines, but is not eliminating all future needs. In order to eliminate the need for new utility facilities, conservation would have to be great enough to offset all the needs mentioned in questions one and two.

   Conservation can reduce the number of new power lines and power plants needed because conservation makes energy use more efficient. The PSCW reviews utility plans for conservative programs in its Biennial Strategic Energy Assessment ("SEA").

5) **How is it decided when and where new or reconstructed utility facilities will be built?**

   Our engineers use computer models of the power and natural gas systems to study the need for new utility facilities. The results help a utility decide if a new power line or natural gas main is needed or if an existing line or main should be rebuilt or relocated. In some instances the need for new or rebuilt power lines or natural gas mains becomes apparent due to insufficient capacity to meet customer requirements in an area.

6) **Does We Energies have the right to construct its utility facilities on my property?**

   Wisconsin statutes allow us to construct our utility facilities on or along roadways with the consent of

local authorities as long as the utility facilities do not interfere with the use of the roadway by the public or with the use of the adjoining land. We usually have the option of building the distribution lines or mains and related facilities on private property or in the road right-of-way. However, if existing obstacles are in the way, the distribution line or main will be located to avoid these obstacles. If the distribution line or main is located on private property, an easement from the landowner is required. If the distribution line or main is located in road right-of-way, a permit from the municipality is required.

7) **Will my trees need to be cut?**

In some cases, power lines must be built along wooded areas or near existing trees. Therefore, trees in these areas need to be trimmed and sometimes removed.

In order to ensure safe and reliable power, it is important to keep power lines and above ground equipment free of any kind of interference. This means that tall-growing trees should not be placed near or under existing power lines. We maintain a regular trimming schedule to keep interference from trees to a minimum. It is important for customers to understand this requirement and cooperate with us for tree-trimming requirements.

In the case of natural gas facilities, trees or shrubs may need to be trimmed or removed for the installation and maintenance of the gas main.

In order to trim or remove trees along a roadway, the utility will obtain the consent of the owner of the tree.

8) **What is an easement?**

An easement is a written document that grants a permanent right to use land for a specific purpose, such as installing utility facilities to serve you and others. An easement "runs with the land" which means it stays with the property even if ownership of the property changes.

9) **What can the landowner expect in the easement acquisition process?**

Based on many years of experience, we developed a standard easement agreement which covers topics such as proper clearance/cover for utility facilities, restoration of the land and tree trimming. You, as a landowner, have the right to understand these issues as well as the need for distribution facilities.

To minimize impact on your property, we will make every reasonable effort to locate these facilities in setback areas that are unbuildable.

We also contact each potentially affected landowner and present the easement document.

10) **What is required of the landowner in the easement document?**

The easement document grants the utility the right to locate distribution facilities on the landowner's property. It also requires the landowner to keep the easement area clear to allow the utility access to these facilities for maintenance and repair. Easement area should stay clear of trees.

11) **What kinds of negotiations should be expected?**

While our standard easement is intended to cover normal distribution facility installations, terms or conditions may be negotiated. If the landowner has questions, we will get answers. The right-of-way agent is your contact person and your source of information.

12) **Are there specific waivers of rights involved in the easement negotiation process?**

For electric facilities, PSC 113.0509 gives the landowner, unless voluntarily waived by the landowner, a minimum period of five days to examine the materials we provided before signing any new or revised easement agreement. If you, as the landowner, are comfortable signing the easement agreement after reading the document and getting answers to questions, you may waive the five-day review period established under PSCW Administrative Rules.

There is not comparable code provision for gas facilities; however as a courtesy to our customers, We Energies applies the same practice in the attainment of gas distribution easements.

13) **Does the use of eminent domain enter into easement negotiation discussions?**

No. We do not mention eminent domain. We will work with the landowner to negotiate a solution on location of distribution facilities.

14) **Does the utility ultimately have the right to use eminent domain?**

Yes. However, as a general practice, we do not use eminent domain to install electric or gas distribution facilities. Only in extremely unusual situations would we consider the use of our eminent domain rights. In those cases specific discussions with the customer regarding the exercise of those rights will occur. (We have not used eminent domain on distribution facilities in over 35 years).

For more information:

For information on a specific project, contact We Energies or the PSCW.

Contact the PSCW at:
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854
608-266-5481

Because the PSCW does not have detailed information about every distribution project, please provide the following information when contacting them:

- Utility Name
- Project Name
- Project Location

LOCK IN & ADOPTION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Lock In of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Lock in of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
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4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
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7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
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11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Board **5-9-23 County Board Meeting - May 9 2023 08:04:07 PM**

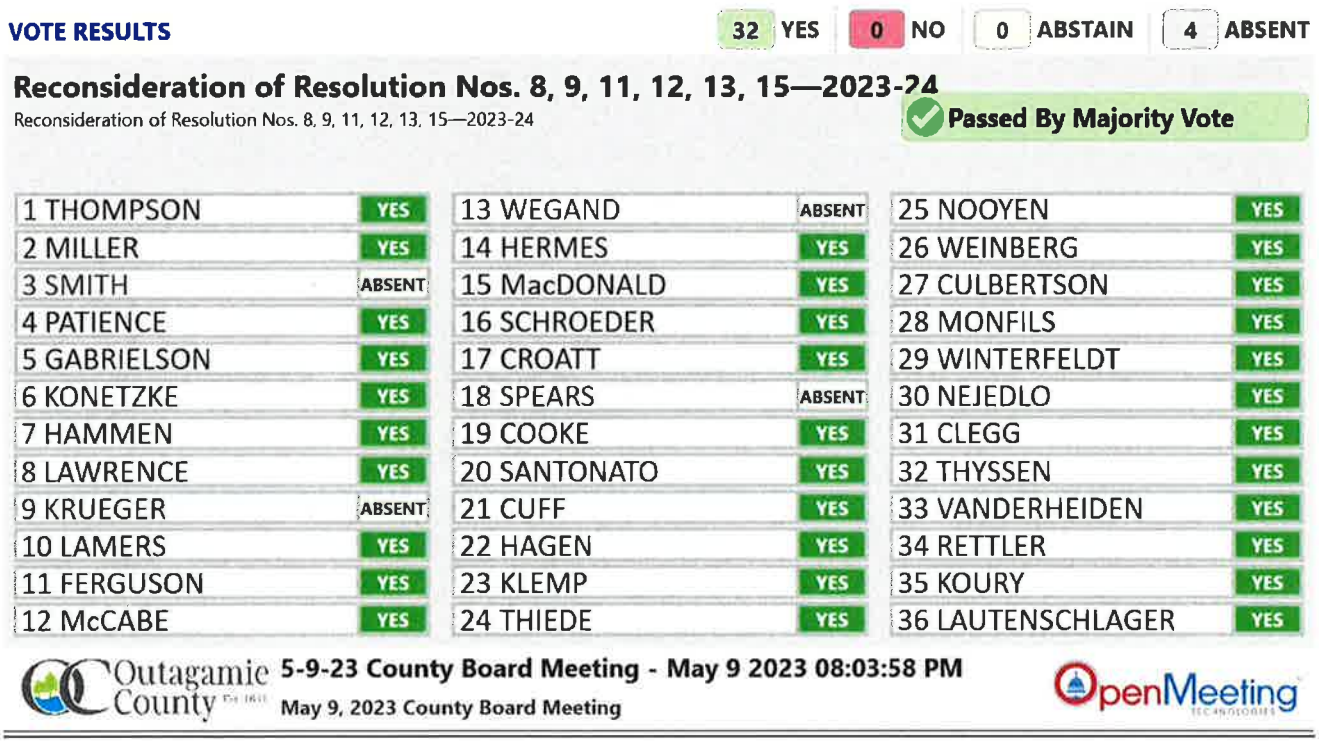
May 9, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Supervisor Croatt moved, seconded by Supervisor Thiede, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE RECONSIDERED.



VOTE RESULTS — 32 YES | 0 NO | 0 ABSTAIN | 4 ABSENT

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
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10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 5-9-23 County Board Meeting - May 9 2023 08:03:58 PM

May 9, 2023 County Board Meeting

OpenMeeting

Resolution No. 12—2023-24 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization (TO) request to move one full-time Mental Health Court Coordinator position from the Health and Human Services Mental Health TO to the Criminal Justice Treatment Services TO along with the related budget adjustments for 2023, as noted on the attachments.

Supervisor Gabrielson moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 12—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 12—2023-24

Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization (TO) request t Passed With 2/3 of Full Membership
Coordinator position from the Health and Human Services Mental Health TO to the Criminal Justice Treatment Services TO along with the related budget adjustments for 2023, as noted on the attachments.

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
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10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 5-9-23 County Board Meeting - May 9 2023 07:56:43 PM
May 9, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 12—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Recently, coordinators of the Mental Health Court and Drug and Alcohol Treatment Court requested to review the current administration and oversight of the treatment courts and consider moving the two courts overseen by the Health and Human Services Department into the Criminal Justice Treatment Services (CJTS) Department. After studying the current treatment court structure and meeting with staff, administrators, and judges, it was determined that there would be significant efficiencies and savings by moving all of the treatment courts under the CJTS Department. A few of the efficiencies identified include: coordinators could back each other up more efficiently if they all worked for the same department; assessment decisions for placement of participants in the most appropriate treatment court could be done quicker and more efficiently; grant resources could be more efficiently managed by a single department.

This resolution approves moving the Mental Health Court and staff from the current Health and Human Services cost center to a new cost center under CJTS.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve an in-year Table of Organization request to move one (1) full-time Mental Health Court Coordinator position from the Health and Human Services Mental Health Table of Organization to the Criminal Justice Treatment Services Table of Organization along with the related budget adjustments for 2023, as noted on the attached Out Of Budget – Position Cost Center Change Form, Job Description, Table of Organization, and fiscal note, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive, the Outagamie County Human Resources Director, the Outagamie County Finance Director, the Outagamie County Health and Human Services Director, and the Outagamie County Criminal Justice Treatment Services Director.

Dated this 9th day of May 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 5/12/23

Vetoed: _____

Signed: _____
County Executive

OUT OF BUDGET - POSITION COST CENTER CHANGE FORM

Completion Checklist

- o A visual of proposed Table of Organization
- o Fiscal Note

Request Details

Effective Date of Requested Change: Note: must be beginning of pay period		4/23/2023	
Position Title:		Mental Health Court Coordinator	
Current Department:		HHS Mental Health	
Current Department Head:		John Rathman	
Current Cost Center Number:		2066590	
New Department:		Criminal Justice Treatment Center	
New Department Head:		Bernard Vetrone	
New Cost Center Number:		1009105	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*		Full Time:	Yes
		Part Time:	
Employee(s) Impact By Change	Employee Name	Employee #	New Supervisor
	VACANT		Beth Robinson

Position Justification

Briefly summarize why this change is needed, as well as areas of revenue and savings.

For the past ten years, the Department of Health and Human Services has overseen the coordination of both the Mental Health and the Drug and Alcohol Treatment courts for the county. During this time period a Veterans Treatment Court and Safe Streets Treatment Options Program were also started and overseen by the Criminal Justice Treatment Services (CJTS) Department. Over the years, we have identified how important it is to have close coordination between all of the counties treatment courts and it has also become vital for all of the treatment courts to have close alignment to the Treatment, Alternatives and Diversion (TAD) grant funding that the county receives.

Recently coordinators of the Mental Health and Drug and Alcohol Treatment courts asked if we would review the present administration and oversight of the treatment courts and consider moving the two courts overseen by Health and Human Services into the Criminal Justice Treatment Services (CJTS) Department. After studying our current treatment court structure and meeting with staff, administrators and Judges, we have identified that there would be significant efficiencies and savings by moving all of the treatment courts to the Criminal Justice Treatment Services (CJTS) Department. Just a few examples of the efficiencies identified include; that coordinators could back each other up more efficiently if they all worked for the same department, that assessment decisions for placement of participants in the most appropriate treatment court could be done quicker and more efficiently, and that grant resources could be more efficiently managed by a single department.

As a result of this work, we are requesting that a county board resolution be drafted that would move the Mental Health Treatment Court cost center and the Drug and Alcohol Treatment Court cost center from Health and Human Services to Criminal Justice Treatment Services effective January 1, 2023, and that in addition, we would request the transfer of one full-time Drug and Alcohol Treatment Court Coordinator position be transferred from Health and Human Services to Criminal Justice Treatment Services effective April 23, 2023.

Fiscal Data

How will this position be funded (choose from drop-down list)?	
PROJECTED 2023 EXPENDITURES NEW COST CENTER - Amounts must agree to amounts included in the proposed budget.	

Salary	$	71,835
Fringe Benefits	$	33,600
Travel/Training	$	1,142
Supplies - IT		
Supplies - Other	$	974
Purchased Services - IT		
Purchased Services - Other	$	36,550
Allocated Applied Expense	$	507
Allocated Applied Credit	$	(65,864)
Capital Outlay	$	-
TOTAL EXPENDITURES	$	78,744
COST SAVINGS OR INCREASED REVENUES NEW COST CENTER:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
MH UA Fees	$	76
MH Court Fees	$	1,045
TOTAL COST SAVINGS/REVENUES	$	1,121
NET COUNTY COST (Levy/Fund Bal)	$	77,623
PARTIAL YEAR FUNDING - ANNUAL PROJECTION - NEW COST CENTER		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary		
Fringe Benefits		
Other Expenditures	$	-
TOTAL EXPENDITURES	$	-
Less Increased Revenue/Cost Savings (enter as negative)	$	-
NET COUNTY COST (Levy/Fund Bal)	$	-

Outagamie County Est. 1851

Mental Health Court Coordinator (DHHS-MH)

Class Code: 6600-10

Bargaining Unit:

OUTAGAMIE COUNTY
Established Date: Sep 12, 2017
Revision Date: Dec 23, 2020

SALARY RANGE

$65,666.00 - $82,472.00 Annually

POSITION PURPOSE:

Reporting to the Manager of the Mental Health & AODA and working closely with the court system and community resources, the Mental Health Court Coordinator performs administrative work and plans, organizes, coordinates, and monitors activities of the Outagamie County Mental Health Court (MHC). Work involves providing services in office, at clients' homes and in the community and may require work outside of standard hours and occasional travel.

KEY RESPONSIBILITIES:

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Coordinates the activities of the Outagamie County Mental Health Court including screenings, referrals, assisting in determining eligibility, leading and coordinating staffing and activities, making referrals, providing direct case management and coordinating treatment services.
- Reports all necessary Mental Health Court data to Health and Human Services, the State Office of Justice Assistance, and other stakeholders as required.
- Obtains information from clients, family members, and other agencies to assess needs or degree of dysfunction, establishes goals, develops and coordinates individual case plans; and monitors established service plans.

- Conducts face-to-face assessments with individuals in their homes or in the community or other locations.
- Identifies, through case management and/or intake services, individual needs which include medical, psychological, vocational, social, familial and daily living spheres.
- Develops and implements a case management system to ensure compliance with program guidelines, administers urine analysis tests and treatment compliance and progress toward participants' goals.
- Makes psychosocial assessments of clients, family dynamics, environment, medical and psychological history, and formulates individualized outcome based treatment plans. Completes the Long-Term Functional Screen for individuals seeking services through the Mental Health Court as needed.
- Makes home, office and community contacts with clients as required to monitor participant's progress, adjustment, medication compliance and general stability.
- Manages individuals who may have a severe and persistent mental illness and co-occurring disorders within a recovery team model with a focus on long term supportive therapy, symptom management, medical management, daily living skills training and community integration, providing ongoing coordination with established outcome based treatment plans.
- Observes and evaluates emotional and physical needs of clients, providing ongoing symptom and medication side effect assessments, and confers with medical staff regarding observations.
- Assists in the development, implementation and monitoring of service plans for individuals.
- Transports and escorts consumers to meetings, services, appointments and other activities as needed.
- Provides protection and advocacy services.
- Refers participants to contracted treatment agencies best suited for their needs. Collaborates with treatment providers to ensure community resources and service needs match desired program outcomes.
- Maintains knowledge of vocational, housing and other community resources.
- Maintains cooperative relationships with treatment agencies, community organizations, probation departments and other agencies represented on the Mental Health Court team.
- Documents contacts and services, prepares reports and other written materials and complies with all recordkeeping requirements.
- Maintains accurate records and prepares reports and documentation for court proceedings.
- Maintains readiness to assist colleagues in managing psychiatric and/or medical emergencies experienced by a client.
- Provides support as necessary for individuals and/or family or significant others in individual, conjoint and group formats.
- Provides individuals and family members with information regarding services available from county, state and federal agencies, provides intervention for patients by directly

administering therapeutic activities, making referrals or requesting additional services as appropriate.

- Provides individuals and family members with information regarding services which best meet their needs and desires.
- Provides presentations to the county, various committees, to other agencies and to the general public.
- Stays abreast of current research with treatment courts and organizes and coordinates training for the Mental Health Court team.
- Facilitates Mental Health Court program processes and operations while being responsible for program efficiency.
- Reviews and prepares grants and other funding applications to support the Mental Health Court.
- Consults with court judge(s) on a wide range of organizational and managerial issues including but not limited to Mental Health Court efficiency and internal and external quality assurance.
- Researches the best evidence-based approach in the implementation of treatment services of Mental Health Court participants.
- Identifies needs in the service delivery system and participates in program development initiatives.
- Attends unit and other meetings as required.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned or required.

EDUCATION/CERTIFICATIONS/EXPERIENCE REQUIREMENTS:

- Master's Degree in behavioral science or a related field.
- 3 - 5 years experience diagnosing and providing therapy; experience developing and facilitating treatment groups, knowledge of Evidence Based Treatments, and knowledge of cultural issues relating to Mental Health concerns.
- Knowledge and experience in assessing and treatment of alcohol and other drug abuse issues beneficial to this position.
- Must have demonstrated abilities to be an effective team member and work in a multi-disciplinary team within an Integrated Services model, to be aware of and use community resources, community relations skills, organizational skills, time management skills and have experience managing the demands of crisis intervention.

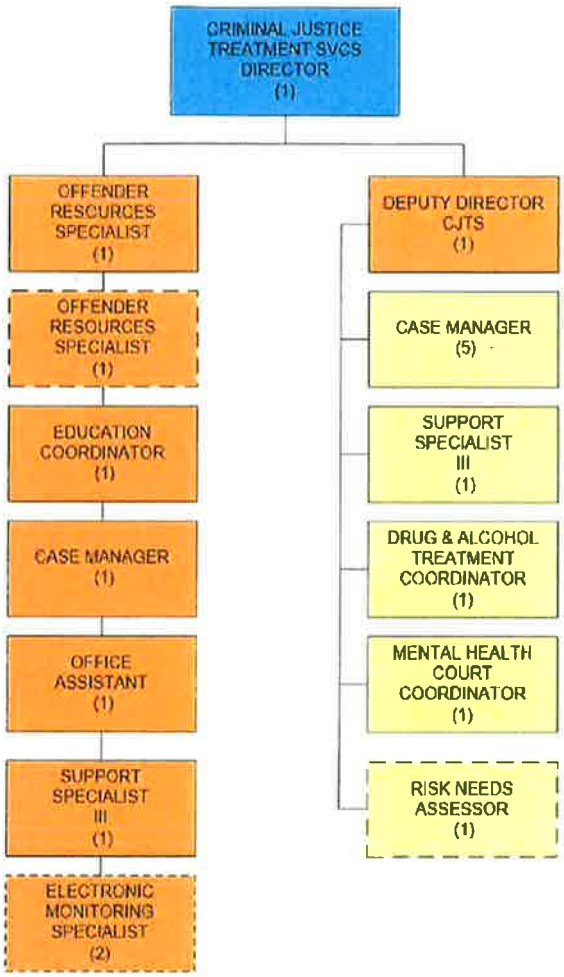
REQUIRED OR PREFERRED SKILLS:

- Knowledge of and ability to provide case management and coordination for individuals with severe and persistent mental illness and dual diagnoses
- Knowledge, skill and ability to provide crisis intervention service.
- Knowledge of available community resources for the consumer groups.
- Knowledge of and experience in the clinical area of alcohol and other drugs.
- Knowledge of and experience in urine analysis collection and testing.
- Ability to establish and maintain effective working relationships with clients, other employees, representatives from community resource groups, contract agencies and the general public.
- Ability to manage treatment within the continuum of services available for mentally ill and chemically dependent clients with an emphasis on provision of services in the least restrictive setting and objectively evaluate progress towards goals and timetables.
- Ability to work cooperatively in a system-wide program setting.
- Ability to speak effectively in public settings and prepare written reports.
- Ability to work independently.
- Ability to adhere to professional ethics and standards.
- Ability to use and interpret medical, legal and counseling terminology.
- Ability to work the allocated hours of the position.
- Knowledge of and demonstrated ability to conform to goals, policies and procedures of the department as well as the Outagamie County Work Rules and Terms of Employment.
- Ability to operate a variety of office equipment including personal computer, photocopier, calculator and telephone.
- Ability to transport oneself from location to location in an efficient and expedient manner.
- Skill in organization including paperwork, time management and prioritization of crisis demands.
- Ability to add, subtract, multiply, divide, calculate decimals and percents, and make use of the principles of descriptive statistics.
- Ability to comprehend and interpret a variety of documents including client charts, medical, accident, and other reports; psychological evaluations and other assessment reports, school records, professional literature, policy and procedure manuals, diagnostic manuals, etc.
- Ability to prepare a variety of documents including client records, referrals, court reports, intake and assessment records, case notes, individual treatment plans, letters

and other correspondence, etc.

- Ability to communicate effectively with clients and family members, community agencies and service providers, psychiatrists, physicians and other medical professionals, attorneys, human services personnel, school personnel and others verbally and in writing.
- Knowledge of the service delivery system.
- Knowledge of drug and alcohol diseases and mental illnesses, dependent on assignment, the effects on individuals and families and the resources available within the community.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.


CRIMINAL JUSTICE TREATMENT SVCS DIRECTOR (1)
OFFENDER RESCURCES SPECIALIST (1)
OFFENDER RESOURCES SPECIALIST (1)
EDUCATION COORDINATOR (1)
CASE MANAGER (1)
OFFICE ASSISTANT (1)
SUPPORT SPECIALIST III (1)
ELECTRONIC MONITORING SPECIALIST (2)
DEPUTY DIRECTOR CJTS (1)
CASE MANAGER (5)
SUPPORT SPECIALIST III (1)
DRUG & ALCOHOL TREATMENT COORDINATOR (1)
MENTAL HEALTH COURT COORDINATOR (1)
RISK NEEDS ASSESSOR (1)

FUND: GENERAL 100 COST CENTER NAME: CRIMINAL JUSTICE TREATMENT SVC.

DEPARTMENT NAME: CRIMINAL JUSTICE TREA COST CENTER NUMBER: 1009100

POSITION COUNT	2019 FT	2019 PT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT
REGULAR POSITIONS:								
ALTERNATIVE TREATMENT COORDINATOR	0	0	0	0	0	0	0	0
CASE MANAGER	5	0	5	0	5	0	5	0
CRIMINAL JUSTICE TREATMENT SVCS DIRECTOR	1	0	1	0	1	0	1	0
DEPUTY DIRECTOR CJTS	1	0	1	0	1	0	1	0
EDUCATION COORDINATOR	1	0	1	0	1	0	1	0
ELECTRONIC MONITORING SPECIALIST	0	2	0	2	0	2	0	2
OFFICE ASSISTANT	1	0	1	0	1	0	1	0
OFFENDER RESOURCE SPECIALIST	1	1	1	1	1	1	1	1
RISK NEEDS ASSESSOR	0	1	0	1	0	1	0	1
SUPPORT SPECIALIST III	1	0	1	0	1	0	1	0
SUPPORT SPECIALIST II	0	1	0	1	0	1	0	1
TOTAL POSITIONS-REGULAR:	11	5	11	5	11	5	11	5
TOTAL ALL POSITIONS:	11	5	11	5	11	5	11	5

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Department of Health and Human Services Request for Mental Health Coordinator Position Cost Center Change

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Recently coordinators of the Mental Health and Drug and Alcohol Treatment courts asked to review the present administration and oversight of the treatment courts and consider moving the two courts overseen by Health and Human Services into the Criminal Justice Treatment Services (CJTS) Department. After studying our current treatment court structure and meeting with staff, administrators and Judges, we have identified that there would be significant efficiencies and savings by moving all of the treatment courts to the Criminal Justice Treatment Services (CJTS) Department. Just a few examples of the efficiencies identified include; that coordinators could back each other up more efficiently if they all worked for the same department, that assessment decisions for placement of participants in the most appropriate treatment court could be done quicker and more efficiently, and that grant resources could be more efficiently managed by a single department. An out of budget position cost center change form is being submitted with a request to move the Mental Health Coordinator role from Health and Human Services to CJTS. We are requesting the Mental Health Court be moved from the current Health and Human Services cost center to a new cost center under CJTS.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (x) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

Cost Center Name	Line Item	Account Number Including Cost Center	Amount
Mental Health Court	Salary	2066590.5100	$ (71,835)
Mental Health Court	Fringe Benefits	2066590.5200	$ (33,600)
Mental Health Court	Travel and Training	2066590.5300	$ (1,142)
Mental Health Court	Supplies	2066590.5400	$ (974)
Mental Health Court	Purchased Services	2066590.5500	$ (36,550)
Mental Health Court	Allocated Applied Expense	2066590.5900	$ (507)
Mental Health Court	Allocated Applied Credit	2066590.5940	$ 65,864
Mental Health Court	MCH UA Fees	2066590.4310.48	$ 76
Mental Health Court	MH Court Fees	2066590.4310.54	$ 1,045
Management & Support	Property Tax Levy	2066010.4110	$ 77,623
Mental Health Court	Salary	1009105.5100	$ 71,835
Mental Health Court	Fringe Benefits	1009105.5200	$ 33,600
Mental Health Court	Travel and Training	1009105.5300	$ 1,142
Mental Health Court	Supplies	1009105.5400	$ 974
Mental Health Court	Purchased Services	1009105.5500	$ 36,550
Mental Health Court	Allocated Applied Expense	1009105.5900	$ 507
Mental Health Court	Allocated Applied Credit	1009105.5940	$ (65,864)
Mental Health Court	MCH UA Fees	1009105.4310.48	$ (76)
Mental Health Court	MH Court Fees	1009105.4310.54	$ (1,045)
General Fund Reserves	Property Tax Levy	1000100.4110	$ (77,623)
	Net Budget Impact		$ -

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost _____ Annual Revenue _____

Fiscal Note Prepared by: Betty Gehring

For Financial Services purposes only	
Reviewed By:	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount
Date: 4/17/23	
Comments:	

LOCK IN & ADOPTION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Lock In of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Lock in of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Est. 1851 **5-9-23 County Board Meeting - May 9 2023 08:04:07 PM**

May 9, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Supervisor Croatt moved, seconded by Supervisor Thiede, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE RECONSIDERED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County

5-9-23 County Board Meeting - May 9 2023 08:03:58 PM

May 9, 2023 County Board Meeting

OpenMeeting

Resolution No. 13—2023-24 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization (TO) request to move one full-time Drug & Alcohol Treatment Coordinator position from the Health and Human Services Mental Health TO to the Criminal Justice Treatment Services TO along with the related budget adjustments for 2023, as noted on the attachments.

Supervisor Patience moved, seconded by Supervisor Schroeder, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 13—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 13—2023-24

Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization (TO) request to Coordinator position from the Health and Human Services Mental Health TO to the Criminal Justice Treatment Services TO along with the related budget adjustments for 2023, as noted on the attachments.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **5-9-23 County Board Meeting - May 9 2023 07:57:20 PM**

May 9, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 13—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Recently, coordinators of the Mental Health Court and Drug and Alcohol Treatment Court requested to review the current administration and oversight of the treatment courts and consider moving the two courts overseen by the Health and Human Services Department into the Criminal Justice Treatment Services (CJTS) Department. After studying the current treatment court structure and meeting with staff, administrators, and judges, it was determined that there would be significant efficiencies and savings by moving all of the treatment courts under the CJTS Department. A few of the efficiencies identified include: coordinators could back each other up more efficiently if they all worked for the same department; assessment decisions for placement of participants in the most appropriate treatment court could be done quicker and more efficiently; grant resources could be more efficiently managed by a single department.

This resolution approves moving the Drug and Alcohol Treatment Court and staff from the current Health and Human Services cost center to a new cost center under CJTS.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve an in-year Table of Organization request to move one (1) full-time Drug & Alcohol Treatment Coordinator position from the Health and Human Services Mental Health Table of Organization to the Criminal Justice Treatment Services Table of Organization along with the related budget adjustments for 2023 as noted on the attached Out Of Budget – Position Cost Center Change Form, Job Description, Table of Organization, and fiscal note, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive, the Outagamie County Human Resources Director, the Outagamie County Finance Director, the Outagamie County Health and Human Services Director, and the Outagamie County Criminal Justice Treatment Services Director.

Dated this 9th day of May 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5/12/23 Vetoed: _____

Signed: _____
County Executive

OUT OF BUDGET - POSITION COST CENTER CHANGE FORM

Completion Checklist

- o A visual of proposed Table of Organization
- o Fiscal Note

Request Details

Effective Date of Requested Change: Note: must be beginning of pay period		4/23/2023	
Position Title:		Drug & Alcohol Treatment Coordinator	
Current Department:		HHS Mental Health	
Current Department Head:		Brian Bezier	
Current Cost Center Number:		2066595	
New Department:		Criminal Justice Treatment Center	
New Department Head:		Bernard Vetrone	
New Cost Center Number:		1009110	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*		Full Time:	1
		Part Time:	
Employee(s) Impact By Change	Employee Name	Employee #	New Supervisor
	Taylor Geske	7324	Beth Robinson

Position Justification

Briefly summarize why this change is needed, as well as areas of revenue and savings.

For the past ten years, the Department of Health and Human Services has overseen the coordination of both the Mental Health and the Drug and Alcohol Treatment courts for the county. During this time period a Veterans Treatment Court and Safe Streets Treatment Options Program were also started and overseen by the Criminal Justice Treatment Services (CJTS) Department. Over the years, we have identified how important it is to have close coordination between all of the counties treatment courts and it has also become vital for all of the treatment courts to have close alignment to the Treatment, Alternatives and Diversion (TAD) grant funding that the county receives.

Recently coordinators of the Mental Health and Drug and Alcohol Treatment courts asked if we would review the present administration and oversight of the treatment courts and consider moving the two courts overseen by Health and Human Services into the Criminal Justice Treatment Services (CJTS) Department. After studying our current treatment court structure and meeting with staff, administrators and Judges, we have identified that there would be significant efficiencies and savings by moving all of the treatment courts to the Criminal Justice Treatment Services (CJTS) Department. Just a few examples of the efficiencies identified include; that coordinators could back each other up more efficiently if they all worked for the same department, that assessment decisions for placement of participants in the most appropriate treatment court could be done quicker and more efficiently, and that grant resources could be more efficiently managed by a single department.

As a result of this work, we are requesting that a county board resolution be drafted that would move the Mental Health Treatment Court cost center and the Drug and Alcohol Treatment Court cost center from Health and Human Services to Criminal Justice Treatment Services effective January 1, 2023, and that in addition, we would request the transfer of one full-time Drug and Alcohol Treatment Court Coordinator position be transferred from Health and Human Services to Criminal Justice Treatment Services effective April 23, 2023.

Fiscal Data

How will this position be funded (choose from drop-down list)?	

PROJECTED 2023 EXPENDITURES NEW COST CENTER - Amounts must agree to amounts included in the proposed budget.

Salary	$	62,004
Fringe Benefits	$	32,151
Travel/Training	$	907
Supplies - IT		
Supplies - Other	$	8,046
Purchased Services - IT		
Purchased Services - Other	$	97,706
Allocated Applied Expense	$	(102,412)
Allocated Applied Credit	$	-
Capital Outlay	$	-
TOTAL EXPENDITURES	$	98,402
COST SAVINGS OR INCREASED REVENUES NEW COST CENTER:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
DATC Fees	$	8,819
	$	-
TOTAL COST SAVINGS/REVENUES	$	8,819
NET COUNTY COST (Levy/Fund Bal)	$	89,583
PARTIAL YEAR FUNDING - ANNUAL PROJECTION - NEW COST CENTER		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary		
Fringe Benefits		
Other Expenditures	$	-
TOTAL EXPENDITURES	$	-
Less Increased Revenue/Cost Savings (enter as negative)	$	-
NET COUNTY COST (Levy/Fund Bal)	$	-

Outagamie County Est. 1851

Drug & Alcohol Treatment Court Coordinator (DHHS-MH)

Class Code: 6600-9

Bargaining Unit:

OUTAGAMIE COUNTY
Established Date: Sep 12, 2017
Revision Date: Jan 5, 2023

SALARY RANGE

$53,248.00 - $64,958.00 Annually

POSITION PURPOSE:

Reporting to the Manager of the Mental Health & AODA Division and working closely with the court system and community resources, the Drug and Alcohol Treatment Court Coordinator performs administrative work and plans, organizes, coordinates, and monitors activities of the Outagamie County Drug and Alcohol Treatment Court (DATC). Work involves providing services in office, at clients' homes and in the community and may require work outside of standard hours and occasional travel.

KEY RESPONSIBILITIES:

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Coordinates the activities of the Outagamie County Drug and Alcohol Treatment Court including screenings, referrals, assisting in determining eligibility, leading and coordinating staffing and activities, making referrals, providing direct case management and coordinating treatment services.
- Prepares reports for County and DATC as needed.
- Obtains information from clients, family members, and other agencies to assess needs or degree of dysfunction, establishes goals, develops and coordinates individual case plans; and monitors established service plans.

- Conducts face-to-face assessments with individuals in their homes or in the community or other locations.
- Identifies, through case management and/or intake services, individual needs which include medical, psychological, vocational, social, familial and daily living spheres.
- Develops and implements a case management system to ensure compliance with program guidelines, administers urine analysis tests and treatment compliance and progress toward participants' goals.
- Makes psychosocial assessments of clients, family dynamics, environment, medical and psychological history. Completes the Long-Term Functional Screen for individuals seeking services through the Drug and Alcohol Treatment Court as needed.
- Makes home, office and community contacts with clients as required to monitor participant's progress, adjustment, medication compliance and general stability.
- Manages individuals who may have a severe and persistent drug or alcohol disease and co-occurring disorders within a recovery team model with a focus on long term supportive therapy, symptom management, medical management, daily living skills training and community integration, providing ongoing coordination with established outcome based treatment plans.
- Observes and evaluates emotional and physical needs of clients, providing ongoing symptom and medication side effect assessments, and confers with medical staff regarding observations.
- Assists in the development, implementation and monitoring of service plans for individuals.
- Transports and escorts consumers to meetings, services, appointments and other activities as needed.
- Provides protection and advocacy services.
- Refers participants to contracted treatment agencies best suited for their needs. Collaborates with treatment providers to ensure community resources and service needs match desired program outcomes.
- Maintains knowledge of vocational, housing and other community resources.
- Maintains cooperative relationships with treatment agencies, community organizations, probation departments and other agencies represented on the Drug and Alcohol Treatment Court team.
- Documents contacts and services, prepares reports and other written materials and complies with all recordkeeping requirements.
- Maintains accurate records and prepares reports and documentation for court proceedings.
- Maintains readiness to assist colleagues in managing psychiatric and/or medical emergencies experienced by a client.
- Provides support as necessary for individuals and/or family or significant others in individual, conjoint and group formats.
- Provides individuals and family members with information regarding services available from county, state and federal agencies.

- Provides individuals and family members with information regarding services which best meet their needs and desires.
- Provides presentations to the county, various committees, to other agencies and to the general public.
- Stays abreast of current research with treatment courts and organizes and coordinates training for the Drug and Alcohol Treatment Court team.
- Facilitates Drug and Alcohol Treatment Court program processes and operations while being responsible for program efficiency.
- Reviews and prepares grants and other funding applications to support the Drug and Alcohol Treatment Court.
- Consults with court judge(s) on a wide range of organizational and managerial issues including but not limited to Drug and Alcohol Treatment Court efficiency and internal and external quality assurance.
- Researches the best evidence-based approach in the implementation of treatment services of Drug and Alcohol Treatment Court participants.
- Identifies needs in the service delivery system and participates in program development initiatives.
- Attends Division and other meetings as required.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned or required.
- Provides on-call duties as assigned

EDUCATION/CERTIFICATIONS/EXPERIENCE REQUIREMENTS:

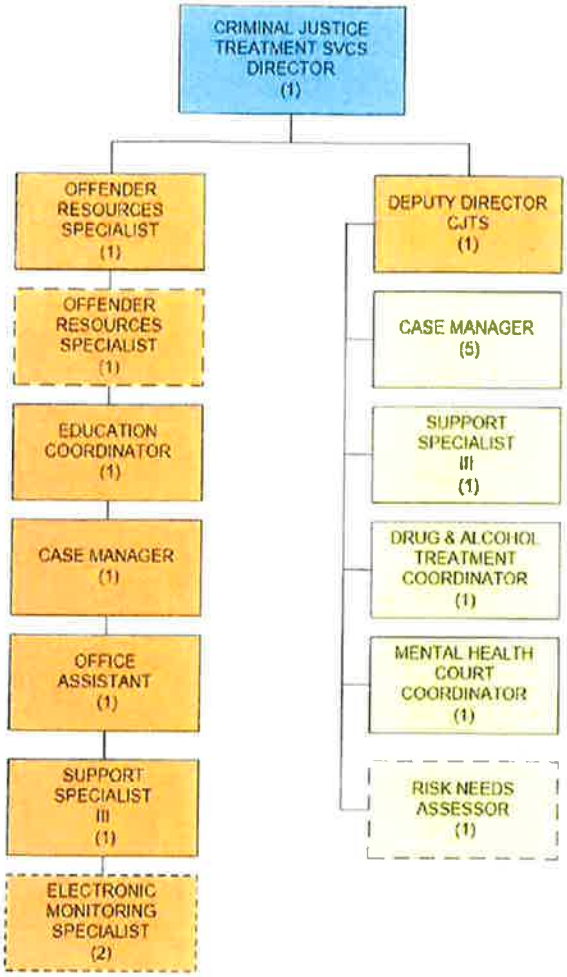
- Required: Bachelor's Degree in behavioral science or a related field, and access to private transportation at all times for work-related duties.
- Preferred: Successful completion of an accredited alcohol and other drug abuse counselor training program, experience providing AODA services, Licensure as a Clinical Substance Abuse Counselor or Clinical Supervisor, 3 years experience working with individuals with co-existing mental health and substance abuse needs. Appointment will be conditional upon successful completion of criminal and caregiver background checks.

REQUIRED OR PREFERRED SKILLS:

- Knowledge of and ability to provide case management and coordination for individuals with alcohol and other drug dependency and dual diagnoses.
- Knowledge, skill and ability to provide crisis intervention service.
- Knowledge of available community resources for the consumer groups.
- Knowledge of and experience in the clinical area of alcohol and other drugs.
- Knowledge of and experience in urine analysis collection and testing.
- Ability to establish and maintain effective working relationships with clients, other employees, representatives from community resource groups, contract agencies and the general public.
- Ability to manage treatment within the continuum of services available for chemically dependent clients with an emphasis on provision of services in the least restrictive setting and objectively evaluate progress towards goals and timetables.
- Ability to work cooperatively in a system-wide program setting.
- Ability to speak effectively in public settings and prepare written reports.
- Ability to work independently.
- Ability to adhere to professional ethics and standards.
- Ability to use and interpret medical, legal and counseling terminology.
- Ability to work the allocated hours of the position.
- Knowledge of and demonstrated ability to conform to goals, policies and procedures of the department as well as the Outagamie County Work Rules and Terms of Employment.
- Ability to operate a variety of office equipment including personal computer, photocopier, calculator and telephone.
- Ability to transport oneself from location to location in an efficient and expedient manner.
- Skill in organization including paperwork, time management and prioritization of crisis demands.
- Ability to add, subtract, multiply, divide, calculate decimals and percents, and make use of the principles of descriptive statistics.
- Ability to comprehend and interpret a variety of documents including client charts, medical, accident, and other reports; psychological evaluations and other assessment reports, school records, professional literature, policy and procedure manuals, diagnostic manuals, etc.
- Ability to prepare a variety of documents including client records, referrals, court reports, intake and assessment records, case notes, individual treatment plans, letters and other correspondence, etc.
- Ability to communicate effectively with clients and family members, community agencies and service providers, psychiatrists, physicians and other medical professionals, attorneys, human services personnel, school personnel and others verbally and in writing.

- Knowledge of the service delivery system.
- Knowledge of drug and alcohol diseases and mental illnesses, dependent on assignment, the effects on individuals and families and the resources available within the community.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.


CRIMINAL JUSTICE TREATMENT SVCS DIRECTOR (1)
OFFENDER RESOURCES SPECIALIST (1)
OFFENDER RESOURCES SPECIALIST (1)
EDUCATION COORDINATOR (1)
CASE MANAGER (1)
OFFICE ASSISTANT (1)
SUPPORT SPECIALIST III (1)
ELECTRONIC MONITORING SPECIALIST (2)
DEPUTY DIRECTOR CJTS (1)
CASE MANAGER (5)
SUPPORT SPECIALIST III (1)
DRUG & ALCOHOL TREATMENT COORDINATOR (1)
MENTAL HEALTH COURT COORDINATOR (1)
RISK NEEDS ASSESSOR (1)

FUND: GENERAL 100 COST CENTER NAME: CRIMINAL JUSTICE TREATMENT SVC.

DEPARTMENT NAME: CRIMINAL JUSTICE TREA COST CENTER NUMBER: 1009100

POSITION COUNT	2019 FT	2019 PT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT
REGULAR POSITIONS:								
ALTERNATIVE TREATMENT COORDINATOR	0	0	0	0	0	0	0	0
CASE MANAGER	5	0	5	0	5	0	5	0
CRIMINAL JUSTICE TREATMENT SVCS DIRECTOR	1	0	1	0	1	0	1	0
DEPUTY DIRECTOR CJTS	1	0	1	0	1	0	1	0
EDUCATION COORDINATOR	1	0	1	0	1	0	1	0
ELECTRONIC MONITORING SPECIALIST	0	2	0	2	0	2	0	2
OFFICE ASSISTANT	1	0	1	0	1	0	1	0
OFFENDER RESOURCE SPECIALIST	1	1	1	1	1	1	1	1
RISK NEEDS ASSESSOR	0	1	0	1	0	1	0	1
SUPPORT SPECIALIST III	1	0	1	0	1	0	1	0
SUPPORT SPECIALIST II	0	1	0	1	0	1	0	1
TOTAL POSITIONS-REGULAR:	11	5	11	5	11	5	11	5
TOTAL ALL POSITIONS:	11	5	11	5	11	5	11	5

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Department of Health and Human Services Request for Drug and Alcohol Treatment Coordinator Position Cost Center Change

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Recently coordinators of the Mental Health and Drug and Alcohol Treatment courts asked to review the present administration and oversight of the treatment courts and consider moving the two courts overseen by Health and Human Services into the Criminal Justice Treatment Services (CJTS) Department. After studying our current treatment court structure and meeting with staff, administrators and Judges, we have identified that there would be significant efficiencies and savings by moving all of the treatment courts to the Criminal Justice Treatment Services (CJTS) Department. Just a few examples of the efficiencies identified include; that coordinators could back each other up more efficiently if they all worked for the same department, that assessment decisions for placement of participants in the most appropriate treatment court could be done quicker and more efficiently, and that grant resources could be more efficiently managed by a single department. An out of budget position cost center change form is being submitted with a request to move the Mental Health Coordinator role from Health and Human Services to CJTS. We are requesting the Drug and Alcohol Treatment Court be moved from the current Health and Human Services cost center to a new cost center under CJTS.

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (x) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

Cost Center Name	Line Item	Account Number Including Cost Center	Increase (Decrease) Amount
Drug and Alcohol Treatment Court	Salary	2066595.5100	$ (62,004)
Drug and Alcohol Treatment Court	Fringe Benefits	2066595.5200	$ (32,151)
Drug and Alcohol Treatment Court	Travel/Training	2066595.5300	$ (907)
Drug and Alcohol Treatment Court	Supplies	2066595.5400	$ (8,046)
Drug and Alcohol Treatment Court	Purchased Services	2066595.5500	$ (97,706)
Drug and Alcohol Treatment Court	Allocated Applied Credit	2066595.5940	$ 102,412
Drug and Alcohol Treatment Court	DATC Fees	2066595.4310.45	$ 8,819
Management and Support	Property Tax Levy	2065010.4110	$ 39,583
Drug and Alcohol Treatment Court	Salary	1009110.5100	$ 62,004
Drug and Alcohol Treatment Court	Fringe Benefits	1009110.5200	$ 32,151
Drug and Alcohol Treatment Court	Travel/Training	1009110.5300	$ 907
Drug and Alcohol Treatment Court	Supplies	1009110.5400	$ 8,046
Drug and Alcohol Treatment Court	Purchased Services	1009110.5500	$ 97,706
Drug and Alcohol Treatment Court	Allocated Applied Credit	1009110.5910	$ (102,412)
Drug and Alcohol Treatment Court	DATC Fees	1009110.4310.45	$ (8,819)
General Fund Reserves	Property Tax Levy	1009100.4110	$ (39,583)
	Net Budget Impact		$ -

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)
9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost _____ Annual Revenue _____

Fiscal Note Prepared by: Betty Gehring

For Financial Services purposes only	
Reviewed By:	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 4/18/23	
Comments:	

Resolution No. 14—2023-24 – Legislative/Audit and Human Resources Committee. Approve the Administrative Rule AR-2023-02 (attached), replacing AR-2022-02, which amends the County Employee Handbook with adjustments and clarifying language to reflect current practice in several areas (as noted on the resolution and attachments), and will be on file in the County Clerk's Office in a manual labeled "Outagamie County Administrative Rules".

Supervisor Santonato moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 30 yes, 2 no (MacDonald, Thiede), 4 absent. RESOLUTION NO. 14—2023-24 IS ADOPTED.



VOTE RESULTS — 30 YES | 2 NO | 0 ABSTAIN | 4 ABSENT

Resolution No. 14—2023-24

Legislative/Audit and Human Resources Committee. Approve the Administrative Rule AR-2023-02 (attached), Employee Handbook with adjustments and clarifying language to reflect current practice in several areas (as noted on the resolution and attachments), and will be on file in the County Clerk's Office in a manual labeled "Outagamie County Administrative Rules".

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD NO	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE NO	36 LAUTENSCHLAGER YES

Outagamie County — 5-9-23 County Board Meeting - May 9 2023 08:02:32 PM
May 9, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 14—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Rule 9 of the Outagamie County Board Rules, Sec. 2-52 Administrative Rule Review, establishes a procedure for the review of Administrative Rules. The County Board may approve of the rule or refer it back to administration for revision and re-submission. A rule regarding updates to Outagamie County's Employee Handbook has been submitted for review.

Administrative Rule AR-2023-02 updates the Outagamie County Handbook with adjustments and clarifying language to reflect current practice in several areas. The updates include removal of language pertaining to probationary period; addition of paid administrative leave; update regarding requirement to (identification) ID badging in and out of employee entrances and exits; new employee ID card process; update to replacement and use of ID cards; update and clarification of unpaid time usage; requirement that performance evaluation discussion must be completed in Tyler-Munis program before a personnel action is completed; update to roles eligible for clothing allowance; clarification on notice of termination period start date; clarification on family medical leave eligibility.

Administrative Rule AR-2023-02 replaces Administrative Rule AR-2022-02.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby approve Administrative Rule AR-2023-02 as attached and by reference made a part hereof, which amends the Outagamie County Employee Handbook with adjustments and clarifying language to reflect current practice in several areas, including removal of language pertaining to probationary period; addition of paid administrative leave; update regarding requirement to (identification) ID badging in and out of employee entrances and exits; new employee ID card process; update to replacement and use of ID cards; update and clarification of unpaid time usage; requirement that performance evaluation discussion must be completed in Tyler-Munis program before a personnel action is completed; update to roles eligible for clothing allowance; clarification on notice of termination period start date;

clarification on family medical leave eligibility, as detailed in the attached Employee Handbook Matrix of Changes and the Outagamie County Handbook, and

BE IT FURTHER RESOLVED, that this rule shall be numbered AR-2023-02, shall replace AR-2022-02, and will be on file in the manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director and the Outagamie County Executive, who, in accordance with Sec. 59.03 Wis. Stats., shall be charged with the duty of distributing said rule to affected departments for compliance.

Dated this 9th day of May 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5/12/23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Employee Handbook

Subject:	Outagamie County Employee Handbook
Number:	AR-2023-02
Effective:	05/09/2023
Replaces:	AR-2022-02
	Outagamie County Employee Handbook
Adopted:	TBD

Introduction

This Administrative Rule updates the Outagamie County Employee Handbook with adjustments and clarifying language to reflect current practice in several areas. The updates include removal of language pertaining to probationary period; addition of paid administrative leave; update regarding requirement to (identification) ID badging in and out of employee entrances and exits; new employee ID card process; update to replacement and use of ID cards; update and clarification of unpaid time usage; requirement that performance evaluation discussion must be completed in Tyler-Munis program before a personnel action is completed; update to roles eligible for clothing allowance; clarification on notice of termination period start date; clarification on family medical leave eligibility.

Procedure

Outagamie County Ordinance, Sec. 30-2 – Purpose, authorizes the creation of a human resources manual through administrative rule which shall be a working document provided to all affected employees and shall contain procedures as listed in Sec. 30 – 12. The human resources manual shall be approved by the County Board as an administrative rule in accordance with Section 2.52.

Outagamie County Ordinance, Sec. 2-52 – Rule 9 – Administrative Rule Review requires all administrative rules to be submitted to the Legislative/Audit & Human Resources Committee who shall submit them to the full County Board for review. The County Board shall approve of the rule or refer the rule back to the Executive for revision and resubmission.

Policy

The attached matrix details the specific language changes to the handbook related to benefits eligibility, bereavement, separating from employment, and personal appearance to be found in the attached modified Employee Handbook.

Outagamie County

Employee Handbook
Matrix of Changes

April 2023

TOPIC	PAGE #	TYPE OF CHANGE	PROPOSED VERSION	ORIGINAL VERSION
PROBATIONARY PERIOD	Throughout	REMOVAL	Remove all language pertaining to probationary period. This is a carry over from the previous bargaining days and with Wisconsin being an at will employer is a moot point. Having this in the handbook can cause candidates to reconsider accepting an offer when probationary periods are not common in the workplace and they may not encounter with a competitive offer.	
PAID ADMINISTRATIVE LEAVE		NEW ADDITION	Administrative leave occurs when an employee must temporarily leave their position and work duties for a certain time period. Administrative leave differs from a leave of absence because a leave of absence is an authorized absence from work for an extended time period and granted due to a specific reason. Any paid administrative leave must be approved by Human Resources and the Department Head prior to communicating to the employee or entering a personal action.	
IDENTIFICATION CARDS	36	UPDATE BADGING IN/OUT REQUIREMENTS	REQUIREMENTS FOR WEAR All Outagamie County employees, County Board members, temporary contract workers, State employees assigned to the county location and county emergency personnel shall obtain an identification card. Volunteers may be given a department temporary card or individual card based on length of and type of assignment. The identification card should be worn while performing duties as an Outagamie County employee, and must be used to swipe in and out of employee entrances and exits. All Outagamie County employees (exceptions may be made by department heads due to safety or uniform requirements) should wear their identification card on the front of their person on their outermost garment. Outagamie County will provide the cardholders. An employee may obtain their own cardholder. Departments shall ensure that their employees are wearing the identification card. Supervisors of volunteers or temporary contract employees should contact the Human Resources Department if a card needs to be issued for an individual.	REQUIREMENTS FOR WEAR All Outagamie County employees, County Board members, temporary contract workers, State employees assigned to the county location and county emergency personnel shall obtain an identification card. Volunteers may be given a department temporary card or individual card based on length of and type of assignment. The identification card should be worn while performing duties as an Outagamie County employee, and should be used to swipe in and out of employee entrances and exits. All Outagamie County employees (exceptions may be made by department heads due to safety or uniform requirements) should wear their identification card on the front of their person on their outermost garment. Outagamie County will provide the cardholders. An employee may obtain their own cardholder. Departments shall ensure that their employees are wearing the identification card. Supervisors of volunteers or temporary contract employees should contact the Human Resources Department if a card needs to be issued for an individual. NEW EMPLOYEE IDENTIFICATION CARD PROCESS New employees will fill out an Outagamie County Employee Identification Card Information Sheet and have their photograph taken at employee orientation or first day of hire.

Outagamie County

Employee Handbook
Matrix of Changes

April 2023

TOPIC	PAGE #	TYPE OF CHANGE	PROPOSED VERSION	ORIGINAL VERSION
			NEW EMPLOYEE IDENTIFICATION CARD PROCESS New employees will fill out an Outagamie County Employee Identification Card Information Sheet and will submit a headshot picture to be used for their badge, prior to their last day of hire. Contract workers who are determined to need an individual identification card must fill out the Contractor Identification Card form located on the HR website and have it filled out and signed by a supervisor. Badge information created for new employees is provided to the maintenance department, who will then establish facility access for designated departments.	Contract workers who are determined to need an individual identification card must fill out the Contractor Identification Card form and have it filled out and signed by a supervisor. Badge information created for new employees is provided to the maintenance department, who will then establish facility access for designated departments.
			REPLACEMENT AND USE If an employee forgets their identification card, they may obtain a temporary department identification card to wear for that day. This should be obtained through the employee's department. If an employee misplaces their identification badge, they may use the department temporary card for up to one week. The employee should immediately notify their supervisor or Maintenance so the security access can be disabled. If the employee has not located their card in one week, a new card must be obtained through Maintenance. Upon termination, all employees shall surrender their identification card to their supervisor or Human Resources. All supervisors shall collect id badges as part of the termination checklist process. If an employee refuses to surrender the badge or does not have the badge the supervisor shall immediately contact Maintenance so the badge can be disabled. Any employee who is found to have used their identification card for purposes other than for authorized Outagamie County business, or who allows another person to use their identification card for personal use, will be subject to the discipline process. If an employee changes department or name, the supervisor or employee may contact the Human Resources Department for a new identification card. If the identification card is broken, worn, or no longer works for security access, the employee should contact Maintenance for a replacement card.	REPLACEMENT AND USE If an employee forgets their identification card, they may obtain a temporary department identification card to wear for that day. This should be obtained through the employee's department. If an employee misplaces their identification badge, they may use the department temporary card for up to one week. The employee should immediately notify their supervisor or Human Resources so the security access can be disabled. If the employee has not located their card in one week, a new card must be obtained through Human Resources. Upon termination, all employees shall surrender their identification card to their supervisor or Human Resources. Any employee who is found to have used their identification card for purposes other than for authorized Outagamie County business, or who allows another person to use their identification card for personal use, will be subject to the discipline process. If an employee changes department or name, the supervisor or employee may contact the Human Resources Department for a new identification card. If the identification card is broken, worn, or no longer works for security access, the employee should contact Human Resources for a replacement card.

Outagamie County

Employee Handbook
Matrix of Changes

April 2023

TOPIC	PAGE #	TYPE OF CHANGE	PROPOSED VERSION	ORIGINAL VERSION
			BADGING IN/OUT OF THE BUILDING All visitors MUST use the Main Visitor Entrance and be cleared through CJU security. Visitors must also exit through the public exit near the front door security. All employees should utilize the Employee Only Entrances rather than the Main Visitor Entrance whenever possible. If an employee forgets their access card, they shall be required to enter at the visitor's entrance and go through security screening. Employees shall not let other employee in through the employee entrances. When using the Main Visitor Entrance employees will be screened just like the general public. All employees MUST badge OUT of the building when exiting at the Employee Only Entrances (do not need to badge out of exits with green stars on the map). Employees should listen for the beep to ensure their badge was recorded. If a beep is not heard the employee should try to re-badge. It is not necessary to close the door between entering/exiting employees, but each employee MUST badge in/out individually. If you accidentally sound the alarm when exiting, please immediately badge out and the alarm will clear. All building entrances are monitored by video cameras. The EAB West Entrance onto the front lawn/plaza (large purple slab on the map) is NOT available to employees or visitors to enter or exit, other than emergency evacuation.	
INCLEMENT WEATHER	37	UPDATE CLARIFICATION OF UNPAID TIME USAGE	Inclement weather may make it impossible for employees to come to work, or it may require employees to leave work before the end of normal office hours. Employees may request that this time off be charged to unused vacation, or choose to "make up" the lost time, consistent with flex, comp time and Fair Labor Standards Act requirements. In addition, contrary to the unpaid leave policy, employees may use leave without pay, even if they have available vacation to use. All arrangements must be confirmed with department approval.	Inclement weather may make it impossible for employees to come to work, or it may require employees to leave work before the end of normal office hours. Employees may request that this time off be charged to unused vacation, leave without pay, or choose to "make up" the lost time, consistent with flex, comp time and Fair Labor Standards Act requirements, with department head's approval.

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TOPIC	PAGE #	TYPE OF CHANGE	PROPOSED VERSION	ORIGINAL VERSION
PERFORMANCE EVALUATIONS AND SALARY ADMINISTRATION	49	CLARIFICATION EVALUATION ACKNOWLEDGMENT & CASUAL CALL	The purpose of the annual performance evaluation is to assess an employee's work effectiveness and to encourage good performance while also identifying areas for development. Performance evaluations are considered in decisions affecting placement, salary advancement, overtime assignments, promotions, demotions, termination, order of layoff, reemployment, and training. An acknowledgment of the performance evaluation discussion must be completed in Tyler Munis before a personnel action for the resulting step increase is submitted. No step increase will occur until the evaluation discussion has occurred. Performance evaluations are not required for Casual/Call employees, as they are not eligible for step increases.	

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TOPIC	PAGE #	TYPE OF CHANGE	PROPOSED VERSION	ORIGINAL VERSION
PERSONAL APPEARANCE / CLOTHING ALLOWANCE	53	UPDATE - ROLES ELIGIBLE FOR ALLOWANCE	The amount and administration of the clothing allowance for uniformed Sheriff's Office staff will be made in accordance with existing policies, with a summary of current policies provided below: • Sheriff, Chief Deputy, Communication Center Manager, Administrative Captains, Jail Lieutenants, ~~Civil Process Servers~~, Telecommunications Supervisor and Communications Shift Supervisor shall receive a $275 initial allowance and an annual $275 allowance. • Patrol Lieutenants shall receive a $375 initial allowance and an annual $375 allowance. • Operations Assistants and Telecommunicators will receive an initial $275 allowance and then an annual $250 allowance after that. The Sheriff's Office Mechanic is required wear safety shoes and is responsible for purchasing and wearing safety shoes/boots to comply with the County's Personal Protective Equipment policy and is eligible to receive an annual (per calendar year) reimbursement up to $40 for purchase of safety shoes with presentation of proper receipt to their supervisor. The Sheriff's Office Mechanic will be reimbursed for tools purchased up to $250.00 per year, payable upon the submission of a receipt substantiating the purchase. • All employees paid during the pay period in January each year when the clothing allowance has been disbursed (typically the 2nd pay day in January), will be paid the full annual rate for clothing allowance for that year. As an example: if you were hired in Feb or Dec of 2017, you will receive your clothing allowance as a new employee in Feb or Dec of 2017 and in January of 2018 you will receive the 2018 annual clothing allowance. The only exceptions are for new employees hired Jan 1 through the pay period of the uniform allowance, as they will receive just their initial hiring allowance; whereas those not leaving in good standing during that disbursement pay period will not receive the allowance. All uniformed Sheriff's Office staff, including part time, shall receive a clothing allowance on the above basis, excluding the Administrative Supervisor, Systems Analysts, Staff Accountant and Records Specialists.	The amount and administration of the clothing allowance for uniformed Sheriff's Office staff will be made in accordance with existing policies, with a summary of current policies provided below: • Sheriff, Chief Deputy, Captains, Jail Staff Sergeants, Lieutenants, and Telecommunicator Supervisors shall receive a $275 initial allowance and an annual $275 allowance. • Patrol Staff Sergeants shall receive a $375 initial allowance and an annual $375 allowance. • Justice Center employees at the Jail and Communications Center will receive an initial $275 allowance and then an annual $250 allowance after that. • All employees paid during the pay period in January each year when the clothing allowance has been disbursed (typically the 2nd pay day in January), will be paid the full annual rate for clothing allowance for that year. As an example: if you were hired in Feb or Dec of 2017, you will receive your clothing allowance as a new employee in Feb or Dec of 2017 and in January of 2018 you will receive the 2018 annual clothing allowance. The only exceptions are for new employees hired Jan 1 through the pay period of the uniform allowance, as they will receive just their initial hiring allowance; whereas those not leaving in good standing during that disbursement pay period will not receive the allowance. All uniformed Sheriff's Office staff, including part time, shall receive a clothing allowance on the above basis, excluding Operations Assistants, Process Servers, and Health Records Specialists
SEPARATION FROM EMPLOYMENT	64	CLARIFICATION - NOTICE PERIOD START DATE	Employees are encouraged to provide a two (2) week written notice of intent to terminate their employment. The day you provide written notice is not counted. Count each day after notice is given.	

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TOPIC	PAGE #	TYPE OF CHANGE	PROPOSED VERSION	ORIGINAL VERSION
SICK LEAVE	64	CLARIFICATION - FAMILY MEDICAL LEAVE ELIGIBILITY	An employee eligible for sick leave with pay may use such leave upon approval of the manager/supervisor/department head for absence due to an employee's illness, injury, exposure to contagious disease, dental or medical appointments or due to an employee's immediate family member's (i.e., the employee's spouse, or dependent children living in the employee's household) hospitalization, illness or dental or medical appointment requiring the employee's personal attendance. An employee using sick leave shall inform their immediate supervisor of the fact and reason as soon as possible and failure to do so within reasonable time may be cause for denial of pay for the period of absence. The department head may request a doctor's certificate before approving such leave with pay if three (3) or more consecutive workdays are missed. If an employee is eligible for Family Medical Leave, that employee is required to complete FML paperwork after more than three (3) consecutive workdays are missed. Additional requirements for FMLA should be discussed with the employee's supervisor. The department head may also request a doctor's certificate, for any sick leave use, before approving such sick leave with pay after four (4) instances of sick leave, without a doctor's certificate, are taken in a calendar year. Employee's accrued sick leave for serious health conditions of family members (as set forth in the immediate family definition) is covered under FMLA. Sick leave pay may only be used for Family Bonding and serious health conditions of family members (as set forth in the immediate family under Family Medical Leave).	An employee eligible for sick leave with pay may use such leave upon approval of the manager/supervisor/department head for absence due to illness, injury, exposure to contagious disease, dental or medical appointments or due to illness in the employee's immediate family (i.e., the employee's spouse, or dependent children living in the employee's household) requiring the employee's personal attendance. An employee on sick leave shall inform their immediate supervisor of the fact and reason therefore as soon as possible and failure to do so within reasonable time may be cause for denial of pay for the period of absence. The department head may request a doctor's certificate before approving such leave with pay if three (3) or more consecutive workdays are missed. The department head may also request a doctor's certificate, for any sick leave use, before approving such leave with pay after four (4) instances of sick leave, without a doctor's certificate, are taken in a calendar year.

EMPLOYEE HANDBOOK

Your guide in understanding the way we work at

Outagamie County Est. 1851



Revision Date: April 2023

INTRODUCTION

We are pleased that you are employed with us at Outagamie County. We depend on the skill and energy of people like you to provide our citizens with the kind of efficient and courteous service they deserve and expect.

Please read all the information in this handbook carefully and keep this as a ready reference. You will undoubtedly have questions about your job with the County. When questions arise which are not answered in the handbook, do not hesitate to ask your supervisor/manager or department head for assistance.

You are an important member of the County work force; we hope your employment is mutually rewarding.

Thomas

Thomas Nelson
Outagamie County Executive

OUTAGAMIE COUNTY CORE VALUES

Invested in Serving
Devoted to positively impacting our communities

Better Together
Inspire unity by promoting collaboration, trust and respect

Create Progress
Encourage growth through innovation to advance and succeed

Support Through Compassion
Prioritize one another through communication, inclusion, and transparency to bolster our community

Revision Date: April 2023

PURPOSE OF THE HANDBOOK

The Employee Handbook is designed to promote consistent, uniform personnel administration throughout Outagamie County. It is the intent of Outagamie County that all employees be treated with dignity and respect.

This handbook is not designed to be an all-inclusive or all exclusive document, as there may be other policies that may apply to you. However, it will help you familiarize yourself with important matters that relate to you, your job, and your career.

This handbook is for general information purposes only, and applies to all non-bargaining unit employees. The statements in this book are intended as explanation only and create no new rights or obligations. It is not, nor is it intended to be, a contract of employment or a promise of employment. The County reserves the right to modify, revoke, suspend, terminate, or change any or all of such plans or processes, in whole or in part, at any time, with or without notice. Any statements set forth which are in conflict with, are superseded by, and subject to all federal and state laws, county ordinances and resolutions, and, if applicable, collective bargaining agreements and individual employment contracts, related to employee rights and benefits. In addition, your department may have unique characteristics that may require special consideration within these guideline areas and may develop work rules within the parameters of this Manual. Employees of Outagamie County are employees-at-will. No person has authority to make any agreement for employment for any specified period of time or to make any agreement contrary to the foregoing.

The language set forth in this handbook supersedes all previous Outagamie County Employee Handbooks, as well as Personnel and Interim Personnel Manuals, and is effective August 2022. When there is a conflict regarding the present handbook and any other past practices related to personnel matters, the present manual will prevail.

Constructive comments on the usefulness and completeness of this handbook are welcome. Please direct them, as well as any questions you may have, to the Outagamie County Human Resources Department.

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ABSENCES

Employees unable to come to work must contact their supervisor or designee prior to the start of their work day as determined by their department. While it is recognized that there may be extenuating circumstances for unauthorized absences; and due consideration will be given for each case, an employee who is absent from duty without approval for three (3) consecutive scheduled work days will be considered to have voluntarily terminated their position.

Employees absent from work must account for their missed time through the use of vacation, sick leave, comp time, unpaid leave, or floating holidays. The provisions of this section apply to both Fair Labor Standards Act exempt and non-exempt employees and are in accordance with the county's policy of ensuring public accountability of its employees.



ACCEPTABLE BEHAVIOR

It is the policy of Outagamie County to promote a safe and respectful environment for employees and clients that is free from all forms of harassment, offensive language, violence, bullying, and other non-productive behaviors.

It is a violation of this section of the handbook to engage in any behavior that is offensive, unprofessional, illegal, disrespectful, or in any way does not meet the high professional standards expected in our workplace. Unacceptable behavior will include but will not be limited to:

Harassment or other discriminatory behavior toward individuals in protected classes as defined and covered by Title VII of the Civil Rights Act of 1964. Harassment includes physical, verbal, and non-verbal abuse, intimidation, and threats. Sexual harassment is defined as unwelcome or unsolicited verbal, non-verbal, or physical conduct of a sexual nature in which submission to or rejection of such conduct is used as the basis for making decisions effecting conditions of employment or has the purpose or effect of substantially interfering with an employee's job performance, or creates an intimidating hostile or offensive work environment.

General harassment, bullying, other forms of psychological harassment, and any use of hostile, intimidating, threatening or humiliating behavior.

Violence, including the use or threat of use of any weapon on county property unless as a requirement of the job; the use of physical violence, including threat of physical violence on county property (reasonable force may be used in the defense of oneself or others).

Possession of any weapon in county facilities or vehicles, or in the performance of county duties, unless as a requirement of the job.

RESPONSIBILITY

It is the responsibility of each member of management to create an atmosphere free of unacceptable behavior. All members of management are responsible for preventing and/or eliminating unacceptable behavior in their work areas. In addition, it is the responsibility of all employees, contractors, vendors and visitors to respect the rights and feelings of other individuals.

COMPLAINT PROCESS

Any employee who believes they have been subjected to unacceptable behavior is encouraged to file a report of such conduct by either:

a) notifying their department management staff who will then notify the Human Resources Department, or;
b) notifying the Human Resources Deputy Director or Director.

This report can be made verbally or by completing a Complaint Form found on the HR webpage. Complaints should include specific detail about the parties involved, what day and time the incident occurred, a list of any witnesses, and any other relevant information.

In cases of violent behavior where the threat of injury is imminent, or an injury has occurred, emergency responders such as police, fire and/or ambulance personnel should be notified immediately by calling 9-911. Human Resources should then be notified. Human Resources and/or department management will take steps to minimize the potential for further violence or the fulfillment of any threatened violence.

The county recognizes that false accusations can have serious effects on innocent individuals and their families. Consequently, false accusations will result in appropriate disciplinary action against the complaining party.

INVESTIGATION PROCESS

Allegations of protected class harassment will be investigated in a timely and thorough manner by members of the Human Resources Department in conjunction with department management staff.

Other allegations of unacceptable conduct will be investigated in a timely and thorough manner by department management staff or Human Resources staff in conjunction with department management staff.

Where allegations of violent behavior have been made, the county reserves the right to search an employee's belongings while on county property and county owned property being used by the employee or have law enforcement personnel search any employee's person if there is a reasonable suspicion that a weapon or evidence of violent behavior has been concealed. Any employee failing to cooperate with such a search will be subject to disciplinary action.

REMEDIAL ACTION

Discipline may include warning, suspension or termination depending on the severity of the incident and the repetitious nature of the behavior.

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NOTIFICATION TO COMPLAINANT

Following investigation and imposition of any discipline, the complaining party will be notified as to the resolution of the case and that any further incidents should be reported promptly.

RETALIATION

Any and all forms of retaliation against a complainant or witness are expressly prohibited by the county. Appropriate disciplinary action will be taken against anyone retaliating against either the person filing a complaint or anyone assisting in the investigation.

CONFIDENTIALITY

To every extent possible, complaints and investigation results regarding unacceptable behavior will be treated with the utmost discretion and confidentiality for both the complaining party and the person against whom the complaint was filed.



ALCOHOL AND DRUGS

Outagamie County has a vital interest in maintaining safe, healthy, and productive working conditions for employees and providing safe, quality services to constituents. Employees under the influence of alcohol or other drugs while in the workplace pose a threat to the safety and wellbeing of themselves, co-workers and the general public.

The county encourages employees who have an alcohol or other drug problem to seek help to deal with their problem. Help is available through the Employee Assistance Program. For more details on this program, contact the Human Resources Department.

Some positions within Outagamie County fall within the purview of the DOT, Law Enforcement, FAA or other state or federal agencies that have different alcohol/drug standards that apply. Where a different standard exists, the more stringent standard will supersede.

POLICY STATEMENTS

The unauthorized consumption of alcohol during work hours or on county property is prohibited.

The unauthorized use, possession, distribution or sale of drugs, illicit drugs and/or controlled substances during work hours or on county property is prohibited.

Being under the influence of alcohol at work is a violation of this policy. Under the influence of alcohol is defined as a Breath Alcohol Concentration (BRAC) of .02 or greater.

Being at work under the influence of any drug not lawfully prescribed, or the misuse of any lawfully prescribed drug while at work is a violation of this policy. Under the influence of drugs is defined as meeting or exceeding urine concentration levels of prohibited substances as established by the DOT. Misuse is defined as exceeding the normal urine concentration range for a drug as prescribed.

Employees will not be permitted to work if under the influence of legal drugs or prescribed medications whose use adversely affects the employee's work.

Employees violating this policy will be subject to discipline.

REASONABLE SUSPICION

Where reasonable suspicion exists that an employee is under the influence of alcohol or drugs, the employee may be required to submit to testing specified by the employer.

Where reasonable suspicion exists that an employee is in possession of drugs or has been consuming alcohol or drugs during work hours or on county property, the employer reserves the right to inspect any and all storage devices on county property including personal storage devices.

Reasonable suspicion is defined as specific, contemporaneous, articulable observations about the conduct, appearance, speech or body odors of the employee and may include information provided by co-workers. Involvement in, or causation of an on-the-job accident may constitute a basis for reasonable suspicion. Anonymous tips will not be accepted as the sole basis for reasonable suspicion.

Reasonable suspicion must be established by a member of management and wherever possible, be confirmed by a second member of management.

PROCESS

Where reasonable suspicion exists, if at all possible, the Human Resources Department should be consulted before proceeding. Human Resources will provide the manager with a list of state certified testing facilities.

Where testing is indicated, a member of management must complete a Referral Authorization Form and escort the employee to the designated testing facility, present the Referral Authorization Form, and remain with the employee at the test site throughout the testing process. Under no circumstances should an employee, suspected of being under the influence of alcohol or drugs, be permitted to drive themselves to the testing site.

Standard testing will include a Breath Alcohol Test (BAT) and a Rapid Drug Screen. The employer reserves the right to test for other illegal drugs at its discretion.

Following testing, the escort will return the employee to the worksite. If during normal business hours, the employee will be brought to the Human Resources Department to await test results. If not during normal business hours, or if test results are not immediately available, arrangements should be made for the employee to get home where the employee will await return to work instructions.

Test results will be reported to the Human Resources Department as either positive or non-positive as soon as they are available. An employee will not be permitted to work while awaiting test results.

Refusal to be tested, tampering with the samples and/or non-cooperation with the process will be considered a positive test and the employee will be subject to discipline.

Where non-positive results are obtained from the BAT and Rapid Drug Screen, Human Resources will clear the employee to return to work immediately. Management should investigate the circumstances that led to reasonable suspicion. The EAP may be consulted in this regard.

CHALLENGING RESULTS

An employee may request a blood sample be drawn at the time of the BAT if they wish to ultimately challenge the results of the BAT. The blood sample may be analyzed at a lab of the employee's choice. The results of the blood analysis will govern.

An employee may challenge the results of the Rapid Drug Screen findings with a confirmation test at a lab of the employee's choice within 14 calendar days of the initial test. In the event of conflicting results, the confirmation test will determine the outcome.

RETURN TO WORK FOLLOWING POSITIVE RESULTS: ALCOHOL

Employees testing positive will be subject to discipline. An EAP referral may be made in conjunction with discipline. If an EAP referral is indicated, the employee must execute a consent agreement allowing the release of information regarding treatment recommendations, cooperation, follow-through, and readiness to return to work.

If discipline does not result in termination of employment, the date and time of return to work will be determined by the Human Resources Department or the employee's manager.

RETURN TO WORK FOLLOWING POSITIVE RESULTS: DRUGS

A positive Rapid Drug Screen requires the test sample to be forwarded to a lab for a more detailed chemical analysis. Human Resources will be notified immediately that the sample is being sent for analysis. The analysis process may take several days. The employee will be sent home pending receipt of results.

Positive results are forwarded to the Medical Review Officer (MRO) at the designated testing facility who will review the results of the detailed analysis and contact the employee for additional information. The employee may be required to present proof regarding the usage of prescription medications. The MRO will then consult with the Human Resources Department.

After the results are made known to the Human Resources Department, the employee testing positive will be subject to discipline. An EAP referral may be made in conjunction with discipline. If an EAP referral is indicated, the employee must execute a consent agreement allowing the release of information regarding treatment recommendations, cooperation, follow-through, and readiness to return to work.

If discipline does not result in termination of employment, the employee may not return to work without evidence of a non-positive test.

Testing for purposes of return to work may be completed at a state certified facility of the employee's choice but must use threshold levels established by the employer.

RECORDS AND FOLLOW-UP

All test results and test related information will be maintained by the Human Resources Department in a confidential manner.

If discipline does not result in termination of employment, an employee, after having tested positive, may, without reasonable suspicion, be subject to a maximum of three subsequent screens related to the initial positive test during the following 12 month period unless more frequent or random testing is prescribed by the EAP.

ASSOCIATED COSTS

All initial testing required by the employer will be paid for by the employer.

Random testing and follow-up testing prescribed by the EAP as described will be paid for by the employer.

Testing required for return to work will be determined by and paid for by the employer. Return to work testing not approved by the employer will be paid for by the employee.

All costs related to any challenge of initial test results, including any medical procedures, will be the responsibility of the employee unless the results are non-positive.

SALARY AND WAGES

Employees will be paid their regular wages for the time spent in the initial testing process.

Employees waiting for clearance to return to work following testing will be paid their regular wages for all missed time if the tests are non-positive. Where the tests are positive, the employee will not be paid their regular wages nor have access to sick leave, vacation or floating holiday pay for missed time.

Where return to work is delayed by an employee challenge of test results, the employee will be paid their regular wages for missed time in the event of a non-positive result and will not be paid for hours missed if the result is positive.



BEREAVEMENT LEAVE

Bereavement leave is leave taken by an employee due to the death of another individual, usually a close relative.

The time is usually taken by an employee to grieve the loss of a close family member, prepare for and attend a funeral, and/or attend to any other immediate post-death matters.

All regular full-time and part-time employees are eligible for up to five (5) days with pay for death in the family to include spouse, child, parent, stepparents, stepchild, brother, sister, step-brother, and step-sister; three (3) days with pay for (great) grandparents, step-grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparent-in-law, grandchild, and step-grandchild; and one (1) day with pay for uncle, aunt, nephew, niece. Family members covered in this section must be legal relatives

at the time of death. For example, a person who once was a step-parent but has since divorced is no longer considered a step-parent at the time of death.

The hour equivalent of the term "days" is determined by the proration factor of the employee, with a maximum factor of eight (8) hours per day.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. An employee may, with their supervisor's approval, use any available vacation or floating holidays for additional time off as necessary. Sick leave may not be used to extend bereavement leave without a physician's certification.

Generally, bereavement leave is taken immediately following the death. However, there may be circumstances when a supervisor will recognize the need for flexibility, for example, if a memorial service is scheduled at a time in the future.

Bereavement pay is calculated based on the base pay rate at the time of absence, and it will not include any special forms of compensation, such as incentives, commissions, bonuses, overtime or shift differentials.

The employee's supervisor and Human Resources will consider this time off on a case-by-case basis and may require verification of the need for the leave in special circumstances.



BREASTFEEDING FRIENDLY WORKPLACE

In recognition of the well documented health advantages of breastfeeding for infants and mothers, Outagamie County provides a supportive environment to enable breastfeeding employees to express their milk during work hours.

EMPLOYEE RESPONSIBILITIES

Employees who wish to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the department.

It is the employees' responsibility to initiate this communication and to clearly state their needs to their supervisor.

Maintenance of Milk Expression Areas:

Breastfeeding employees are responsible for keeping milk expression areas clean, using anti-microbial wipes to clean the surfaces they utilize to pump.

Employees are also responsible for keeping the general lactation room clean for the next user.

This responsibility extends to both designated milk expression areas, as well as other areas where expressing milk will occur.

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Breastfeeding Equipment:

The employee is responsible to purchase their own breast pump equipment. The Affordable Care Act requires health insurance to cover a breast pump for all new mothers.

A list of breast pump distributors is available upon request from the Human Resources Department.

Milk Storage:

If milk is stored in a common refrigerator, employees should label all milk expressed with their name and date collected so it is not inadvertently confused with another employee's milk.

Use of Times to Express Milk:

Employees shall use the Staff Lactation Room Outlook Calendar or sign-up calendar displayed on lactation room door to schedule milk expression times that are most convenient or best meet their needs.

A Staff Lactation Room has been established on Level 3 of the Administration Building, on Level 2 (Heritage Square) at Brewster Village and ground floor of the Justice Center. All county employees are welcome to schedule time in these rooms. In other buildings where there is not a dedicated lactation room, the employee must work with their management staff to establish appropriate accommodations. Temporary Lactation Rooms have been identified at Highway Department, YFS, Solid Waste and the Sheriff's Department. If an employee has comments, concerns, or questions, regarding this issue, they may contact Human Resources.

EMPLOYER RESPONSIBILITIES

Milk Expression Breaks:

In accordance with the Fair Labor Standards Act (FLSA), Outagamie County will provide nursing mothers reasonable break time each time the employee needs to express milk for up to one year after the birth of a child.

Lactation times shall be established for each employee based on her work schedule. If possible, the lactation time is to run concurrently with any break time already provided.

Lactation time beyond the regular break time is unpaid and will be determined between the employee and the employee's supervisor.

A Place to Express Milk:

In accordance with the Fair Labor Standards Act (FLSA), a private room (not a toilet stall or restroom) shall be available for employees to breastfeed or express milk. The room will:

- Be private and sanitary
- Be located near a sink with running water for washing hands and rinsing out breast pump parts
- Have an electrical outlet
- Be in close proximity to the employee's work area

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- Contain comfortable seating
- Have appropriate signage and/or other security measures will be used to identify the occupied status of the lactation area

If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee's supervisor.

Employees shall use the Staff Lactation Room Outlook calendar to schedule milk expression times that are most convenient or best meet their needs.

Supervisors will be responsible for reviewing policies and practices that will help facilitate each employee's infant feeding goals.

It is expected that employees will assist in providing a positive atmosphere of support for breastfeeding employees.



CIVIC DUTY

The county supports employees in their civic duty to serve on a jury, and their responsibilities as an active citizen.

Employees must present any summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

An employee when subpoenaed in connection with county business, called upon to serve jury duty, or subpoenaed as a witness, will be paid their regular salary up to eight (8) hours per day.

The employee will not be entitled to jury duty pay or witness fees in addition to their regular pay except on those occasions when the employee chooses to take vacation or floating holiday time equal to the time lost by serving on the jury or as witness.

No employee will receive salary for attending court in cases involving a criminal act by the employee or a civil case initiated by the employee.



COMMERCIAL DRIVERS LICENSES

Highway Employees: The county shall pay up to one hundred fifty dollars ($150.00) per renewal toward the cost of successfully obtaining / renewing a CDL and endorsements that are required by the county, including background screening fees, upon presentation of receipts.

Recycling / Solid Waste Employees: The county shall pay up to one hundred fifty dollars ($150.00) toward the cost of successfully obtaining an initial CDL license and required endorsements and all subsequent renewals of a CDL and endorsements that are required by the county, including background screening fees, upon presentation of receipts.

The parties agree that they will comply with all federal and state regulations that pertain to the commercial driver's licenses.

Any employee who receives a citation for any offense that has a potential penalty of the suspension, revocation, or disqualification of their CDL shall notify the Highway Commissioner, or their designee, by 7:00 a.m. on the next business day. Failure to comply will make the employee ineligible for this Section and subject to discipline.

This opportunity shall be given to any employee only once during that employee's employment with Outagamie County. A second major offense, or a series of serious traffic violations resulting in CDL disqualification, shall result in termination.

The county will provide an unpaid leave of absence not to exceed thirteen (13) months to a maximum of two (2) employees at a time, who are disqualified from holding a CDL due to circumstances arising outside of work. Furthermore, it is recognized that loss of a CDL due to circumstances occurring during working hours is a severe offense and may result in termination of employment.

Prior to granting the leave of absence, the county may choose to continue the active employment of the affected employee to the extent that the Highway Commissioner determines that work is available. The employee may also be assigned to other work duties in other departments for which the employee may be qualified, at the sole discretion of the county.

It is understood that if a job assignment pays less than the employee's assigned position, the employee's wage will be adjusted accordingly. If the assignment is into a higher classification, the employee will be paid their normal rate.

Once a leave of absence is granted, the employee will not be reauired to return to work for intermittent, sporadic work assignments, unless said employee makes themselves available for such work.

The decision of the Highway Commissioner to offer, or not to offer, continued work or to assign other work duties in other departments is final and cannot be grieved.

Said employee shall have their CDL privileges reinstated within thirty (30) days following the end of the suspension, revocation, or disqualification period, and failure to do so will result in termination of employment.

The county has the sole discretion to fill the employee's position on a temporary basis during the leave of absence in any manner it deems appropriate. The county may also temporarily fill the position internally, and it shall not be subject to the posting process.

The employee will be required to use available vacation and floating holidays prior to an unpaid leave of absence. Following the utilization of any paid leave, the leave of absence shall be without pay or benefits. It is agreed that the employee shall not file for

unemployment benefits while on paid leave of absence. During the unpaid leave of absence, health, dental, and life insurance coverage will be available if the full premiums are paid by the employee, in accordance with county Policy.

The employee will not lose benefits accrued prior to the paid leave of absence but will not accrue benefits while on the unpaid leave.



COMPENSATORY TIME

It is the policy of Outagamie County to permit employees to earn compensatory time off, at the discretion of the supervisor, manager, or department head. For purposes of computing compensatory time, authorized paid leaves of absence are only considered time worked, if the additional work hours are required by the department. All overtime/compensatory work must be approved in advance by a supervisor or manager.

GRANTING COMPENSATORY TIME

There is no legal requirement or obligation of Outagamie County to grant compensatory time off to employees. A supervisor may choose to grant compensatory time off to employees who work in excess of 40/45 hours in a standard workweek for special projects, to perform urgent county business or during weekends/normally scheduled time off. Compensatory time will be granted on an hour-for-hour basis for exempt/salaried employees and at a rate of 1.5 hours for each hour worked for non-exempt/hourly employees. Compensatory time and overtime only applies after 40 hours for those positions that fall in a 37.5 hour/week category. (Note: all hours over 40 in a work week for non-exempt/hourly employees must either be compensated in compensatory time or overtime, with no exceptions.)

PROCESS

The maximum amount of compensatory time is a rolling amount of 40 hours (i.e. you cannot have more than 40 accumulated hours at any given time).

The approval for earning compensatory time must be approved by the supervisor in advance, whenever possible. Regardless of whether advance approval is required, all employees are responsible for tracking their compensatory time. Time reporting should reflect regular pay and any compensatory time earned or used for a select pay period.

An employee who has accrued compensatory time and requests use of the time must be permitted to use the time off within a "reasonable period" after making the request. Compensatory time usage must be taken in increments of fifteen (15) minutes. Supervisors may deny the request if the use of compensatory time will "unduly disrupt" the department's operations. Supervisors can also require an employee to take compensatory time off to manage the accrual limitation.

PAYOUT OF COMPENSATORY TIME

Non-exempt/hourly employees should intend to use all earned compensatory time off before the first pay period ending in December of the year it was earned. If a non-exempt/hourly employee has any remaining compensatory time off, it will be paid out on the second paycheck in December of the calendar year in which it was earned. Compensatory Time will also be paid out upon separation of a non-exempt/hourly employee or when an employee transfers to a department that does not utilize compensatory time.

For Exempt/Salaried employees, compensatory time may be carried over from one year to another, never to exceed 40 hours at any given time, and will not be paid out upon separation, unless approved by the HR Director due to extenuating circumstances. If an exempt/salaried employee transfers to another department that does not utilize compensatory time, any unused compensatory time the employee has earned will be lost.



CONFLICTS OF INTEREST AND CODE OF ETHICS

Outagamie County expects all employees to conduct themselves and county business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests, as well as perception of a conflict of interest.

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal question. Outagamie County recognizes and respects the individual employee's right to engage in activities outside of employment which are private in nature and do not in any way conflict with or reflect poorly on the county.

The proper operation of government requires that employees be independent, impartial, and accountable to the people and for the public to have confidence in the integrity of its government. Nothing in this section will deny any individual rights granted by the United States Constitution, the Constitution of the State of Wisconsin, or the laws of the United States and State of Wisconsin.

No county employee will use their office or position for personal financial gain or the financial gain of their family. No employee shall engage in their own business activity, accept private employment, or render services for private interests when such employment, business activity, or service is incompatible or conflicts with the proper discharge of their official duties or would impair their independence of judgment or action in the performance of their official duties. No employee will participate in the selection, award or administration of a contract supported by a federal/state award if they have a real or apparent conflict of interest. No employee shall use or disclose "privileged, confidential, or HIPAA protected information" gained in the course of or by reason of their official position or activities.

No county employee is allowed to conduct business relating to outside employment while on county paid time, nor is an employee allowed, at any time, to use county facilities, supplies, equipment, telephones, or property in the performance of outside duties.

Employees can engage in political activity outside of the employee's county employment provided that such activity does not interfere with normal work performance, does not interfere with specific job duties, is not conducted during normal working hours and does not involve the use of county equipment or property. Employees are specifically prohibited from directly or indirectly coercing any person to hold or contribute monetary or other types of assistance to any political candidate, party, or purpose. Under provisions of the Federal Hatch Act, employees who are principally employed in positions which are financed in whole or in part by federal loans or grants cannot become political candidates in partisan elections.

No person shall be employed, promoted, or transferred to any department within Outagamie County government or to a division thereof when, as a result, they would be directly supervising or receiving direct supervision from a member of their immediate family. No county employee will solicit or accept for themselves, or another person any gift, campaign contribution, gratuity, favor, services, promise of future employment, entertainment, loan, or any other thing of monetary value from a person who has or is seeking contractual or other business activities from or which are regulated by the county. This does not include acceptance of loans from banks or other financial institutions on customary terms of finance for personal use, such as home mortgage loans, the acceptance of unsolicited advertising or promotional material, such as pens and calendars, and acceptance of an award for meritorious public or personal contributions or achievements.

Any perceived conflict of interest that is detected or suspected by an employee or third party shall be reported to your supervisor or manager or to their supervisor or manager in their absence. An investigation by the supervisor/manager and/or department head will follow upon notification of perceived violations of this policy. Corporation Counsel should also be contacted to determine if any additional follow-up is needed and to determine what disclosures should be made. Disclosure of known conflicts will be included in federal/state grant applications or will provide prompt notification upon subsequent awareness prior to the awarding of grant funding, as required by federal and state laws. Subsequent identification of known violations (including fraud, bribery, or gratuity violations) must be disclosed, in a timely manner, in writing to the Federal awarding agency or pass-through entity with the department taking prompt, corrective action to ensure such conduct ceases and will not recur.

Violations of this policy may result in disciplinary action consistent with Board policies, procedures, and federal and state laws



CONTINUING EDUCATION

Outagamie County encourages continuing education by offering Education Reimbursement. This reimbursement is intended to provide assistance to the employee for out of pocket expenses for continuing education for the mutual benefit of the employee and Outagamie County, not covered in the departmental budget.

Revision Date: April 2023

This section of the handbook describes eligibility requirements, criteria for approval and reimbursement, and the process for application, approval and reimbursement.

Any Outagamie County employee in good standing, averaging twenty (20) hours or more per week during the six (6) months prior to the start of the course, is eligible to apply.

CRITERIA FOR APPROVAL

Classes must meet during non-working hours. Exceptions can be made only with the approval of the department head and Human Resources.

Courses must be directly related to the employee's current job, be preparation for a promotion to an existing county job for which the applicant would otherwise qualify, meet the requirements for specialized training related to a current assignment; or be required as part of a degree program that meets these qualifications.

Funds must be available in the department budget of the employee. If funds are not available in the employee's department budget, application may be made to the Human Resources Department, with prior approval by the department head.

Any expenses covered by grants or any other form of payment are not eligible for reimbursement under this program.

MAXIMUM AMOUNTS

Reimbursement is limited to tuition and books. All other fees and expenses are the responsibility of the employee.

Maximum reimbursement amounts, unless approved otherwise by the Legislative/Audit/Human Resources Committee, Finance Committee and County Board, include:

a) $1,600 per calendar year for an accredited Associates/Undergraduate degree program

b) $2,450 per calendar year for an accredited Graduate degree program

Reimbursement for books is limited to half the cost incurred.

Qualifying part-time employees will be eligible for one-half of the stated maximum amounts. Where an employee changes status from part-time to full-time or full-time to part-time, reimbursement maximums will be based on the status that the employee maintained for the majority of the length of the actual course.

Where an employee takes both undergraduate and graduate classes in the same year, total reimbursement for the year will not exceed the maximum for graduate level courses.

CLASS APPLICATION

Application for approval should be made in advance of the class by completing an Outagamie County Tuition Reimbursement Request for Course Approval form. One Application for Approval must be completed for each class. Forms are available the HR webpage.

APPROVAL PROCESS

The completed Request for Course Approval form must be submitted to the employee's Department management for review and approval. If approval is granted at the department level, the department will then forward the form to the Human Resources who will review the application for completeness and approve or disapprove the application in accordance with established approval criteria and annual maximums. A copy of the Request for Course Approval will then be returned to the employee's supervisor with indication that the course was either approved or disapproved. If the course was not approved, the reason will be clearly stated.

CRITERIA FOR REIMBURSEMENT

- Requests for reimbursement must be made within a sixty (60) day period following the conclusion of class.
- Exceptions to this criteria require special approval from Human Resources and the appropriate Department.
- Employee must be employed with Outagamie County at the time of request for reimbursement.
- A grade of "C" (or better) or "pass" must be attained.

REIMBURSEMENT PROCESS

Employee must submit to Human Resources, a completed Reimbursement Request Form with appropriate signatures and account numbers and attach the following:

(a) Verification from the educational institution that payment covering or in excess of the reimbursement amount was made.

(b) Verification from the educational institution of the course, credit and grade received by the employee.

Upon verification that all requirements have been met, the Human Resources Department will initiate the payment process. The reimbursed amount will be charged against the "Maximum Amounts" for the calendar year in which the course is completed.

EMPLOYMENT LONGEVITY

Employees that voluntarily terminate employment with the county prior to the completion of two (2) years of employment from the course End Date will be required to pay back a pro-rated portion of their reimbursement amount. The pay back will be 1/24th of the total reimbursement for each month short of twenty-four (24) months employment post course End Date. Authorization to deduct any payback amounts are provided by the employee on the Request for Course Approval form.

Employees who are involuntarily terminated prior to the completion of two (2) years of employment from the course End Date will be obligated to pay back a pro-rated portion of their reimbursement amount. The pay back will be 1/24th of the total reimbursement for each month short of twenty-four (24) months employment post course End Date. This amount may be collected from the employee by the employer in the form of a deduction on the employee's final paycheck, a cash or check payment from the employee, or referred to a

collection agency. Authorization to deduct any payback amounts are provided by the employee on the Request for Course Approval form.

For courses with no established End Date, the date of reimbursement will be considered the End Date.

RECORDS

Copies of all reimbursement related applications, documentation and payments will be scanned and preserved in the accounts payable records in Financial Services.

SEMINARS, CONFERENCES, TRAINING, AND OTHER ITEMS OUTSIDE OF REIMBURSEMENT AND PAYBACK PROCESS

1. Staff submit request directly to their supervisor.

2. Supervisor evaluates appropriateness of request based upon:

- Applicability to their job function or individual training needs.
- Cost effectiveness of the seminar.
- Willingness of the attendees to share the knowledge gained with the organization.
- Evaluate the number of seminars the individual has attended.

3. The supervisor/manager will then confirm their recommendation with the department head who will either approve or disapprove request.

4. Decisions go to the supervisor and employee.

5. Charges will be applied to the appropriate account within the department budget.



CORRECTIVE DISCIPLINE

The purpose of discipline is intended to correct unacceptable job performance. Disciplinary action is intended to be administered in a corrective fashion, concentrating on performance improvement rather than on punishment. The county will attempt to inform the employee of standards of conduct and performance which are expected. Because all performance criteria which may make disciplining an employee necessary cannot be listed, each employee is expected to follow all county or departmental policies and processes outlined in the Employee Handbook and conduct themselves in a manner which is appropriate to the employment setting.

Normally, when disciplinary actions are required for employees, the concept of progressive discipline will be followed; however, it must also be understood that the degree of disciplinary action will match the severity of the infraction. Therefore, depending upon the severity of the offense and an employee's disciplinary history, the action chosen by management may involve immediate application of one or more of the progressive steps, including immediate discharge, if warranted. Repeated infractions of even minor offenses can and will result in

increasingly severe disciplinary actions. Unless there are mitigating circumstances, the normal sequence of discipline will be:

1st offense - The employee will be given a verbal reprimand. This normally will be done in private. The department head or supervisor will explain to the employee the reasons for being disciplined and also the manner in which the employee should correct their problem in the future to avoid further discipline. A document confirming the conversation will be provided to the employee, at which time the employee should respond in writing acknowledging receipt. The document should then be forwarded to the Human Resources Specialist to be placed in the employee's personnel file.

2nd offense - The employee will be given a written reprimand, with a copy to the Human Resources Department to be placed in the employee's personnel file. This document, like the verbal warning, will give the rule or policy broken and the manner to improve performance. (Note: a Performance Improvement Plan template is available on the HR webpage, for use as appropriate.)

3rd offense - The employee may be suspended without pay. A confirmation letter will be sent to the employee with a copy to Human Resources to be placed in the employee's personnel file.

[Note: Employees considered exempt under the Fair Labor Standards Act will be suspended in weekly increments only, with the exception of a suspension for a major safety infraction or a serious work place conduct violation.]

4th offense - The employee will be terminated. Before any employee is terminated, the matter will be reviewed with the Human Resources Director.

An employee shall be terminated and the employment relationship ended for any of the following reasons:

1. Discharge;
2. Resignation; (Resignation will become effective upon receipt by the county of a written notice of resignation from the employee.)
3. Retirement;
4. Unexcused failure to return to work after the expiration of a leave of absence or period for which Worker's Compensation was paid;
5. Failure to report availability to return to work within five (5) calendar days after notice of recall from layoff or failure to return to work within fourteen (14) calendar days after reporting availability;
6. On layoff for a continuous period of time equivalent to twelve (12) calendar months.



COUNTY RESIDENCY

Employees of Outagamie County are not required to reside within the physical boundaries of the county. (Exception: All sworn employees of the Sheriff's Department, according to county

ordinance, must, within six (6) months of employment with the county, establish residency within twenty seven (27) radius miles of Sheriff Headquarters.)



DEFERRED COMPENSATION

Section 457 of the Internal Revenue Code allows public sector employees to defer a portion of their pre-tax income into an investment account. Employees are allowed to defer up to one hundred percent (100%) of gross income, subject to an annual maximum deferral amount.

The county offers two deferred compensation plans, currently administered by ICMA and Wisconsin Deferred Compensation. Both plans also offer an after-tax Roth option. Additional information is available in the Human Resources Department or on the Human Resources webpage.



DENTAL INSURANCE

All regular employees who are hired at or are pro-rated at twenty (20) or more hours per week are eligible for dental insurance coverage.

Eligible employees may choose either single, limited family, or family coverage. In the event an employee has a spouse who is also a county employee, that employee and spouse may choose either two single plans or one family plan.

Insurance becomes effective the first day of the month following one full month of employment or eligibility. Coverage continues through the end of the month in which termination of coverage occurs.

Specific details regarding dental premium amounts can be found on the Benefits Summary on the Human Resources webpage.



ELECTRONIC RESOURCES: COMPUTERS, INTERNET AND EMAIL

The county provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voicemail, fax, scanner, internet, intranet, e-mail, or any other county-provided technology, use should be reserved for business. All communication using these tools shall be handled in a professional and respectful manner.

Employees do not have any expectation of privacy in their use of county computer, phone, or other communication tools. All communications made using county-provided equipment or

services, including e-mail and internet activity, are subject to inspection by the county. Employees should keep in mind that even if they delete an email, voicemail, or other communication, a copy will be archived on the county's systems on a real-time basis.

E-mails that are not job-related have the potential to drain, rather than enhance, productivity and system performance. You should also be aware that information transmitted through e-email is not completely secure and that information you transmit and receive could damage the reputation of the county.

The county encourages employees to use communication tools only to communicate with fellow employees, suppliers, and clients regarding county business. Internal and external e-mails are generally considered public records and may also be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside of the county.

Using communications in a manner that violates any county guidelines or policies is strictly prohibited, including but not limited to the Equal Opportunity and Harassment policies, the Conflict of Interest Policy, etc. Delete any e-mail messages prior to opening that are received from unknown senders and advertisers.

It is the county's goal to respect the dignity of employees at all times. Because e-mail, telephone and voicemail, and internet communication equipment are provided for county business purposes and are critical to the county's success, your communications may be accessed without further notice by Information Technology department administrators and county management to ensure compliance with this guideline.

The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means.

Office telephones are for business purposes. While the county recognizes that some personal calls are necessary, these should be kept as brief as possible and to a minimum. Abuse of these privileges is subject to corrective action, up to and including termination. With the exception of emergency situations, personal cell phones should be used at break times or lunch hours.

It is also against county policy to turn off anti-virus protection software or make unauthorized changes to system configurations installed on county computers. Violations of this policy may result in termination for a first offense.

All employees are subject to the Outagamie county Acceptable Use Policy and are required to review such policy provided during new hire orientation.

See the ACCEPTABLE USE POLICY located on the IT webpage.



EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance.

Revision Date: April 2023

Outagamie County wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life.

This free, comprehensive counseling service offers employees and their spouse or children three visits per issue each year and a 24-hour hotline answered by professional, degreed counselors. Employees may contact the Employee Assistance Program directly. Contact information can be found on the HR Webpage.

The county encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the county, nor is the county given any information on who chooses to use the services.

The initial appointment to the agency will not be charged to the employee's sick leave or vacation leave; however, should follow-up counseling be required, the employee is expected to use sick leave, vacation, or non-scheduled time.



EMPLOYMENT OF RELATIVES

Due to potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment, which can be carried into the daily working relationship, Outagamie County will hire or consider other employment per the guidelines below concerning relatives of persons currently employed. This policy applies to all current employees and candidates for employment.

For the purposes of this policy, "relatives" are defined as spouses, children, siblings, parents, or grandparents.

Outagamie County will hire or consider other employment only if: a) candidates for employment will not be working directly for or supervising a relative, and b) candidates for employment will not occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include hiring, retention, transfer, promotion, wages and leave requests

Current employees who marry each other will be permitted to continue employment with the county provided they don't work in a direct supervisory relationship with each other or otherwise pose difficulties. If employees who marry do work in a direct supervisory relationship with each other, the county will attempt to reassign one of the employees to another position for which they are qualified, if such a position is available. If no such position is available, one of the employees may be required to leave the county.



EMPLOYMENT RECORDS

Information contained in an employee's personnel file is generally considered confidential and is available only to the employee or the employee's designee, the County Executive, Departmental Supervisory staff, Human Resources staff, legal staff, and authorized federal or state representatives who have cause to review the records for official reasons, unless otherwise disclosable under the Wisconsin Public Records Law.

The employer will grant at least two (2) requests to inspect their file by an employee in a calendar year. The employer will provide the employee with the opportunity to inspect the employee's personnel records within seven (7) working days after the employee submits a written request for inspection.



EQUAL EMPLOYMENT OPPORTUNITY

Outagamie County is committed to a policy of equal opportunity for all candidates and employees without regard to age (over 40), race, religion, color, sex, national origin or ancestry, disability or association with a person with a disability, arrest record, conviction record, sexual orientation, gender identity, marital status, pregnancy or childbirth, military participation, genetic testing, submitting to honesty testing, or use or non-use of lawful products off the employers premises during non-working hours.

The county pledges not to engage in illegal discrimination against employees or applicants in any employment activity including, but not limited to recruitment, hiring, job classification, firing, promotion, demotion, wages, benefits and training.

This section of the handbook sets forth the responsibility for compliance with EEO legislation and the methods of policy communication.

RESPONSIBILITY

It is the responsibility of the HR Deputy Director to instruct, counsel and provide training material to management staff on EEO related issues.

It is the responsibility of all participants in employment related decisions to be knowledgeable of, and to comply with the Outagamie County EEO Policy and federal, state and local legislation.

COMMUNICATION

Outagamie County complies with federal and state posting regulations by posting the required Equal Employment Opportunity is the Law notices at all facilities.

Each employment advertisement in any medium, or any other public announcement contains the Equal Opportunity Employer statement.

Each Outagamie County job description contains an Equal Opportunity Employer statement.



EXIT INTERVIEWS

The exit interview is a function of the Human Resources Department and is used as a tool to look at reasons for turnover, recommendations for improvement, and job satisfaction.

This section of the handbook outlines how exit interviews are managed.

SCHEDULING THE EXIT INTERVIEW

When termination notification is received in Human Resources, an exit interview link is forwarded by Human Resources via Survey Monkey to the exiting employee. While completing the survey, employees will have the option to notify Human Resources of their desire to meet personally to discuss their exit interview responses in greater detail. This email notification will also include a link to the Termination Frequently Asked Questions document.

The exit interview is voluntary.

The exit interview can be done on paid work time.

CONDUCTING THE EXIT INTERVIEW

When an in-person meeting is requested, Human Resources introduces the exit interview purpose, points out that it is voluntary, and reminds the exiting employee that the information obtained will be routed to the Human Resources Director, the employee's department head, the employee's supervisor or manager, and to the County Executive.

PROCESSING THE EXIT INTERVIEW

Human Resources will route the questionnaire after the employee's last paid day.

Exit metrics are provided to the Leg/Audit/HR Committee as requested or at least annually.



FAMILY and MEDICAL LEAVE ACT (FMLA)

Outagamie County complies with the federal and state Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The more generous of the two laws will apply to the employee if the employee is eligible under both federal and state laws.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Whether an employee is eligible is determined by the number of hours they were paid (Wisconsin State FML) or have worked (Federal FML) within the past year of employment with Outagamie County and the health condition requiring the leave.

Revision Date: April 2023

Reasons for Taking Leave: Under federal law, unpaid leave may be requested for pregnancy and prenatal care; pre-placement activities, birth, adoption, or foster placement of a child; or the serious health condition of a child, spouse, parent, domestic partner, or the employee. State law may have additional reasons defined.

Military Family Leave Entitlements: Under federal law, unpaid leave may also be requested by eligible employees who have any qualifying exigency arising out of the fact that the spouse or a son, daughter, parent, domestic partner, or next of kin of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the armed forces and may use their 12-week entitlement to address certain qualifying circumstances. Qualifying circumstances may include deploying on short-notice, attending certain military events, arranging for alternative child care and school activities, addressing certain financial and legal arrangements, attending certain counseling sessions, engaging in rest and recuperation, and attending post deployment reintegration briefings.

Employees wishing to request either of the Family Medical Leaves, should first have a conversation with their manager/supervisor to inform them of the need for a leave. Following that discussion, the employee should complete a leave request form, found on the Human Resources webpage. The Employee Leave Administrator will then review the leave and process accordingly.

Any employee with a serious health condition that misses more than three consecutive days of work is expected to open an FML claim by completing the online request form.

Outagamie County reserves the right to place a qualifying employee on Family Medical Leave, if the employee refuses to follow the outlined process.

Salary	Fringe Benefits	Total Compensation
$40,000	$14,000	**$54,000**

FRINGE BENEFITS

Fringe benefits are types of compensation offered by the county to its employees in addition to wages. Fringe benefits are not offered to lease or employment agency workers.

Each fringe benefit has its own eligibility criteria, such as length of service. In addition, each type of benefit must be examined to determine whether it is available to any particular group of employees, such as regular full-time, temporary part-time, etc.

Unless otherwise stated, part-time employees are generally eligible for prorated benefits at such time as they average twenty (20) hours or more per week during each proration period.

References to "day" and "week" in the county policy refers to the part-time employee's prorated "day" or "week", e.g. a 50% employee's day is equal to 4 hours and a week to 20 hours.

Proration calculations are performed by Payroll and forwarded to each department.

Requirements for eligibility for certain benefits noted in other sections of the Employee Handbook (including, but not limited to, employer portion of health/dental insurance, vacation and sick leave and holidays) are based on the following: Full-time employees must receive pay for an equivalent of their Full Time Factor multiplied by ten (10) for each applicable month; pay to include wages for time worked, in addition to holiday, bereavement and jury duty paid hours,

vacation, holiday, floating holiday, comp or sick hours used); Part-time benefit eligible employees must receive pay equivalent to their Part Time Factor multiplied by ten (10) at minimum. Full time employees have a factor of 8 (except those full time employees in roles working 7.5 hours per day whose Factor is 7.5). Part time factors are determined each Anniversary Date and provided to employees by the Payroll team or employee's department.



GRIEVANCES/COMPLAINTS

It is Outagamie County's standard to treat all employees equitably and fairly in matters affecting their employment. The county has established this Grievance section for an employee to utilize for matters concerning discipline, termination, or workplace safety covered by this Grievance section. This section of the handbook provides an employee with the individual opportunity to address concerns regarding discipline, termination, or workplace safety matters, to have those matters reviewed by an Independent Hearing Officer, and to appeal to the County Board. Information on the complaint process is available to each employee by contacting the Human Resources Department.

The grievance shall mean a dispute regarding the application of county policies regarding an employee's discipline or termination of employment, or a dispute concerning workplace safety. No grievance shall be processed under this policy unless it is in writing and contains all of the following:

1. The name and position of the grievant;
2. A clear and concise statement of the grievance;
3. The issue involved;
4. The relief sought;
5. The date the incident or alleged violation took place;
6. The specific section of the policy or workplace safety rule alleged to have been violated; and
7. The signature of the grievant and the date.

The term "days" means regular business days, Monday through Friday, other than weekends and holidays, regardless of whether the employee or their classification is scheduled to work. The time within which an act is to be done under this policy shall be computed by excluding the first day and including the last day.

A "grievant" is an employee of Outagamie County and shall not include employees subject to a collective bargaining agreement addressing employee discipline, termination and workplace safety, statutorily appointed individuals identified specifically in statute as serving at the pleasure of an appointed authority, elected officials, and independent contractors. Any grievant may request a peer or outside representative of their choice to attend meetings related to the grievance. Any cost associated with external representation is the responsibility of the employee.

"Workplace safety" means those conditions related to physical health and safety of employees enforceable under federal or state law, or county rule related to: safety of the physical work

environment, the safe operation of workplace equipment and tools, provision of protective equipment, training and warning requirements, workplace violence, and accident risk.

"Discipline" means oral reprimands (where a written record of the reprimand is placed in the employee's file), written reprimands, suspension, performance improvement plans, and demotion. Discipline does not include counseling, job coaching, paid administrative leave for pending investigation, change in job assignment or location, performance reviews, work plans, or corrective actions that do not include a reprimand or other adverse employment action.

"Termination" means discharge from employment. Layoffs (reduction in force), voluntary resignation, failure to return to work from a layoff, absences when not on an approved leave, job abandonment (no call / no show) and loss of license or certification. Inability to perform due to physical or mental condition are not considered terminations and are not subject to this process.

First Step

Within ten (10) days after the facts upon which the grievance is based or should have reasonably become known, the employee shall present the written grievance to their immediate supervisor, who will review the grievance with the department head. The department head shall give a written answer within ten (10) days of receipt of the grievance, with a copy to the Human Resources Director.

An employee who has been notified of termination may process the grievance commencing at Step 3.

Second Step

If the grievance is not satisfactorily resolved at Step 1, it may be submitted by the grievant to the Human Resources Director within five (5) days after having received the answer in the First Step. After receipt of the written grievance by the Human Resources Director, they or the designated representative of the Human Resources Director will meet with the grievant in an effort to resolve the issue(s) raised by the grievance. Within ten (10) days after the meeting, the Human Resources Director shall respond to the grievance in writing.

The Human Resources Director shall also determine if the grievance is timely and if the subject matter of the grievance is within the scope of this policy and otherwise properly processed as required by this policy. If the Human Resources Director is aware of other similar pending grievances, the Human Resources Director may consolidate those matters and process them as one grievance.

Third Step

Upon the written request of the grievant in response to an adverse decision, the decision at the second step may be appealed by a written statement forwarded to the Human Resources Director, particularly describing the reason for appeal. The grievance will be referred to an Independent Hearing Officer (IHO), who will be designated by the County Executive. Any costs incurred by the IHO will be paid by the county. The IHO will convene a hearing in the manner the IHO determines necessary. The IHO shall have the authority to administer oaths, issue subpoenas at the request of the parties, and decide if a transcript is necessary. The IHO may require the parties to submit grievance documents and witness lists in advance of the hearing to expedite the hearing. The burden of proof shall be "a preponderance of the evidence". In termination

and discipline cases, the county shall have the burden. In workplace safety cases, the employee shall have the burden. The IHO may apply relaxed standards for the admission of evidence, including allowing the admission of hearsay. The IHO may request oral or written arguments and replies. The IHO shall provide the parties a written decision.

The IHO may only consider the matter presented in the initial grievance filed by the employee. The IHO shall have the power to order only the following remedies: withdrawal of a verbal or written reprimand, reduction of suspension, and transfer to original position from demoted position, reinstatement with or without some or all back pay. All other remedial authority shall be subject to the determination and approval of the County Executive.

Fourth Step

Either party may appeal an adverse determination at Step 3 to the County Board, by filing written notice appealing the decision of the IHO in the Human Resources Director's office within ten (10) days of the decision of the IHO. The County Board shall, within thirty (30) days after submission of the appeal, schedule the review of the IHO's decision. The review will be conducted by the Board during a closed session meeting unless an open session is requested by the employee. The Board may make its decision based on the written decision of the IHO or the Board may examine any records, evidence, and testimony produced at the hearing before the IHO. A simple majority vote of the Board membership shall decide the appeal within twenty (20) days following the last session scheduled for review. The Board will issue a final written decision, which shall be binding for all parties.

Timelines: Failure to process the grievance by the grievant within the specified time limit or agreed upon extensions shall constitute waiver of the grievance and will be considered resolved on the basis of the county's last answer. Failure of a management representative to meet the time limits shall cause the grievance to move automatically to the next step in the process. To encourage that grievances are addressed in a prompt manner, the time limits set by this policy are intended to be strictly observed and may not be extended except in extreme circumstances, and then only upon the express written consent of the parties.

Exclusive Remedy: This section of the handbook constitutes the exclusive process for the redress of any employee grievances as defined herein. However, nothing in this grievance section shall prevent any employee from addressing concerns regarding matters not subject to the grievance process with administration, and employees are encouraged to do so. Matters not subject to the grievance process that are raised by employees shall be considered by administration, which has final authority, subject to any applicable Board policy or directive, to resolve the matter.



HEALTH INSURANCE

All regular employees who are hired at or are pro-rated at 20 or more hours per week are eligible for health insurance coverage. Eligible employees may choose either single or family coverage. In the event an employee has a spouse who is also a county employee, that employee and spouse may choose either two single plans or one family plan. Insurance becomes effective the first day of the month following one full month of employment or eligibility due to a change in

status. Coverage continues through the end of the month in which termination of coverage occurs.

Health Insurance Choices: The county currently offers a Low-Deductible Health Plan and a High Deductible Health Plan with a Health Savings Account (HSA). Each of these plans are available for single or family coverage. Contribution rates are determined each year during the budget planning process. Specific details can be found on the Benefits Summary.

Health Savings Account (HSA): Effective on the first pay period following December 31st for employees who are enrolled in the High Deductible Health Plan, the county will contribute to an employee's Health Savings Account. The amount deposited into this account is also determined each year as part of the budget planning process and is based upon the employee's job status and health insurance coverage level in effect on January 1st of that year. The amount the county deposits into an employee's HSA account is not adjusted during the calendar year for changes to the employee's job status or health insurance coverage levels.

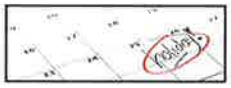
- HSA - New employees: For new employees who enroll in the Consumer-Driven Health Plan after January 1st of the calendar year, the county will contribute a pro-rated amount to the employee's Health Savings Account for that calendar year.
- HSA - Part-Time Employees: For regular part-time employees who work at least an average of twenty (20) hours per week, the county will contribute to the employee's Health Savings Account an amount equal to sixty-five percent (65%) of the amount contributed on behalf of full-time employees.
- Specific details regarding Health Savings Account contribution amounts can be found on the Benefits Summary.
- HSA – Payroll Deduction: As allowed by law, the county agrees to allow employees to contribute, through payroll deduction, additional funds to their Health Savings Account, up to the amount allowed by the IRS.
- HSA - Hold Harmless: The county will be held harmless for any employee eligibility issues or tax consequences caused by outside insurance coverage, inappropriate withdrawals, payroll deductions in excess of the allowable limits, or other matters beyond the county's control that would interfere with an employee's Health Savings Account eligibility.

Leave of Absences: Employees on official leaves of absence without pay, with the exception of USERRA (Military Leave) which allows COBRA for twenty-four (24) months, may elect continuation for up to eighteen (18) months under COBRA, and must pay the full premium to the County Treasurer by the 25th of the month for the following month's coverage.

Pursuant to 2019 Wisconsin Act 19, Outagamie County will pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies in the line of duty. This coverage may continue until a surviving spouse remarries or reaches the age of 65, or to a surviving child until they reach the age of 26.

Retirees: Early Wisconsin Retirement annuitants and enrolled spouses may remain in the group policy, provided the retiree pays the full premium to the County Treasurer by the 25th of the month for the following month's coverage. Once the retired annuitant becomes eligible for Medicare, Medicare Coverage Parts A & B must be applied for and will become primary payer, while the group plan pays second.

Terminations/Change in Status Resulting in Reduction of Hours: Under federal COBRA regulations, terminated employees (except for terminations due to gross misconduct) and employees with reduction of hours due to change in status into a non-benefit eligible position that are/were enrolled in a county health plan may elect to continue group coverage for up to eighteen (18) months by paying the County Treasurer the required premium by the twenty-fifth (25th) of the month for the following month's coverage.



HOLIDAYS

The county observes and allows time off with pay for various holidays across departments. Any additional holidays will be designated by the county for each calendar year. The Holiday Calendar can be found on the HR website.

If one of these holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, it will be observed the preceding Friday. However, if Christmas Day and New Year's Day fall on the weekend, the following Monday will be the observed holiday; and if December 24th or 31st fall on the weekend, the preceding Friday will be the observed holiday.

To be eligible for holiday pay, employees must either work the actual/observed holiday itself, or work the last regularly scheduled workday preceding the holiday and the first regularly scheduled workday following the holiday, unless the employee is on approved paid time off. When a holiday falls within a period of leave without pay, the employee will receive no holiday pay. When a designated holiday falls on an employee's scheduled day off, an additional day off will be substituted. A "regularly scheduled day" is based on the proration amount of the employee, with a maximum of eight (8) hours per holiday.

Employees assigned to those departments that work a 24 hours, seven (7) day a week schedule will follow the specific holiday practices and schedules currently in effect in those departments.

All regular full-time and benefit-eligible part-time employees shall receive their regular compensation for county-observed holidays, based on their proration factor. Employees normally scheduled to work more than their prorated holiday hours may use vacation, floating holiday, or comp time to make up for the difference unless the employee is already scheduled to work on that day. Non-Exempt/hourly employees required to work on a holiday will receive overtime pay of time and one half for all hours actually worked or given compensatory time off at a rate of time and one half for anything worked over 40 hours in the week, in addition to holiday pay. As always the use of compensatory time is to be scheduled at the mutual convenience of the employee and their supervisor and in accordance with the provisions of applicable law, but must be used within the year it was earned. Unless previously granted an exception, exempt employees who are required to work on a holiday will be eligible, based on the departments use of compensatory time, to earn compensatory time for all hours worked over 40 (Grades 1-8) or 45 (Grades 9 and over) in the week. This time must also be scheduled at the mutual convenience of the employee and their supervisor, but does not need to be used within the year it was earned. Departments that do not use compensatory time have the option to allow the employee to flex their schedule due to additional hours worked on the holiday, within the holiday week. Exempt employees are not eligible for overtime for time worked on holidays and not eligible for straight pay for hours paid

over 40 in that week, unless previously granted an exception. For shift pay purposes, the holiday shall be defined to include those shifts which start on the actual holiday.

Floating holidays are paid leave not tied to any particular day (as are county observed holidays), and are available for use at a time mutually agreeable between the employee and their supervisor, and can be taken in increments no smaller than fifteen (15) minutes. Like county observed holidays, full-time employees receive credit for a full day's time, not to exceed eight (8) hours, and part-time benefit eligible employees will receive a pro-rated amount.

Floating holidays will be available for employee use upon hire and must be used within the calendar year granted with the following exception:

New employees hired prior to July 1 are eligible for floating holidays, and those hired on or after July 1 are not eligible for any floating holidays during that calendar year.

If an employee moves from one department, role or shift to another that has a different floating holiday schedule, any floating holidays they are eligible for will be based on the transfer date into the new role or status.

If they move to the new role prior to July 1st, they will acquire the floating holiday count for their new department, role or shift less any hours that they have already used. If they move July 1st or later, there is no change and they will keep the balance they had at the beginning of the year, less any floating holidays used.

Employees are not allowed to use floating holidays during the two weeks of notice to terminate or retire from employment. No pay-out of floating holidays will be made.

The total number of holidays (including observed and floating) that all employees receive annually is 12. A matrix of observed holidays and floating holidays by department/role/shift are listed on the intranet.



IDENTIFICATION CARDS

Outagamie County is committed to providing a safe and secure environment for its employees and those who visit Outagamie County. In order to maintain a safe and secure environment for employees and visitors, and to ensure the public that individuals providing services on behalf of the county are indeed county employees, all Outagamie County employees shall display an identification card while performing their job. This section will outline the responsibility, identification card information, requirements for wear, new employee process, and replacement and use of employee identification cards.

In most cases, the responsibility to issue identification cards to all Outagamie County employees lies with the Human Resources and Maintenance Departments, with Human Resources issuing the badge and Maintenance establishing security access.

There may be some off-site locations that print and administer their own badging process.

REQUIREMENTS FOR WEAR

All Outagamie County employees, County Board members, temporary contract workers, State employees assigned to the county location and county emergency personnel shall obtain an identification card. Volunteers may be given a department temporary card or individual card based on length of and type of assignment.

The identification card should be worn while performing duties as an Outagamie County employee, and must be used to swipe in and out of employee entrances and exits.

All Outagamie County employees (exceptions may be made by department heads due to safety or uniform requirements) should wear their identification card on the front of their person on their outermost garment.

Outagamie County will provide the cardholders. An employee may obtain their own cardholder.

Departments shall ensure that their employees are wearing the identification card.

Supervisors of volunteers or temporary contract employees should contact the Human Resources Department if a card needs to be issued for an individual.

NEW EMPLOYEE IDENTIFICATION CARD PROCESS

New employees will fill out an Outagamie County Employee Identification Card Information Sheet and will submit a headshot picture to be used for their badge, prior to their first day of hire.

Contract workers who are determined to need an individual identification card must fill out the Contractor Identification Card form located on the HR website and have it filled out and signed by a supervisor.

Badge information created for new employees is provided to the maintenance department, who will then establish facility access for designated departments.

REPLACEMENT AND USE

If an employee forgets their identification card, they may obtain a temporary department identification card to wear for that day. This should be obtained through the employee's department.

If an employee misplaces their identification badge, they may use the department temporary card for up to one week. The employee should immediately notify their supervisor or Maintenance so the security access can be disabled. If the employee has not located their card in one week, a new card must be obtained through Human Resources.

Upon termination, all employees shall surrender their identification card to their supervisor or Human Resources. All Supervisors shall collect Id badges as part of the termination checklist process. If an employee refuses to surrender the badge or does not have the badge the supervisor shall immediately contact Maintenance so the badge can be disabled.

Any employee who is found to have used their identification card for purposes other than for authorized Outagamie County business, or who allows another person to use their identification card for personal use, will be subject to the discipline process.

Revision Date: April 2023

If an employee changes department or name, the supervisor or employee may contact the Human Resources Department for a new identification card.

If the identification card is broken, worn, or no longer works for security access, the employee should contact Maintenance for a replacement card.

BADGING IN/OUT OF THE BUILDING

All visitors MUST use the Main Visitor Entrance and be cleared through CJU security. Visitors must also exit through the public exit near the front door security.

All employees should utilize the Employee Only Entrances rather than the Main Visitor Entrance whenever possible. If an employee forgets their access card, they shall be required to enter at the visitor's entrance and go through security screening. Employees shall not let other employee in through the employee entrances.

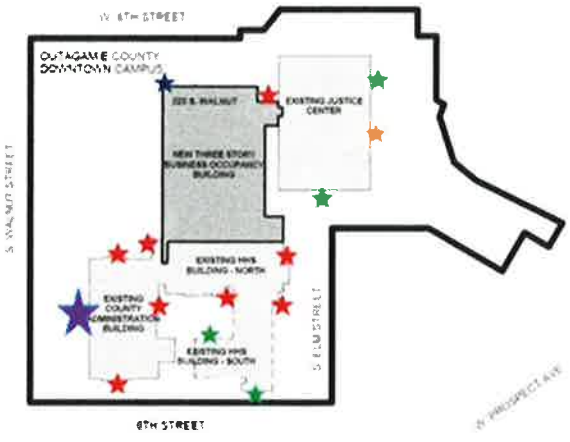
When using the Main Visitor Entrance employees will be screened just like the general public All employees MUST badge OUT of the building when exiting at the Employee Only Entrances (do not need to badge out of exits with green stars on the map) Employees should listen for the beep to ensure their badge was recorded. If a beep is not heard they should rescan their badge.

It is not necessary to close the door between entering/exiting employees, but each employee MUST badge in/out individually.

If you accidentally sound the alarm when exiting, please immediately badge out and the alarm will clear

All building entrances are monitored by video camera.

The CAB West Entrance onto the front lawn/plaza (large purple star on the map) is NOT available to employees or visitors to enter or exit, other than emergency evacuation.



Revision Date: April 2023



INCLEMENT WEATHER

The safety of our employees is a priority for Outagamie County. We realize there are emergency situations caused by inclement weather. This inclement weather section outlines how the county will handle notification and pay of employees in such situations.

Inclement weather may make it impossible for employees to come to work, or it may require employees to leave work before the end of normal office hours. Employees may request that this time off be charged to unused vacation, leave without pay, or choose to "make-up" the lost time, consistent with flex, comp-time and Fair Labor Standards Act requirements. In addition, contrary to the unpaid leave policy, employees may use, leave without pay,, even if they have available vacation to use. All arrangements must be confirmed with department approval.

Note: Due to the nature of services provided at 24/7 facilities, employees at those locations are expected to make arrangements for safe and timely arrival for all scheduled shifts, wherever possible.

There are no provisions to close the county offices. However, it may be determined that it is appropriate to cancel or postpone work in a particular department because of inclement weather. If this determination is made, a general announcement will be made over the following radio stations: WPKR (99.5 FM), WIXX (101.1 FM), and WNCY (100.3 FM), WTAQ (1360 AM), WHBY (1150 AM), WNAM (1280 AM), and WAPL (105.7 FM).

Updates and announcements will be sent via e-mail and also included on the County Executive Facebook page.



JOB SHARING

Outagamie County, recognizing the importance of balance between work and family/life issues, supports the concept of job sharing. This section identifies the conditions under which job sharing will be approved and the process for approval.

CONDITIONS

Job sharing is not an entitlement. Management retains the right to approve, reject or cancel a job share request or agreement based on the business needs of the county.

Work quality, productivity and level of service cannot be compromised by the sharing of a position.

The value of the work performed must be shared on a relatively equal basis.

Cost (wages and benefits) to the county for a shared job must approximate the cost of the same position when not shared.

Revision Date: April 2023

The hours of the job may not be expanded to gain a "forced advantage." For example, a 37½ hour position cannot be expanded to 40 hours in order for both to be eligible for benefits.

PROCESS

An employee requesting a job share arrangement should direct a written request to their immediate supervisor/manager.

A supervisor/manager initiating a job share request or in support of an employee request, should document their position relative to the request and route for review and approval by their immediate supervisor, department head and Human Resources.

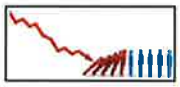
Components of the job share agreement such as the division of hours, split of duties and other relevant terms will be documented for inclusion in the job share request.

Employees involved in a job share arrangement must sign a Job Share Agreement, which can be obtained from Human Resources.

In the event a job share request is denied, the requestor will be notified by their immediate supervisor of the decision and the reason(s) for that decision.

Copies of the request, all supporting documentation and the signed job share agreement will be maintained in each job share employee's personnel file.

Monitoring of the job sharing process at Outagamie County is the responsibility of the Department and the Human Resources Department.



LAYOFF AND RECALL

If Outagamie County determines that it must reduce employment because of adverse economic or other conditions, then layoffs and recall from layoffs will generally be conducted in a manner that is consistent with Outagamie County requirements and in accordance with the process described below.

Employees shall be laid off as determined by the county until the work force is reduced to the required number. Employees shall be rehired as determined by the county. The employee shall be notified in writing.

The county shall pay the county's share of the premium for Health, Dental, Long Term Disability and Life Insurance for the remainder of the month of layoff where the enrolled employee has not received pay for at least ten (10) regular workdays during the month of layoff, or the county shall pay the county's share of the premium for Health, Dental, Long Term Disability and Life Insurance for one additional month following the month of layoff where the enrolled employee has received pay for at least ten (10) regular workdays during the month of layoff.

Employees who continue on layoff after the county no longer pays the county's share of the premiums may exercise their COBRA rights by paying the full cost of the premium in advance by the twenty-fifth (25th) of the month for the following month's premium. Upon return from layoff, so long as the employee receives pay for at least ten (10) regular workdays during the month of

return, the county shall reimburse to the employee the county's share of the Health, Dental, Long-Term Disability and Life Insurance premiums that the employee had previously paid for that month of return.



LIFE INSURANCE

Outagamie County provides group life insurance for full-time employees. All employees are eligible the 1st of the month following six (6) full months of continuous employment.

The cost of this coverage is paid for in full by the county and coverage is $50,000.

Within thirty-one (31) days of termination, the employee shall have the opportunity to elect conversion to a personal policy. Application can be obtained through the Human Resources Department.

In the event of an unpaid leave of absence or layoff, employees can elect up to twelve (12) months of continuation by paying the group rate premium to the county Treasurer by the 25th of the month for the following month's coverage.

If the unpaid leave is a medical leave, the county will pay the premium during the elimination period for the waiver of the life premium until the waiver of the life premium begins or until the waiver of life premium is denied.



LONG-TERM DISABILITY

All regular, full-time employees are eligible for long-term disability coverage. Premiums are fully paid by the county.

Coverage becomes effective the first of the month following three (3) full months of continuous employment of eligibility.

Provisions of the plan are contained in the plan booklet.

In the event an employee is on an unpaid leave of absence or layoff, they can elect up to three (3) months of continuation by paying the group premium to the Outagamie County Treasurer by the 25th of the month for the following month's coverage. If the unpaid leave is a medical leave, the county will pay for the six (6) month elimination period.



MEAL AND REST BREAKS

While lunch and rest breaks are not mandated by law, the county encourages departments to provide a break of at least 30 minutes at or near the usual meal period, whenever operationally possible.

Employees are eligible for a 15-30 minute unpaid meal break each day. If a non-exempt / hourly employee is required to work through a meal break, they will be paid for the meal period. Meal and rest breaks will be scheduled by the department supervisor or manager. It is not acceptable to skip a normally taken lunch break in order to shorten the workday.

As coverage needs allow, employees may also be able to take two paid personal breaks of fifteen (15) minutes throughout their workday. Such fifteen (15) minutes shall be computed from the time the employee leaves their work station until they return to said work station.

Employees under the age of 18 must be given a 30 minute unpaid, uninterrupted meal break if they have worked six hours or more.



MILITARY LEAVE

GENERAL INFORMATION

All Outagamie County employees who are serving, have served, or will serve in the uniformed services are covered under this policy, regardless of length of employment or part-time or full-time status. "Employee", however, does not include contracted staff, and may not include seasonal or temporary staff who worked for a brief, nonrecurring period where there is no reasonable expectation that the employment would have continued indefinitely or for a significant period.

"Service in the uniformed services" covers all categories of military training and service, including duty performed on a voluntary or involuntary basis, in time of peace or war, and includes a period of absence for an examination to determine the fitness of the employee to perform such duty, absence for the purpose of performing authorized funeral honors duty, as well as travel time to allow the employee to arrive at the duty station fit to perform the service and, depending on the duration of service, the amount of notice received, and the location of the service, additional time to rest or to arrange affairs and report to duty.

Uniformed services includes the U S Armed forces; Army National Guard and Air National Guard when engaged in Federal orders for active duty for training, inactive duty training, or full-time National Guard duty; the commissioned corps of the Public Health Service; any other category of persons designated by the President in time of war or national emergency; and service as an intermittent disaster response appointee of the National Disaster Medical System (NDMS) when federally activated or attending authorized training in support of their Federal mission.

PRIOR TO BEGINNING THE LEAVE

It is the employee's responsibility to inform Outagamie County in advance, whenever possible, of the intent to be off work for military leave. This notice can be verbal or written.

A copy of the military orders or a Leave and Earnings Statement (LES) is required by the county in order for the employee to take advantage of any military stipend pay and/or validate the right to claim the county's share of the Wisconsin Retirement System (WRS) contribution be made on their behalf upon reemployment.

Additional information regarding benefit coverage may be forwarded to the employee depending on the length of time the employee is expected to be off work.

DURING THE MILITARY LEAVE

During the period of uniformed services, the employee is considered on the employment status of "leave of absence" and is entitled to length of service-based benefits. Specifically, Outagamie County length of service-based benefits include:

Military stipend. The applicable Union contract, or Employee Handbook may provide for additional pay for a short period of time, if the military pay is less than the pay the employee would have received from the county for that same period of time. Proof of the amount of military pay received must be provided to Payroll in order to calculate any amount due.

Insurance coverage. County sponsored health, dental, life and long term disability insurance coverage will continue through the end of the month in which the employee is last paid prior to the start of the military leave of absence. Effective the first of the following month for military leaves expected to exceed 30 days, the employee is eligible to exercise their COBRA rights by paying the full premium for health and dental insurance for up to twenty-four (24) months.

If the employee returns to work with an absence of fewer than thirty-one (31) days, the premium amount paid for that COBRA continuation will be refunded to the employee. Also effective the first of the following month, the employee is eligible to continue the long term disability insurance coverage for up to three (3) months and life insurance coverage for up to twelve (12) months by paying the full premium.

Step increases and base salary increases. The length of time the employee is on military leave of absence will be credited towards any step increase(s) and/or base salary increase(s) he/she would have otherwise been awarded during that absence. Those adjustment(s) in the wage rate will be made following the employee's reemployment with Outagamie County.

Seniority. Where seniority exists in an applicable collective bargaining agreement, the length of time the employee is on military leave of absence will be credited towards seniority as though the employee was not absent.

During the period of uniformed services, the employee is considered on the employment status of "leave of absence" and is not entitled to non-length of service-based benefits. Specifically, Outagamie County non-length of service-based benefits include:

Holiday pay. Employees are required to be paid a certain number of scheduled day(s) prior to and following the fixed holiday(s) that are listed in the Employee Handbook in order to be paid the holiday pay.

Floating holiday pay. Employees who are awarded one (1) or more floating holiday(s) at the beginning of a calendar year are able to use that / those day(s) during military leave upon request and with approval of their supervisor. Note that floating holiday(s) do not carry over into a new calendar year. If the floating holiday(s) are not used prior to the end of a calendar year, they are lost and will not be reinstated.

Vacation allotment. Earning vacation time is tied to satisfying the definition of "full month of service". The definition of "full month of service" can be found in the Employee Handbook. For each full month of service an employee satisfies that definition, they earn one-twelfth (1/12th) of their allotment of vacation for use during the following anniversary year. Conversely, for those months when an employee does not satisfy that definition, they do not earn any vacation time. Any earned vacation hours not spent prior to or during an employee's military leave of absence will be held in trust pending the reemployment of that employee.

Sick leave accrual. Sick leave accrual is tied to the employee satisfying the definition of "full month of service". The definition of "full month of service" can be found in the Employee Handbook. For each full month of service an employee satisfies that definition, they earn one (1) day of sick leave time available for use the first of the following month. "Day" is defined as the number of hours an employee normally works, with full-time status equaling seven and one-half (7½) hours or eight (8) hours and part-time status equaling a prorated amount compared to full time status. Any earned sick leave not spent prior to an employee's military leave of absence will be held in trust pending the reemployment of that employee.

Wisconsin Retirement System (WRS) contributions. WRS is a contributory defined benefit plan with a vesting schedule as well as employer and employee required contributions. During a military leave of absence, no WRS contributions will be made to the employee's account. Additionally, no creditable service will be deemed unless a USERRA certification is completed. Adjustments may be made following the employee's reemployment.

GENERAL ELIGIBILITY REQUIREMENTS FOR REEMPLOYMENT.

To be considered for reemployment following their military service, the employee must have met all of the following conditions:

a) The employee must have given reasonable advance notice, most often at least thirty (30) days, to the county of their intent to leave work for military service. That notice can be either verbal or written, may be informal and is not required to follow a certain format. [Note: Submission of specific documents is, however, required for Wisconsin Retirement System (WRS) purposes.] In the event an employee is unable to provide advance notice because of, for example, the classified nature of the service, Department of Defense regulations allow an "appropriate officer" to give notice on the employee's behalf. [Note: Under Wisconsin law, an employee enlisted in the U S Armed Forces is not required to give their employer advance notice of the need for leave.]

b) The employee has been absent from work for Outagamie County because of their military service for a cumulative five (5) years or less in any combination of U S Armed Forces service and / or National Guard Federal duty. In addition, other military leaves may also not qualify in the five (5) year maximum (see USERRA 1002.103 for complete list). [Note: National Guard members who serve under State orders are allowed a cumulative maximum absence of up to four (4) years.] Regardless, it is the employee's responsibility

to provide documentation as to the exact length of the cumulative military leave of absence, upon request of the county.

c) The employee returns to work or applies for reemployment, either verbally or in writing, in a timely manner.

An employee returning from U S Armed Forces duty or Federal National Guard duty must report to work or submit a timely application for reemployment depending upon the length of service as follows:

a) Period of Service less than thirty-one (31) days or for a period of any length for the purpose of a fitness examination. The employee must report to work no later than the beginning of the first full regularly scheduled work period on the first full calendar day following the completion of the period of service and the expiration of eight (8) hours after a period allowing for safe transportation from the place of that service to the employee's residence.

b) Period of service more than thirty (30) days but less than one hundred and eighty one (181) days. The employee must submit an application for reemployment, which can be written or verbal, not later than fourteen (14) days after completing service.

c) Period of service more than one hundred and eighty (180) days. The employee must submit an application for reemployment, which can be written or verbal, not later than ninety (90) days after completing service.

d) If, however, the employee is hospitalized for or convalescing from an illness or injury incurred in or aggravated during the performance of the service, they must report to or submit an application for reemployment at the end of the period necessary for recovery from the illness or injury. Absent extenuating circumstances, this period may not exceed two (2) years from the date of the completion of service.

e) The employee has not been separated from military service with a disqualifying discharge or under other than honorable conditions; is not absent from service without authority for more than three (3) months; is imprisoned in a civilian court; or was dismissed by court martial. [Note: the employee may be required to provide documentation to prove the condition(s) of the military separation.]

REEMPLOYMENT RIGHTS AND BENEFITS

Absent other circumstances and so long as the criteria listed in this policy have been met, the employee has the right to prompt reemployment. As an example, "prompt reemployment" is considered generally practicable by the next scheduled work day following National Guard duty; and within two (2) weeks of the employee's application for reemployment following several years of active duty in the U S Armed Services.

Generally speaking, the employee is entitled to reemployment in the position they would have attained with reasonable certainty if not for the military absence. This "escalator principle" takes into consideration such factors as the position the employee left, the employee's length of service, qualifications, and disability (if any). The reemployment position may be either the escalator

position; the pre-service position; a position comparable to the escalator or pre-service position; or the nearest approximation to one of these positions, depending on the circumstances.

The employee may be required to take qualifications tests, become relicensed or recertified, or be retrained in order to assume such position. The course of action will be determined by Outagamie County on a case-by-case basis.

The county's obligation to grant the returning service member reemployment rights may result in adverse consequences and cause an employee to be laid off, or even terminated.

The wage rate paid to the employee on reemployment will take into account the escalator principle, and in combination with language found in an applicable collective bargaining agreement or Employee Handbook and employment practice(s), will result in the military leave of absence time being allowed to "credit" time towards a step increase(s) and/or longevity increase(s) that would have occurred with reasonable certainty if the employee had not been away in military service.

The time-in-grade toward any next step increase(s) and/or base salary increase(s) that were missed because of the employee's military leave of absence, will be determined and their rate of pay will be adjusted accordingly so that the rate of pay on reemployment will begin immediately upon the employee's reemployment.

A reemployed employee who belongs to a Union with seniority rights will be granted seniority credit equal to the military leave of absence time as though the employee had had no military leave of absence.

A reemployed employee who would otherwise be eligible for Federal or Wisconsin Family and Medical Leave (FML) but for the military leave of absence, will be credited with the number of hours of work they would have normally been scheduled to work during that military leave of absence, toward their eligibility requirements for the FML.

Upon reemployment, the employee must make a choice regarding catch-up contributions to the WRS. An employee can choose to make all, some or none of the employee required make-up contributions. Contributions can be made within a timeframe beginning with the date of reemployment and ending either three (3) times the period of military service or five (5) years, whichever is shortest. Be advised the degree to which the county's contribution to the employee's WRS account will be made is determined by the degree to which they make their own WRS contribution. However, any vested amount already in the employee's WRS account will not be affected by the decision whether to participate in making up the missed contribution(s).

Reinstatement of health, dental, life and long term disability insurance coverage is not subject to a waiting period, although service-related injuries or illnesses may create an exclusion of coverage. If there has been a lapse in coverage, the employee must complete enrollment applications within thirty (30) days of the date they returned to work. Reemployed employees are subject to the same insurance carrier(s) and plan(s) as those offered to all other Outagamie County employees.

Any sick leave or vacation balance(s) will be available to the reemployed employee without a waiting period, and future accruals will be subject to the satisfaction of the definition of "full month of service" provisions of the Employee Handbook. If the employee's anniversary date passed during their military leave of absence, they will be credited with one-twelfth (1/12th) of their

vacation allotment earned prior to the beginning of the leave of absence for each of the months they satisfied the definition of "full month of service". Specific approval of a request(s) to use vacation time following reemployment is subject to the practices of the reemployed employee's department and the Employee Handbook language in effect at the time of the request.

If a reemployed employee whose most recent period of military service was:

a) between thirty-one (31) and one hundred and eighty (180) days, they must not be terminated without cause during the first one hundred and eighty (180) days following his/her date of reemployment; or
b) greater than one hundred and eight (180) days, they must not be terminated without cause during the first one (1) year following his/her date of reemployment.

DISCLAIMER

This information is published to provide a general overview and encourage a basic understanding of the interaction of the various military leave laws and the practices of Outagamie County. It is not, however, intended to be an exclusive or all-inclusive document that will cover all parameters of all the various regulations that impact the employee and/or Outagamie County when an employee takes a military leave of absence. Management staff and employees are encouraged to contact Human Resources for additional information or to obtain answers to questions or concerns that may arise.



OFF DUTY CONDUCT

Generally, employees are held accountable for their actions and behaviors while working. However, as a public organization providing services to our community, there are certain instances where employees may be held accountable for actions or behaviors while off-duty, as well.

FIRST AMENDMENT RIGHTS

The content of free speech (both online and offline) covered under the First Amendment by an employee is not restricted but for a narrow category. Employee protections under the First Amendment apply in most but not all circumstances. First, speech is only protected by the First Amendment when you are speaking as a private citizen. If their speech is part of their official job duties, then the employee may be disciplined including up to termination. Second, even if an employee is speaking as a private citizen you can be disciplined by your employer for certain conduct. If you are speaking as a private citizen on a matter of public concern, the First Amendment will *not* protect your speech. If you are speaking on a matter of public concern, the First Amendment will not protect your speech if your right to speak freely is outweighed by the County's interest in efficiently fulfilling its public services. This determination can consider factors such as whether the speech could intertere with the performance of the employee's duties, the nature of the relationship between the speaker and those toward which the speech was directed, and whether the speech could create a hostile work environment.

OTHER OFF DUTY CONDUCT

Employees who engage in certain conduct while off duty may also be subject to discipline if substantially related to the County's interests. Whether or not an action or behavior is substantially related is determined on a case by case basis. Employees may be disciplined, suspended or potentially terminated if they engage in any of the following:

1) Illegal Conduct, regardless of whether the conduct results in arrest or conviction, which substantially relates to the job duties of the position held by the employee, or the interests of the County.

2) The use or possession of illegal drugs, including prescription drugs which have not been prescribed to the employee, and where the use and/or possession bears a substantial relationship to the job duties of the employee or the interests of the County.

3) Harassment of any person, where such harassment creates a negative effect on the work environment for an employee of the County, a vendor who provides services for the County, a client of the County, or any individual who has a substantial relationship with Outagamie County such that the harassment creates a hostile environment.



OVERTIME

When required by the needs of the business or by County policy or contract, employees may be required to work or get paid for overtime. Overtime is generally due to working hours in excess of 40 hours in a workweek for most county employees with various exceptions that follow in this section or appendix. Unless noted elsewhere, non-exempt employees, will be paid time for overtime at one and one-half their regular rate of pay for all hours worked over 40 hours in a work week. For the purposes of computing overtime, all authorized paid leaves of absence are considered time worked. All overtime must be approved in advance by a supervisor or manager.

Sheriff's Department: Overtime in certain Sheriff's Department areas are determined by Section 7(k). Section 7(k) of the Fair Labor Standards Act provides that employees engaged in law enforcement may be paid overtime on a "work period" basis. A "work period" may be from seven (7) consecutive days to 28 consecutive days in length. For work periods of at least 7 but less than 28 days, overtime pay is required when the number of hours worked exceeds the number of hours that bears the same relationship to 171 as the number of days in the work period bears to 28. For example, law enforcement personnel must receive overtime after 86 hours worked during a 14-day work period.

Eligibility for overtime compensation is determined by individual department and in accordance with the Fair Labor Standards Act as noted below.

- Non-exempt employees are eligible for overtime pay at the rate of time and one-half for all hours worked in excess of forty (40) in a given work week. Where applicable within the department, compensatory time may also be used, also at a rate of time and one-half.
- Exempt employees are not eligible for overtime. Unless previously granted an exception, exempt employees are only eligible to earn compensatory time, if the department allows,

for hours worked over 40 in a week for Grades 1-8 or over 45 hours in a week for Grades 9 and over.

- Brewster Village: As determined by the Fair Labor Standards Act, all applicable seven day a week health care and maintenance staff will earn overtime over 8 hours in a day and over 80 in a two week period. All other Brewster Village staff will earn overtime over 40 hours in a workweek.
- Sheriff Department staff exceptions when paid overtime or different than general categories:
    - Correctional Officer - Over 171 hours in a 28 day cycle or outside of their normal schedule. Part- time staff will only earn over 171 hours in a 28 day cycle.
    - Operations Assistant - For 5/2 and 5/3 shift staff, over 40 hours in a work week or outside of their normal schedule.
    - Telecommunicator - For 5/2 and 5/3 shift staff, over 40 hours in a work week or outside of their normal schedule. Part-time staff will only earn over 40 hours in a one week period.
    - Records Specialist - Over 40 hours in a work week. Telecommunications Supervisor - Over 40 hours in a work week.
    - Staff Sergeant - Earn comp time at straight-time regular rate but are paid overtime on any hours worked outside of their normal schedule.
- Highway (with the exception of eligible Recycling and Solid Waste department employees) - Earn overtime over 10 hours in a day and/or 40 hours in a workweek and for all hours on Sunday. Recycling and Solid Waste department eligible employees only earn overtime over 40 hours in a workweek.

For Brewster Village employees, holidays, vacations, sick leave, and bereavement leave shall be considered time worked for the purpose of overtime, provided, however, that employees on a seven (7) day per week schedule shall not have the hours of holiday pay (8) considered as time worked for the purpose of computing overtime, unless such holiday falls on a scheduled workday and the employee is given the day off as holiday off time. Employees who work a double shift at the direction of the county shall receive eight (8) hours pay at the straight-time rate for the first shift and eight (8) hours overtime pay (time and one-half) for the second shift and may be provided with a meal during the second shift at no cost to the employee.



PAID ADMINISTRATIVE LEAVE

Administrative leave occurs when an employee must temporarily leave their position and work duties for a certain time period. Administrative leave differs from a leave of absence because a leave of absence is an authorized absence from work for an extended time period and granted due to dispensary reasons. Any paid administrative leave must be approved by Human Resources and the Department Head prior to communicating to the employee or entering a personal action.

Revision Date: April 2023



PARKING

Designated employee parking spaces are required for each county facility to ensure ample parking for all employees.

Maintenance Department issued parking permits are required for all workers (County/State employees, and contract workers) based at the Outagamie County Government Center and parking on county-controlled lots within the Outagamie County Government Center. Although all reasonable attempts shall be made to afford free parking to employees, such a benefit is not guaranteed.

For employees who move to the Outagamie County Government Center from an outlying campus (Highway/Solid Waste, Airport, UW Extension/Ag/Brewster), the employee must complete and submit a parking permit request form to the Maintenance Department. The permit will be issued and sent to the employee via interoffice mail.



PAY REMITTANCE AND DEDUCTIONS

Pay can be viewed via self-service functionality in the Human Resources-Payroll system. If a pay day falls on a federal holiday, employees will receive their pay on the preceding workday. Pay is directly deposited into the employee's checking and/or savings accounts. Direct deposit is mandatory for all employees.

The following deductions are mandatory and are made each pay period, unless exempt by law:

a) Federal Withholding Tax
b) Social Security
c) State Withholding Tax
d) Wisconsin Retirement Plan

Various deductions may be made from the employee's pay when so authorized by the employee. Noted below are a few examples:

a) Deferred Compensation
b) Insurances
c) Flexible Spending
d) Health Savings Account

Circumstances in Which Outagamie County May Make Reductions from Pay for Exempt/Salary Employees: Reductions in pay are permissible when an exempt employee is: absent from work for a partial day or one or more full days for personal reasons other than sickness or disability and/or for absences of a partial day or one or more full days due to sickness or disability, if the reduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness, to offset amounts received as jury or witness fees or for military pay; or for

unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

Also, Outagamie County is not required to pay the full salary in the initial or termination week of employment for penalties imposed in good faith for infractions of safety rules of major significance or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial-day or full-day reductions may be made.

Outagamie County Policy for Employees Paid on a Salary Basis: It is Outagamie County's policy to comply with the salary basis requirements of the Fair Labor Standards Act. Except as noted, any county official is prohibited from making any improper reduction from the salary of exempt employees. Outagamie County wants its exempt employees to be aware of this policy and to know that Outagamie County does not allow reductions that violate the Fair Labor Standards Act.

What to Do If an Improper Reduction Occurs: If an employee believes an improper reduction has been made from their salary, the employee should immediately report this to their supervisor or the Human Resources Director. Reports of improper reductions will be promptly investigated. If it is determined that any improper reduction has occurred, the employee will be promptly reimbursed for any improper reduction. The provisions of this section apply to Fair Labor Standards Act exempt employees and are in accordance with the county's policy of ensuring public accountability of its employees.



PERFORMANCE EVALUATIONS AND SALARY ADMINISTRATION

The purpose of the annual performance evaluation is to assess an employee's work effectiveness and to discuss good performance while also identifying areas for development. Performance evaluations are considered in decisions affecting placement, salary advancement, overtime assignments, promotions, demotions, termination, order of layoff, reemployment, and training. Acknowledgement of the performance evaluation discussion must be completed in Tyler-Munis before a personnel action for the resulting step increase is submitted. No step increase will occur until the evaluation discussion has occurred. Performance evaluation are not required for Casual Call employees, as they are not eligible for step increases.

Human Resources is responsible for the overall administration of the employee performance evaluation and salary administration processes and takes an active role in advising and assisting employees, supervisors, and department heads to ensure that performance evaluation processes are handled according to the provisions of the program and result in meaningful discussions for the employee.

The purpose of salary administration is to fairly allocate each position in the county to a wage grade in such a manner as to maintain equity between positions, balancing such job duties/factors as education required, impact of errors, and supervision exercised. It also sets initial hiring rates and salary ranges, as well as promotion guidelines, and sets standards and processes for performance evaluations and step increases.

Revision Date: April 2023

The Human Resources Director can recommend necessary amendments in the compensation program to the County Executive and County Board's Legislative Audit / Human Resources Committee.

The County Executive may seek the input of the various committees, commissions, and boards, as needed in the evaluation process.

New employees will normally be hired at the lower end of the pay grade established for their position. However, a new employee's starting wage may be at a higher step of their pay grade if warranted by such reasons as exceptional qualifications or competitive market conditions. Discussion with the Human Resources Recruiter and approval of the department head and the Human Resources Director is required before a starting salary above the pay grade minimum may be offered to a new hire.

At twelve month intervals following the employee's date of hire, reclassification, or promotion, the employee will be eligible to advance to the next highest step within the employee's pay grade. Regular part-time employees in the Sheriff's Office (in positions formerly a part of the OCJCA employee group) will be eligible for step increases as long as their proration is 20 or more hours per week after 12 months. Conversely, in the Sheriff's Office, full time employees who take a part time position that is less than 20 hours per week will be frozen at their current step and will not be eligible for step increases while in that part time status.

At twelve month intervals following the employee's date of hire, reclassification, or promotion; both the employee and the employee's manager/supervisor will complete a comprehensive evaluation of the employee's performance for the previous twelve months and will establish goals or areas of focus for the coming year. For all employees, the manager/supervisor will then finalize the evaluation by determining approval, denial, or delay of step increases performance or other wage schedule requirements.

The Step Program is dependent on budget conditions and may be put on hold by approval of the County Executive and County Board.

Other than in the case of annual step progression within the Deputy Sheriff's Association, advancement in the pay grade is predicated on the employee meeting the key expectations of their position and as defined by the job description, as well as the standard county evaluation categories outlined in the evaluation form. Step increases shall occur at the beginning of the pay period following the employee's date of hire or adjusted date of hire.

In cases of poor performance, the department head or County Executive may, after conferring with the Human Resources Director, reduce the pay of an employee by up to 3.0% or withhold a scheduled general base salary adjustment for an employee. These actions apply to those situations where the employee's job performance is unsuitable for the employee's step position within their pay grade. Disagreement with the performance evaluation is not grievable under the Employee Complaint process.

An employee promoted or reclassified to a position in a higher pay grade will be put at that step in their new pay grade which typically provides for an increase of between 3% and 10%. Any promotional or reclassification increases of more than 5% of the employee's current wage will require approval from Human Resources before offering the position. Promotional or

reclassification increases of more than 10% may only be given if needed to bring the employee up to the Minimum Step of the employee's new pay grade.

An employee who is promoted, demoted, or reclassified to a position in a lower pay grade may be paid at any step in their new pay grade as recommended by Human Resources and approved by the County Executive. All step increases will become effective on the first pay period following the anniversary date of that event.

Upon the recommendation of Human Resources, the County Executive may authorize specific salary adjustments due to extraordinary circumstances, subject to availability of appropriated funds. The Legislative Audit / Human Resources Committee will be notified of all such salary adjustments.

In order to reflect necessary increases in the minimum and maximum rates appropriate for each job, the salary structure recommended will be reviewed and updated annually as part of the annual budget process.

In a situation where the assignment or scheduling of work requires an employee to perform in a higher level classification (higher pay grade or pay range), a temporary pay rate may be established for the period of that assignment or work schedule. This action requires the recommendation of the department head, as well as the approval of the Human Resources Director or the County Executive. This practice will not be applied to vacation replacement.



PERSONAL APPEARANCE

Outagamie County allows departments and their employees the flexibility to "**Dress for Your Day**." The "Dress For Your Day" policy is intended to be relaxed when you have a workday that does not include meetings with clients, vendors or business associates. The expectation is that employees will wear clothing appropriate for the nature of our business and the type of work performed. It gives employees the flexibility to dress in a way that adheres to their schedule for that day. If you are at a client, training/conference, recruitment activity, or other professional circumstances, employees must dress in business attire.

At the discretion of the Department Head, an employee not otherwise required to wear a uniform may wear casual, yet appropriate, work attire (including wearing denim jeans) on days when the employee has no obligations to interact in-person with clients, visitors, customers, vendors, and/or the public. Department Heads may determine what positions or duties constitute an employee's ability to wear casual work attire. Even though the dress code is casual, it is important to project a professional image to our customers, visitors, and co-workers, consistent with the environment in which an employee works. All employees are expected to dress in a manner consistent with good hygiene, safety, and good taste.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during new-hire orientation and evaluation periods. Not adhering to this policy may result in disciplinary action or the removal of the "Dress for Your Day" option.

Revision Date: April 2023

Below are some guidelines to help employees differentiate what is appropriate. Any questions about the department's specific guidelines for attire should be discussed with a supervisor.

APPROPRIATE FOR CASUAL DAYS	APPROPRIATE FOR BUSINESS DAYS	INAPPROPRIATE
• PANTS: leggings under a dress or long shirt, (the length of the shirt should reach the person's fingertips when arm is facing downward), jeans (must be clean and free of rips, tears and fraying; may not be excessively light or revealing). • SHIRTS: denim or flannel shirts, non-hooded plain sweatshirts. • SHOES: dress sandals or open toe shoes. ***Note**: Casual attire may be further defined by departments based on the expected dress for specific work related activities.*	• PANTS: dress slacks, khakis or corduroys, business suit. • SHIRTS: blazers/sport coats, collared knit or golf shirts, oxford shirts, County logo wear, short-sleeve blouses or shirts, sweaters • SHOES: Closed toe dress shoes such as loafers, flats, deck shoes, and dress boots. ***Note**: Business attire may be further defined by departments based on the expected dress for specific work related activities.*	• PANTS: jeans that are frayed, damaged, washed-out, dingy or dirty with holes, shorts/skorts, yoga/exercise pants, sweat pants and form-fitting leggings. • SHIRTS: t-shirts, tank tops, halter tops, tops with spaghetti straps, shirts with lettering or logos larger than 4"x4", hooded sweatshirts, off-the-shoulder tops, low-cut/sheer blouses/shirts or shirts that bare the midriff, sports attire (unless communicated otherwise by Human Resources or the County Executive Office), beachwear. • SHOES: Thong sandals, flip flops, athletic shoes, tennis shoes, croc-like shoes.

CLOTHING ALLOWANCES

Airport, Plamann Park, Maintenance and Custodial employees who are required to wear uniforms will be provided with the following initial allotment:

- 2 summer shirts
- 2 summer pants
- 2 winter shirts
- 2 winter pants
- 1 summer jacket
- 1 summer cap
- 1 winter jacket
- 1 winter cap

The county will pay fifty percent (50%) of the replacement cost of such uniforms, up to a maximum of one hundred dollars ($100.00) per employee per calendar year. Employees shall submit receipts for such replacement cost of uniforms two times per year, no later than the work day immediately prior to July 1 and January 1. The county will pay for and provide any identification patches required to be placed on the uniforms.

Highway and Recycling / Solid Waste Employees: The county agrees to provide, at such employee's option, either a pants and shirt or coveralls, to an employee classified as a mechanic to be used by such employee when that employee is performing mechanic's work, and to an employee who is assigned as the gasman. Employees will be provided with a hard hat, vest, goggles, and fuel cards, which will be their responsibility to replace if they are lost or stolen, provided that if there is clear evidence of forced entry, the employee will not have the responsibility to replace the item. These items will be inventoried on an annual basis. The county shall make disposable coveralls available to employees as set forth below. The Employee shall

reimburse the county for its cost of such coveralls, except those employees who are required to change oil will receive two (2) pair of disposable coveralls per year, free of charge. The Employer agrees to provide employees normally assigned to perform body shop work during the year and the one employee normally assigned to perform welding during the year with each employee's option of either pants and a shirt or coveralls, to be used by these employees when they are performing body shop work or welding.

The amount and administration of the clothing allowance for uniformed Sheriff's Office staff will be made in accordance with existing policies, with a summary of current policies provided below:

• Sheriff, Chief Deputy, Commander, Corrections Administrator, Captains, Jail Lieutenants, Telecommunications Supervisor and Communications Shift Supervisor shall receive a $275 initial allowance and an annual $275 allowance.

• Patrol Lieutenants shall receive a $375 initial allowance and an annual $375 allowance.

• Operations Assistants and Telecommunicators will receive an initial $275 allowance and then an annual $250 allowance after that. The Sheriff's Office Mechanic is required wear safety shoes and is responsible for purchasing and wearing safety shoes/boots to comply with the County's Personal Protective Equipment policy and is eligible to receive an annual (per calendar year) reimbursement up to $40 for purchase of safety shoes, with presentation of proper receipt to your supervisor. The Sheriff's Office Mechanic will be reimbursed for tools purchased up to $250.00 per year, payable upon the submission of a receipt substantiating the purchase.

• All employees paid during the pay period in January each year when the clothing allowance has been disbursed (typically the 2nd payday in January), will be paid the full annual rate for clothing allowance for that year. As an example: if you were hired in Feb or Dec of 2017, you will receive your clothing allowance as a new employee in Feb or Dec of 2017 and in January of 2018 you will receive the 2018 annual clothing allowance. The only exceptions are for new employees hired Jan 1 through the pay period of the uniform allowance, as they will receive just their initial hiring allowance; whereas those not leaving in good standing during that disbursement pay period will not receive the allowance. All uniformed Sheriff's Office staff, including part-time, shall receive a clothing allowance on the above basis, excluding the Administrative Supervisor, Systems Analysts, Staff Accountant and Records Specialists.

All uniformed Sheriff's Office staff, including part-time, shall receive a clothing allowance on the above basis, excluding Operations Assistants, Process Servers, and Health Records Specialists.

Any questions or complaints regarding the appropriateness of attire should be directed to your department head or the Human Resources Department.



PET POLICY & SERVICE ANIMALS

Outagamie County prohibits employees from bringing a pet to work or having a pet in Outagamie County controlled buildings and premises, with the exception of service dogs for a person with disabilities or in the case of certified therapy dogs/cats for specific departments or as part of the

K-9 unit in the Sheriff's Department. Animals other than service dogs or certified therapy dogs/cats are not allowed at work or in any Outagamie County controlled buildings.

SERVICE ANIMALS

According to the Americans with Disabilities Act (ADA), a service animal is defined as "any animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are hearing impaired to intruders, or pulling a wheelchair and fetching dropped items."

A person with a disability uses a service animal as an auxiliary aid. In compliance with the ADA, service animals are welcome in all buildings on company property and may attend any class, meeting or other event. There may be an exception to certain areas.

Employees requesting accommodation for a disability that includes a service dog or service dog in training, must contact the Human Resources (HR) Department and complete a Documentation of Disability form. All service dogs must be registered with the Risk Management Administrator.

REQUIREMENTS OF SERVICE DOGS OR CERTIFIED THERAPY DOGS/CATS AND THEIR OWNERS:

- All animals need to be immunized against rabies and other diseases common to that type of animal. All vaccinations must be current.
- Animals must wear a rabies vaccination tag.
- All service dogs and certified therapy dogs/cats must be licensed per state law.
- Service dogs and certified therapy dogs/cats must wear an owner identification tag (which includes the name and phone number of the owner) at all times.
- Service dogs in training, must wear the designated service animal vest throughout their training period.
- Animals must be in good health.
- Dogs must be on a leash, harness or other type of restraint at all times, unless the owner/partner is unable to retain an animal on leash due to a disability.
- The owner must be in full control of the animal at all times. The care and supervision of the animal is solely the responsibility of the owner/partner.
- The owner/partner must provide the HR department staff with information as to how the service dog accommodates for the individual's disability.

Reasonable behavior is expected from service dogs while on company property. The owners of disruptive and aggressive service dogs or certified therapy dogs/cats may be asked to remove them from Outagamie County facilities. If the improper behavior happens repeatedly, the owner may be told not to bring the service/therapy animal into any facility until the owner takes significant steps to mitigate the behavior.

Cleanliness of the dog/cat is mandatory. Consideration of others must be taken into account when providing maintenance and hygiene of animals. The owner/partner is expected to clean and dispose of all animal waste.

Animal owners are responsible for any injury, death or damage caused by their animal.



POSITION CLASSIFICATION

Position classification is the process used to allocate a position's defined duties and responsibilities to a job standard. The position classification process involves the department, Human Resources, and at times an external market analysis, reviewing the duties and responsibilities assigned to a position and determining the appropriate classification for the position.

In order to determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, Outagamie County follows Fair Labor Standards and classifies its employees as shown below. Outagamie County may review or change employee classifications at any time.

Exempt: Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay, based on criteria established by the Fair Labor Standards. Some exceptions may apply by county policy.

Non-Exempt: Non-exempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours, based on criteria established by the Fair Labor Standard or county policy.

Full-Time Regular Employee: Works a regular schedule of 37.5 or 40 hours per week or meets the hours requirements of Section 7(k) of the Fair Labor Standards Act (FLSA).

Part-Time Regular Employee: Works a regular schedule that is, on average, less than 37.5 hours per week, with the exception of Section 7(k) for Sheriff Department employees. Part-time employees, on a pro-rated basis, are entitled to the same benefits as full-time employees, with the exception of Life Insurance and Long Term Disability Insurance, provided they are hired at or averaged at least 20 hours per week for the 12 months preceding their anniversary date. Under federal laws, part-time employees are treated the same as full-time employees under the Fair Labor Standard Act concerning minimum wage and overtime pay.

Job Share Employee: Job sharing means that two (or more) workers share the duties of one full-time job, each working part-time. Employees involved in a job share arrangement must sign a Job Share Agreement.

See the Job Share section of handbook for additional details.

Casual-Call Employee: One who is hired to satisfy or meet the needs of a department which are cyclical and recurring in nature. They may have a regular/consistent, infrequent, or variable schedule and may work as needed throughout the year but they may not work more than 960 hours in a 12- month period. A department may hire casual call employees for approved positions on their Table of Organization as their budget allows in order to meet the needs of the department. If an employee is anticipated to work beyond 960 hours within a 12-month period, the supervisor should speak with Human Resources to determine whether the status of the employee should be changed.

Temporary Employee: A direct hire temporary employee is an hourly appointment used to fill a classified job title in the county. A temporary employee is one who will be with the county for less than a year and one who has a specific expiration date. Temporary employees are eligible to earn leave and are covered by Social Security and unemployment compensation but do not receive any other fringe benefits.

Seasonal Employee: Any employee who works one hundred twenty days a year or less for the county. These days need not be consecutive. The work being provided does not fulfill a classified job title in the Table of Organization. For example, if an employee works for the months of January, July, and October, then the employee is a seasonal employee.

Intern: A student who works, sometimes without pay, at a trade or occupation in order to gain practical work experience as part of an academic requirement. Internships will most often be viewed as employment, unless described below, relating to other academic compensation. Interns who qualify as employees typically must be paid at least the minimum wage and overtime compensation for hours worked over 40 in a work week. There are some circumstances under which individuals who participate in internships or training programs may do so without compensation. This may apply to interns who receive training for their own educational benefit, if the training meets certain criteria. The determination of whether an internship or training program meets this exclusion depends upon all of the facts and circumstances of each such program.

Contract Workers: Typically hired to cover for absent employees (such as those who are on medical or disability leave) and temporary vacancies or to fill gaps in a county's workforce. Contract workers are typically hired through a temporary staffing agency -- in which case the temp is on lease with the staffing county but not an employee of the county. Contract workers may be contracted to perform work in a range of industries, such as system support, labor, education, information technology, and healthcare. Some temporary jobs may lead to regular employment where appropriate. More often, however, departments procure contracted staff for a specific business purpose while avoiding the cost of hiring regular employees.

Contract workers may work full or part-time but are not eligible for county benefits. Any benefits a worker may be eligible for would be provided by the contracting agency, where applicable. The maximum contract assignment for any temporary contract worker is twelve (12) calendar months. Any assignment needed beyond twelve (12) months must be approved by Human Resources.

Note: Contract workers are not considered benefit eligible employees of Outagamie County and would not fall into the category of Employee as it pertains to this Employee Handbook.

Throughout one's employment with the county, an employee's status may change, whether by voluntary or involuntary means. They may be granted a promotion, make a lateral transfer, get laid off, terminate the employment relationship, or become part or full-time. Since changes such as address and marital status are quite straight forward, they will not be discussed here. Instead, following is an explanation of the usual types of changes that may occur.

Temporary to Regular Status: A temporary employee is one who occupies a temporary slot on the Table of Organization, holds a position of limited duration for a specified period of time, or is hired to perform a specific project. A regular employee is one who occupies a regular slot on the Table of Organization and is expected to remain employed by Outagamie County so long as the work is required and the individual performs in a satisfactory manner. Temporary and regular employees may be either part-time or full-time. A temporary employee who, through continuous employment, obtains regular status in the same job classification in the same department, will have their date of employment for the purpose of determining wage rate and date of hire, vacation eligibility, and sick leave accrual established as of their date of employment as a temporary employee.

Promotion: A promoted employee is one who accepts a job assignment in a higher classification with a higher pay range. Upon moving to this new position, the employee will receive an adjusted date of hire.

Demotion: A demoted employee is one who is assigned, either voluntarily or involuntarily, to a job in a lower classification with a lower pay range. Whether the employee receives an immediate decrease in salary is determined by the circumstances at the time of the demotion and the spread of the new salary range. Demotions may be made in lieu of layoff, may be used as a disciplinary measure, or can be voluntary. Demotions must be approved in advance by the Human Resources Director. Upon moving to this new position, the employee will receive an adjusted date of hire.

Reclassification: Reclassification is the reassignment of a position from one class to another to recognize a change in the duties and responsibilities of a position or to correct a misclassification in the original assignment. Reclassifications must be approved by the Legislative Audit / Human Resources Committee and County Board. Upon moving to this new position, the employee will receive an adjusted date of hire.

Full-Time / Part-Time: In response to changing business needs or priority, the time allotted to a particular job may change from part-time to full-time, or vice versa. In those cases where a part-time position is expanding to fill full-time hours, or where a full-time position is reducing to part-time, the posting process is not normally followed. Instead, the employee who has the part-time or full-time position expands or reduces his/her hours. Occasionally, when the situation warrants, job sharing one full-time position may be allowed.

Lateral Transfer: When necessary, Outagamie County may change an employee or group of employees from one job to another within the same pay grade. When an employee is transferred to a position in the same pay grade, they will not receive an adjustment in pay nor an adjusted date of hire.

An employee in good standing may also request to transfer to another comparable vacant position for which they are qualified. Requests for such voluntary transfer should be made to Human Resources and requires the approval of the employee's department head.

Termination: This is a term used to refer to the removal of an employee from the payroll for voluntary or involuntary reasons including dismissal, resignation, retirement, or death.

Layoff: A layoff is the involuntary separation of an employee due to lack of work, lack of funds, the abolishment of a position, or other reason. Layoff plans must be approved by the Human Resources Director before they are implemented. No regular employee will be laid off while there are temporary workers serving in the same classification in the same department. Layoffs are based on job performance and seniority. Regular employees will receive at least ten (10) business days' notice prior to layoff, and each laid-off employee will be notified of all of their rights, including reinstatement eligibility and benefits. Laid-off employees will be held in a layoff pool for a period of time equal to their length of service but no longer than one year. Employees in the layoff pool have a priority for reinstatement when a vacancy occurs for which they are qualified. A laid-off employee loses their reinstatement rights if they do not return to work within ten (10) calendar days after notification. This does not apply to sunset or grant positions.

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PROPERTY INSPECTION

The county provides desks, filing cabinets, lockers and/or other storage devices, electronic or otherwise, for employee's convenient safekeeping of work materials and personal items. The storage devices remain the property of the county, and the county makes no assurance of an expectation of privacy regarding the contents thereof. Further, the county reserves the right to inspect any and all such storage containers or devices at any time and may inspect personal property on county premises where reasonable suspicion exists that the container or device may contain stolen items, firearms, drugs, alcohol, or other contraband. Further, county information in or on personal containers or devices may be accessed, if necessary, by the county.



RECRUITMENT

The standard of the county is to recruit and select the most qualified persons for county positions. Recruitment and selection is conducted in compliance with all applicable laws. Whenever possible, vacancies are filled from current county employees, providing they meet qualification standards and are the most qualified candidate. The filling of Union positions is done in accordance with the applicable bargaining agreement. Recruitment is the responsibility of the Human Resources Department, who works in conjunction with the department in need of staff.

This section sets forth general process guidelines to be used by Outagamie County management personnel relative to the employment function. It is understood that adjustments to this process may be made as dictated by special circumstances. The following process will be the recognized process for employment functions at Outagamie County.

JOB OPENING

Open positions are either identified by a vacancy created or upon approval for an additional position by the County Executive and Board of Supervisors. Positions being requested from the Not Posted list will require approval from the HR Director or their designee.

The hiring manager will complete a requisition request form in the applicant tracking system for submission to Human Resources.

Human Resources will verify the opening against the Table of Organization (TO).

The HR Recruiter, in conjunction with the hiring manager, will review the position job description and update as required.

POSTING

Except as noted below for internal department/division promotions or transfers, the position will be posted for a minimum of five days (excluding holidays and weekends).

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- Human Resources will develop the posting using the duties and requirements found in the job description/class spec and review the posting with the hiring manager.
- Postings will be on the Current Openings sections of the Outagamie County intranet site and internet sites. In addition to the official posting sites, Human Resources and the hiring manager may identify other industry and recruitment sites where the position will be posted.
- Postings will remain on the official posting sites until the position has been filled or a suitable amount of applications have been received.
- Once a position has been posted, the hiring manager(s) can view applicant data within the applicant tracking system and determine next steps within the system.

Internal Department/Division Promotions or Transfers Only – Hiring Managers are allowed to fill open positions in their department without posting the job for the minimum five (5) day requirement, if they fill it with an active employee from the same department and division.

To hire someone internally from within their department and division, the hiring manager must complete a requisition request in NeoGov and the departmental employee must complete the inter-department application in NeoGov. Once the application has been completed the hiring manager can then move the applicant to hire in NeoGov to begin the hiring process. While this approach may help departments fill vacancies more rapidly, hiring managers must still select the best candidate for the job based on skills, education, and performance factors reflected in satisfactory performance evaluations.

If a department or division wants to hire someone from another department or division, they must post the job internally for five (5) days at minimum, following the procedures outlined above.

RECRUITMENT/SOURCING

Methods and timing of external recruitment will be determined by Human Resources and the hiring manager on a case-by-case basis.

Advertising should be coordinated through and tracked by the Human Resources Department. Advertising costs may be charged back to the department.

APPLICANT FLOW

In order to be considered for a position, an applicant must submit their application electronically via the applicant tracking system. Only electronic applications will be accepted. Inquiries received in other departments should be directed to apply via the Outagamie County internet/intranet sites.

Unsolicited applications will not be accepted.

All applicants must apply separately for each posted opening.

Human Resources will maintain applicant data and hire records within the applicant tracking system.

SCREENING OF CANDIDATES

The HR Recruiter will work with the hiring manager to determine on a case-by-case basis the process for screening applicants. As requested by the hiring manager, Human Resources will assist in reviewing resumes and applications.

Candidates will be evaluated based upon their qualifications for the job being filled without regard to gender, race, color, religion, age, national origin, sexual orientation, gender identity, genetic testing, and military service or on the basis on any other protected status.

In general, consideration will be given to applicants in the following order:

- In the case of county employees who are members of a bargaining unit and who may have contractual rights related to the open position within that same bargaining agreement, primary consideration will be given according to the contractual language.
- In the case of non-union employees, selection of candidates for job openings will be determined by the county from the available internal and external applications.
- As a best practice, hiring managers should contact current managers of internal applicants with questions related to overall performance. It is expected that all internal applicants be provided either a telephone or in-person conversation.

INTERVIEWING

The hiring manager will coordinate and conduct interviews of candidates. The HR Recruiter will be available for consultation or to participate in the interview process.

Human Resources should be involved in interviews involving managerial or critical positions.

Hiring managers should establish and utilize set interview questions for all applicants and keep separate notes and comments on candidates interviewed. Notes and comments are not to be recorded on the original resume or application.

Employees are encouraged to discuss their interest in open positions with their supervisor. However, supervisor approval is not required to submit an application if the employee meets all eligibility requirements. When an employee is selected to be interviewed for an opening, the employee must notify their supervisor that they are being considered for a particular opening. Such notification must take place before the interview. Non-exempt/hourly employees will not be paid for the time they are interviewing or testing. They will be allowed to make up that time or take as some sort of leave time. Exempt employees should adjust their schedule accordingly.

Upon completion of interviewing, all accompanying notes and comments should be uploaded to the applicant tracking system by the hiring manager or their designee.

TESTING

The HR Recruiter, in conjunction with the hiring manager, will determine testing needs based on requirements of the position and will determine the point in the interviewing process where testing will be administered.

All testing will either be coordinated through the Human Resources Department or within their respective department.

Test results will be shared with the hiring manager and become part of the candidate's file.

Results of testing will remain valid for a period of six (6) months.

SELECTION

The hiring manager makes the hiring decision. Prior to acting on any employment decision, the hiring manager should consult with the appropriate department head and the HR Recruiter.

REFERENCE CHECKS

Whenever possible, a minimum of two (2) references should be secured prior to any offer of employment being extended. References are to be obtained by the department designee. Human Resources is available for assistance. Documentation of references should be maintained in the employee's personnel file or uploaded into the applicant tracking system.

OFFERS OF EMPLOYMENT

Starting wage rates will be determined by Human Resources in conjunction with the hiring manager in accordance with established bargaining agreement and compensation administration guidelines.

Start dates of all new hires coincide with the orientation calendar to ensure new hires are beginning employment on an orientation day and complete the necessary steps to be placed on the payroll. There may be exceptions allowed in this timing based on critical business needs. Any exceptions must be discussed with the HR Recruiter and approval obtained from the HR Director or their designee.

Verbal offers of employment may be extended by the hiring manager after consultation with the appropriate department head and HR Recruiter. Hiring managers will complete the hire process in the applicant tracking system in order to initiate the written offer letter.

Written offer letters should be drafted by the HR Recruiter. Signed offer letters and applicable new hire paperwork will be provided electronically or in hard copy to the HR Recruiter who will then attach these documents to the exam plan in the applicant tracking system.

New hire details will be provided to the HR Administrative team for entry into HR system.

CONTINGENT OFFERS OF EMPLOYMENT

Offers of employment are contingent on appropriate background check, POPEs (Post Offer Pre Employment Screens), education records, required certifications, and/or driver's license requirements.

Education levels will be verified for any position that requires a particular degree level. Verification will consist of receipt of transcripts or direct contact with the educational institution. The Human Resources Department is responsible to ensure that proper verification has been obtained. Documentation regarding education level verification will be filed in the personnel files located in the Human Resources Department.

Human Resources will process the appropriate background request forms upon receipt of signed release of information statements. Sheriff's department will perform investigations and administer appropriate background checks for their hires or those county employees working within the Sheriff's department. Releases must be received and background checks run prior to the

employee beginning employment. Exceptions to this will be considered based on Human Resources Director approval.

With the exception of the Sheriff's department, Human Resources will review the report information. Results of background investigations will be forwarded to the hiring manager as applicable. In the case of negative results, a course of action will be determined with the hiring manager and input from Corporation Counsel when appropriate.

Contingency documents will be stored in the employee's personnel file.

RELEASE OF INTERNAL CANDIDATES

It is the responsibility of the hiring manager and the selected employee's current manager to mutually agree on the starting date for the new position. In general the new starting date should be within 20 days (excluding holidays & weekends) of the accepted offer and should begin at the beginning of a pay period.

NOTIFICATION OF UNSUCCESSFUL CANDIDATES

All internal candidates not selected will be notified directly (in person, by phone or e-mail) by either the hiring manager or Human Resources.

Notification to external candidates interviewed but not selected, will be communicated by either telephone or using the notification functionality within the applicant tracking system.



SAFETY AND ACCIDENT PREVENTION

Outagamie County has a long-standing philosophy of taking pride in its practices to ensure the safety, health and well-being of all its employees. This section serves to provide guidance to all employees on the standards the county expects its employees to adhere to.

Employees injured on the job must report the injury to their supervisor immediately. All reports must be filed within twenty-four (24) hours of the injury. Suggestions from all employees regarding safety are welcome and encouraged. See Worker's Compensation section of this handbook for additional details related to reporting an injury.

Employees who transport county clients in their own personal vehicle (excluding motorcycles) and whose vehicle suffers damage during that transport may be eligible for partial reimbursement for damages.

Additional information regarding vehicle usage and insurance coverage requirement can be found on the Risk Administration webpage.



SEPARATION FROM EMPLOYMENT

Employment with Outagamie County is governed by the common law doctrine of "at-will" employment. An employee may be dismissed at any time at the option of the county. In such case of involuntary separation, the employee's supervisor or department head will discuss the proposed action with Human Resources prior to taking action. Employees involuntarily terminated or who resign due to misconduct or poor job performance are not eligible for rehire without department head and Human Resources approval. An employee may quit employment with the county at any time. The publishing of this Employee Handbook does not guarantee or make a promise of employment nor does it create a contractual employment relationship.

Employees are encouraged to provide a two-(2)-week written notice of intent to terminate their employment. The two weeks' notice begins the day after they turn in their notice. This allows the county time to begin a search for the employee's replacement and/or to realign the duties within the department. An employee is considered as having terminated in good standing if they gave the fourteen-(14)-day notice or if their employment was terminated by the county for reasons other than performance or misconduct, at the discretion of the HR Director. Furthermore, failure to give proper notice will affect sick leave payout, earned and accrued vacation payouts, etc. In addition to providing a two-(2)-week notice, resigning employees must work on their last day of employment, with the exception of those on an approved medical leave, in order to be considered to have left in good standing. Other paid leave restrictions within the two-week notice period may apply and could impact the employee's ability to leave in good standing, as outlined on the Retirement/Resignation Notice on the county intranet.

In most cases, Human Resources or a department representative will collect all county property as appropriate and to discuss final pay. The exit interview is conducted by the Human Resources Department with an employee who is separating from employment with the county and is intended to gain insight into the effectiveness of county practices, to determine where personnel guidelines and processes are in need of review or revision, and to determine where supervisory or managerial practices need modification or improvement. Exit interviews will be provided whenever possible, regardless of reason for leaving, position held, or length of service.

Return of county equipment: Employees leaving county employment must return county identification cards, cars, books, manuals, keys, tools, equipment, and other county-owned items on or before their last day of work. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.



SHORT-TERM DISABILITY

Short-Term Disability pays the employee a portion of their income for a specified period of time, as determined by the plan. The Short Term Disability plan provides coverage for injuries and

illnesses that occur outside of work. Employees are eligible if they are an active full-time employee who works at least 37.5 hours per week on a regularly-scheduled basis. Active part-time employees are eligible if their current pro-ration is at or above the threshold for benefit eligibility (i.e., health and dental insurance).

Employees may purchase coverage that would pay a percentage of the employee's weekly earnings. The maximum Voluntary Short-Term Disability Insurance benefit is determined by the plan.

Short-term disability benefits run concurrently with the Family and Medical Leave Act and/or any other leave where permitted by state and federal law. Employees on Unpaid Medical Leave while receiving Short-Term Disability payments are not required to use sick leave or vacation leave balances.



SICK LEAVE

Every full-time employee shall earn one (1) sick day (eight (8) hours or 7.5 hours) for each month of full-time, regular service with the County, regardless of department. Part-time employees earn one prorated day for each full month of service. A full month of service is any month in which an employee received pay for at least ten (10) times the employee's factor (Full Time Factors: 8 and 7.5; Part Time Factors: As assigned by Payroll or employee's department).

New employees that are eligible to earn sick leave can use it once it is available on the first of the month following their hire date. Any leave taken prior to having it available would be without pay.

Unused sick leave may be accumulated to a total of one hundred and twenty (120) days. Part time employees may accumulate up to 120 days times your factor.

Employees absent from work on legal holidays, during sick leave, vacation, for disability arising from injuries sustained in the course of their employment, or for other authorized leaves of absence with pay shall continue to accumulate sick leave at the regularly prescribed rate during such absence as though they were present for duty.

An employee eligible for sick leave with pay may use such leave upon approval of the manager/supervisor/department head for absence due to an employee's illness, injury, exposure to contagious disease, dental or medical appointments or due to illness in the employee's immediate family (i.e., the employee's spouse, or dependent children living in the employee's household) hospitalization, illness or dental/medical appointment requiring the employee's personal attendance. An employee on sick leave shall inform their immediate supervisor of the fact and reason therefore as soon as possible and failure to do so within reasonable time may be cause for denial of pay for the period of absence. The department head may request a doctor's certificate before approving such leave with pay if three (3) or more consecutive workdays are missed. If an employee is eligible for Family Medical Leave, that employee is required to complete FML paperwork after more than three (3) consecutive workdays are missed. Questions regarding qualifications for FMLA should be directed to the Employee Leave Administrator. The department

head may also request a doctor's certificate, for any sick leave use, before approving such leave with pay after four (4) instances of sick leave, without a doctor's certificate, are taken in a calendar year.

In order to use sick leave for serious health conditions of family members not in the immediate family, it must be covered under FMLA. Sick Leave pay may only be used for baby bonding and serious health conditions of family members not in the immediate family under Family Medical Leave.

In the event that an employee becomes ill on the job, the time actually spent off the job shall be charged to sick leave.

Absences for a fraction or part of a day that are chargeable to sick leave in accordance with these provisions may be charged in no less than fifteen (15) minute increments. Sick leave usage of less than fifteen (15) minutes must still be reported as fifteen (15) minutes.

SICK LEAVE AND RETIREMENT - Employees hired prior to January 1, 2014 who are retiring under Wisconsin Retirement will receive a 100% payout of accumulated sick leave. Employees hired on or after January 1, 2014 who are retiring under the Wisconsin Retirement System will receive a graduated percentage payout of up to 120 days of accumulated sick leave based on their length of service with Outagamie County so that: after ten (10) years of service the employee is eligible for a fifty percent (50%) payout of sick leave accumulation; after fifteen (15) years of service the employee is eligible for a seventy-five percent (75%) payout of sick leave accumulation; and after twenty (20) years of service the employee is eligible for a one hundred percent (100%) payout of sick leave accumulation. In the event of the death of an employee, the County will make the same 100% payment to the employee's estate. If an employee does not participate in the life insurance program, the employee may specify a beneficiary with the Human Resources Department for the purpose of this Section.

SICK LEAVE AND RESIGNATION – Grandfathered and accreted employees hired prior to January 1, 2014 who terminate in good standing will receive a 50%-100% payout up to 120 days of accumulated sick leave, based previously agreed to terms.

For all other employees, sick leave is cancelled upon resignation.



SOLICITATION & BULLETIN BOARDS

In order to protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on "working time." "Working time" is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after their shift.

Employees are also prohibited from distributing written materials, handbills, or any other type of literature on working time and, at all times, in "working areas," which includes all office areas. "Working areas" do not include break rooms, parking lots, or common areas shared by employees during non-working time.

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All required governmental postings are posted on the boards located in the break rooms of county buildings. These boards may also contain general announcements. The county reserves the right to refuse permission to post or to take down any announcement.

Visitors may not solicit or distribute materials anywhere on county property, at any time.



TELECOMMUTING

Telecommuting allows employees to work remotely for all or part of their workweek. Outagamie County considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not a county wide benefit, and it in no way changes the terms and conditions of employment with Outagamie County. This guidance provides a general overview and does not attempt to address each unique situation or technology need.

Telecommuting is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

PROCEDURES

Telecommuting can be informal, such as working remotely for a short-term project or a formal set schedule of working away from the office as described below. Either an employee or manager can suggest telecommuting as a possible work arrangement.

Any telecommuting arrangement made will be on a trial basis for the first three months and may be discontinued at will and at any time at the request of either the telecommuter or the supervisor/county. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, child care and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

ELIGIBILITY

Individuals requesting formal telecommuting arrangements must typically be employed in their current role for a minimum of six (6) months of continuous, regular employment and must have a satisfactory performance record. Department Heads have the discretion to authorize remote work prior to the employee's first six months of employment, if applicable.

Before entering into any telecommuting agreement, the employee and manager, with the assistance of the Human Resources and Information Technology departments, will evaluate the suitability of such an arrangement, reviewing the following areas:

Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.

Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.

Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the telework. This can be done in person or virtually, as requested.

Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

The employee understands that they are responsible for all equipment needs related to a home workspace, with the exception of a county provided laptop/tablet. The County will provide supplies related items such as: paper, ink, pens, etc. The county will not provide laptops for the purpose of working remotely. Only employees identified as having a need for a laptop when working onsite will be provided a county laptop, which can then be used for remote work as needed.

If the employee and manager agree, and the Human Resources department concurs, a draft telecommuting agreement will be prepared and signed by all parties, and a three-month trial period will commence.

Evaluation of telecommuter performance during the trial period will include regular interaction, by phone and e-mail between the employee and the manager, and weekly face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and manager will evaluate the arrangement and make recommendations for continuance or modifications.

EQUIPMENT

With the exception of a county issued laptop, the employee will be responsible for providing/acquiring the appropriate equipment needs (including hardware, software, high speed internet, secure Wi-Fi, phone lines and other office equipment) for each telecommuting arrangement, at their own expense. The Human Resources and Information Technology departments will serve as resources in this matter. Outagamie County reserves the right to make determinations as to appropriate equipment, subject to change at any time, and in ensuring proper security is in place to protect County related data.

Outagamie County will supply the employee with appropriate office supplies (pens, printer ink, paper, etc.) as deemed necessary. Outagamie County will also reimburse the employee for business-related expenses, such as phone calls and mailing costs that are reasonably incurred in carrying out the employee's job.

The employee will establish an appropriate work environment within their home for work purposes. Outagamie County will not be responsible for support of personally owned equipment, costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space. Outagamie County Information

Technology Department will not provide technical support for personal equipment, even when co-mingled with county provided equipment. For liability reasons, Information Technology will also not remote into personal equipment and some technical issues for county equipment may need to be addressed onsite.

SECURITY

Employees must adhere to all Federal State and local confidentiality laws including *but not limited* to 45CFR160-164 Wis. Stat. §146.81 and .82 (HIPAA protected health information), Wis. Stat. Chapters 51, 54 and 55 (Mental Health and Guardianship Information), and Wis. Stat. Chapters 48, 938, and 118 (Protected Juvenile Information). Employees who choose to operate under this agreement are responsible for ensuring that all confidential information deemed to be confidential under these or any other applicable state, federal or local law remains confidential. Maintaining confidentiality includes working in a location where third parties, including family members, will not be able to overhear or see confidential information in any format, written, verbal or electronic. Employees must also take steps to secure this information including the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

SAFETY

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Outagamie County will provide each telecommuter with a safety checklist that must be completed at least twice per year. Injuries sustained by the employee in a home office location and in conjunction with their regular work duties are normally covered by the company's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries preferably by the end of the work shift, or as outlined in a departmental policy. The employee is liable for any injuries sustained by visitors to their home worksite.

Employee request forms and supervisor assessment forms can be found on the Human Resources webpage located on MyOC.



TERMINATION

The Human Resources Department wants terminations to be conducted accurately and efficiently for both the employee and Outagamie County. Based on the type of termination, certain information must be provided to Human Resources.

This section will define the steps required to process an employee's termination, whether it is an involuntary termination, voluntary termination, or retirement.

Involuntary Termination: Determination by the employer that the employee's services are no longer needed. Misconduct has occurred or the employee is unable to perform satisfactorily. Note: Does not include layoff which is considered a temporary arrangement with return to work possible.

Voluntary Termination: Determination by the employee where they desire to continue the employment relationship with Outagamie County no longer exists.

Retirement: Voluntary withdrawal from one's position with Outagamie County, similar to voluntary termination, but receives a Wisconsin Retirement annuity.

INVOLUNTARY TERMINATION

Prior to termination, the Human Resources department will need to be contacted and a file review will need to be completed. No involuntary terminations can take place without approval from the Human Resources Director.

In the case of involuntary termination, a meeting should be scheduled with the employee, the employee's manager, and a member of the Human Resources team to discuss the details of the termination. If there are any safety concerns regarding the employee's reaction or behavior after notification, notify someone in the Sheriff's department in advance of the termination so a deputy can be placed on standby.

All involuntary terminations should be done with two persons present with the employee.

Prior to or immediately after, make arrangements for Information Technology to discontinue system access and to contact department IT resource to discontinue any department specific access.

Meet with the employee in a neutral area, such as a conference room. Inform the employee of their last day and termination reason.

Inform the employee that benefits information will be mailed to them and encourage the employee to contact the Employee Benefits Specialist for detailed benefits information. The exiting employee should also be given a copy of the Termination Frequently Asked Questions document.

Retrieve all keys, the ID badge, and any other county property before the exiting employee leaves the building.

Complete a Personnel Action in HR System to notify HR, Payroll, IT, and Maintenance. The Personnel Action should indicate if the employee is eligible for any normal payouts.

VOLUNTARY TERMINATION

Obtain a signed resignation from the employee indicating the employee's last day of work and complete a Personnel Action in HR System to notify HR, Payroll, IT, and Maintenance. The Personnel Action should indicate if the employee is eligible for any normal payouts.

Employees must provide two weeks' notice in order to be considered as Leaving in Good Standing. Direct the employee to the Leaving in Good Standing policy indicating what needs to be done or can be done their last two weeks.

Human Resources will contact the employee regarding an exit interview.

For employees subject to annual audiogram requirements, the supervisor will contact an appropriate medical provider to obtain an exit audiogram prior to the employee's last day of work. Contact the Risk Administrator for assistance.



TIME REPORTING

Accurately reporting time worked is the responsibility of every employee and their supervisor/manager. Outagamie County must keep an accurate record of time worked to calculate employee pay and benefits.

Accurate time reports showing all time actually worked or time to be paid are required. These records are required by governmental regulations and are used to calculate regular and overtime pay. At the end of each pay period, the employee and their supervisor must submit the time record attesting to its accuracy, before final submission for processing.

Highway Employees: Time and equipment used must be prepared by the employee daily and submitted to the foreman.



TOBACCO FREE WORKPLACE

A tobacco-free environment helps create a safe and healthy workplace. Outagamie County recognizes the hazards caused by tobacco use and exposure to second-hand tobacco smoke. Our goal is to provide a safe and healthy workplace environment for all employees and visitors.

No use of tobacco products including, but not limited to, cigarettes, e-cigarettes, and "spit tobacco" will be allowed within the facilities of Outagamie County, and employees must abide by department vehicle policies at all times.

Smoking or tobacco use shall be permitted only during break times and in designated smoking areas located at least 20 feet outside of the building entrance.

All materials used for smoking in designated smoking areas, including cigarette butts and matches, will be extinguished and disposed of in appropriate containers.



TRAVEL

Travel regulations as set forth herein are subject to approval by the Outagamie County Board of Supervisors. Included are mileage reimbursement rates, porterage tips, moving expenses, temporary lodging allowances, meals and lodging rates and other employee travel related expenses. All travel paid or reimbursed to employees from county-administered funds must be done in compliance with these regulations, regardless of the funding source. Anticipated travel expenses are to be appropriated as part of the annual budget process.

Employees who travel are expected to exercise good judgment when incurring travel costs. An employee may be reimbursed for reasonable and necessary travel expenses actually incurred in the performance of official duties in accordance with the provisions herein. Reimbursement is generally limited to the most reasonable cost-effective transportation available.

A claimant shall not seek reimbursement for goods or services provided free of charge, not personally paid for by the claimant, reimbursed by another source, or which will be paid or reimbursed from another source. Any reimbursement which is received by the employee from another source for the same costs reimbursed by Outagamie County shall be deposited back to the county funding source which was initially charged.

Only travel expenses related to the conduct of Outagamie County business, including meetings, conferences, and other appropriate departmental activities, may be reimbursed.

See the My OC webpage http://myoc.org/departments/financial-services for additional details related to this policy.



UNPAID LEAVES OF ABSENCE

The reason for Unpaid Leaves of Absence is for the county to allow time off, flexibility for employees, or reduce county expenses by providing an opportunity for employees to voluntarily take time off without pay. Additionally, Unpaid Leaves of Absence may be required if an employee does not have any paid leave balances, as outlined below.

ELIGIBILITY

All full-time and part-time employees of Outagamie County. This leave is not to be used in lieu of Unpaid Medical Leave.

PROVISIONS

Typically, participation in the program is subject to approval of the employee's supervisor and/or department head when an employee has exhausted their paid leave balances.

Revision Date: April 2023

Requests to take unpaid time off will be reviewed on a case-by-case basis and may be granted at the sole discretion of the county, department or division.

Leave may be granted as a continuous block of time or in 7.5, 8, or part-time hour increments. Less than eight-hour increments may be allowed at the discretion of the department head.

An employee's vacation, floating holiday and compensatory time balance(s) MUST be exhausted before they can utilize an unpaid leave of absence.

If an employee is ill and does not have paid sick leave available, the employee will be required to substitute and exhaust remaining vacation, floating holiday, and/or compensatory time balance(s) before becoming eligible for unpaid time off.

If the leave is initiated by the department, the employee's current benefits (i.e.: vacation and sick leave accrual, and county sponsorship of the insurance programs for which the employee is a current participant) and status (full-time or part-time at a specific proration) will be maintained.

If unpaid leave is not initiated by the department, benefit eligible employees will be responsible to ensure they are paid enough hours within a month to maintain health and dental benefits or will be responsible for the entire portion of the benefit contribution to maintain their benefits. Unpaid Leave may also affect the proration of a part time employee as unpaid hours are not counted into proration calculations. If the leave is two (2) weeks or longer and/or may affect the employee's ability to have ten (10) times their Factor worth of pay on their timesheet in a month, the Unpaid Leave of Absence Request Form must be completed and sent to Human Resources. The form may be found on the intranet.

If an observed holiday occurs during an employee's unpaid leave, or occurs either the normally scheduled work day(s) prior to and / or normally scheduled work day(s) following an observed holiday, the employee will not receive his/her normal holiday pay for that holiday. The holiday may be paid in the case of a department initiated leave.

Employees who are receiving Short Term Disability (STD) payments from the voluntary STD insurance plan must be on an Unpaid Medical Leave, if not already on FMLA, in conjunction with the STD. Similarly, employees are not eligible to be on another leave while on an unpaid leave of absence.

The county reserves the right to rescind or modify the program with or without notice, and at its sole discretion.

PROCESS

Employees requesting an unpaid leave of absence must notify their immediate supervisor of their need for leave and the day(s) requested. If the leave request is approved and this is the first time the employee is requesting an unpaid leave of absence, the supervisor must inform the payroll department to add this pay code to the employee's self-service timesheet.

If the absence is 2 weeks or longer an Unpaid Leave of Absence Form must be completed. Instructions for completion are on the form.

The employee must record time used as Unpaid Leave of Absence as part of the time reporting process.

Revision Date: April 2023



UNPAID MEDICAL LEAVE

An employee who has exhausted or is not yet eligible for paid sick, vacation or compensatory time and who still is unable to work because of the employee's non-work related illness or injury may, upon prior written request may be granted an unpaid medical leave of absence not to exceed six (6) months by the Human Resources Director (or their designee). Such leave may be extended up to an additional six (6) months by the Human Resources Director (or their designee) upon prior written request. Where it is impossible to make a prior written request, such request shall be made as soon as possible.

Such requests shall be submitted to Human Resources and shall be accompanied by a doctor's certificate substantiating the need for such medical leave of absence. An employee granted such medical leave under this provision shall be required, at the discretion of the Human Resources Director (or their designee), to furnish the county with a medical report from their doctor for each six (6) weeks of leave.

An employee who is on an extended medical leave of absence may be placed in a similar position within one (1) year with a doctor's certificate. While the county may rely upon the determination of the employee's doctor regarding the employee's request for a leave or any extension, or for the employee's return to work, it shall have the right to obtain a second opinion from another doctor, mutually agreed upon by the employee and the county, for any extension or return to work with which a final determination will be made. If the county requires a second opinion from another doctor, the county will pay the cost of such opinion. In the event a second doctor is not mutually agreed upon, the employee and the county shall each submit three (3) doctors qualified in the area of illness or injury involved. From those six (6) doctors, five (5) names will be drawn. The parties shall then proceed to alternately strike names from that panel until a doctor is selected. The striking order shall be determined by a coin toss.

Employees on an unpaid leave of absence because of such non-work related illness or injury who are enrolled in the group health and/or dental insurance program shall be permitted to continue their participation in such programs while on such leave, under the applicable COBRA provisions. The county shall pay the county's share of the premium for any month in which a full or part time employee received pay for at least ten (10) times their Factor in a month.

Employees on an unpaid leave of absence because of such non-work related illness or injury who are enrolled in the life insurance plan can elect up to twelve (12) months of continuation by paying the group rate premium to the County Treasurer by the twenty-fifth (25th) of the month for the following month's coverage. However, for absence caused by such non-work related illness or injury, the county shall pay the life insurance premiums during the elimination period for the waiver of life premium. The cessation of this county sponsorship for the life insurance plan shall be triggered by the end of the nine (9) month time frame, employee's return to work, denial of the waiver premium by the life insurance company, or death, whichever occurs first.

Employees on Unpaid Medical Leave while receiving Short-Term Disability payments are not able to use sick leave or vacation leave balances.

Revision Date: April 2023



VACATION

Outagamie County recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The county provides paid vacation time to full-time and benefit-eligible part-time employees for this purpose, and employees are encouraged to take vacation during the year. Part-time employees who are regularly scheduled to work 20 or more hours per week will be eligible for paid vacation on a pro-rated schedule.

Vacation is determined by an anniversary year system, where on the anniversary date of hire, the employee is granted a new allotment of vacation benefit. The exact allotment granted is determined by the years of continuous service, the full-time/part-time status, and the employee's continuity of service.

Vacation benefits for full-time employees are accrued at the rate of one-twelfth (1/12th) of the employee's authorized vacation for each full month of employment in the previous anniversary year. A full month of employment is any month in which an employee received pay for at least ten (10) times the employee's Factor (Full Time Factors: 8 and 7.5; Part Time Factors: As assigned by Payroll or employee's department).

Part-time employees meeting the benefits-eligibility requirements of the county receive a pro-rated portion of the vacation allotment, according to actual time worked in relation to a full-time employee with the same number of continuous years of service. Vacation hours are determined on the employee's anniversary date of hire by Financial Services, taking into account the hours paid during the twenty-six (26) pay periods immediately prior to the anniversary date.

Vacation granted upon hire within the first year of employment may be adjusted if an employee takes a new position or posting. For example, if a part time employee takes a full time posting within the initial year of hire, his or her vacation balance will be increased based on the number of months in the full-time position. Conversely, for example, if a full time employee takes a part time position within the initial year of hire, his or her vacation will be reduced based on the number of months in the part time position.

Vacation can be taken at times mutually agreed upon by the employee and their supervisor. Employees are encouraged to take their vacation in half day, full day, or full week increments. However, a department head may allow vacation time to be used in as small as fifteen (15) minute increments.

An employee who presents an acceptable medical excuse from their physician as proof of illness, and which includes the dates of the illness, may have that portion of their vacation leave converted to available sick leave.

Vacation allowances are not cumulative from year to year. However, on those occasions when an employee has not used all their vacation allotment prior to reaching their anniversary date, a maximum of five (5) days will be automatically carried over into the employee's next anniversary year. Any accumulated vacation over five (5) days will only be carried over with written approval of the department head and Human Resources. Benefit eligible part-time employees vacation

carryover will be prorated. This carry over vacation must be used prior to the employee's following anniversary.

Upon leaving in good standing from county service and following one (1) year of employment, an employee shall be paid for all unused vacation leave at the time of their leaving county employ due in the current anniversary year plus a pro-rated amount of vacation allowance due in the succeeding anniversary year, based on length of service subsequent to the employee's anniversary date. Leaving in good standing includes death and retirement and also voluntary termination, where the employee gives notice thereof at least fourteen (14) calendar days prior thereto and remains in active employment during such fourteen (14) day period, and termination caused by layoff, but it does not include discharge for disciplinary reasons. Such pro-rated amount will be computed on the employee's eligibility as of the time of termination, during the second year – pro-ration of two weeks, etc. In the event of the death of the employee, any wages and vacation payments due the employee will be made by a check issued to the employee's life insurance beneficiary, or if none is designated, to the estate of the employee. If an employee does not participate in the life insurance program, the employee may specify a beneficiary with the Human Resources Department for purposes of this Section.

Those employees who terminate in good standing, following one year of service, will be paid for earned but unused and/or accrued vacation allowance. However, if the employee terminated employment prior to completing an anniversary year of continuous service, they are not eligible for any vacation payout. Employees satisfying the service criteria will receive payment for accrued vacation allowance on a pro rata basis from the previous anniversary date to the date of termination (computed to the nearest one-quarter (1/4) month) and based on their eligibility level as of the date of termination and the provisions of the definition of "full month", above.

Retiring employees may extend their final date of retirement up to 30 days, by using unused vacation days, provided they satisfy the adequate fourteen (14) day notice provisions.

Employees who are leaving in good standing must have any vacation requests for time off during their fourteen (14) day period of notice re-approved by their department head, and cannot have vacation as their last day of pay, unless the absence was pre-approved, due to medical leave, or the result of retirement.

Employees who are on Federal Family Medical Leave will be required to use their vacation accumulation if they remain off work and have exhausted their sick leave accumulation following their choice period, unless on short-term disability.

A full-time employee's earned vacation to be taken during their anniversary year is determined as of the anniversary date of employment. Service shall be construed as full-time regular service with the county, regardless of department.

Each department head/manager/supervisor shall approve vacation in accordance with operating requirements, and insofar as possible, based upon a request of the employee.

Below is a table outlining the vacation schedule for all employees.

	Upon Hire	After three years of service	After eight years of service	After 15 years of service
ALL EMPLOYEES (excluding DSA)	Two Weeks	Three Weeks	Four Weeks	Five Weeks



VISION INSURANCE

The county offers single, employee plus one, employee plus children, and family voluntary vision insurance for those that are benefit eligible. Vision insurance is paid 100% by the employee.

Vision insurance coverage provides an opportunity for employees to save money on routine vision exams, contacts, eyeglass frames, and lenses. Additional details regarding this benefit can be found on the Human Resources webpage.



VOLUNTARY SHARED LEAVE

The Outagamie County Human Resources Department administers a County Executive initiative called Voluntary Shared Leave which allows one employee to assist another employee by donating earned vacation in case of a prolonged, life-threatening medical condition or accident which exhausts the employee's available paid leave sources, i.e. sick leave, vacation, floating holiday and compensatory time, and forces the employee to be on a leave without pay.

Because Voluntary Shared Leave is a County Executive initiative, authorizations and approvals under this program are at the sole discretion of the County Executive.

This section of the handbook describes the conditions under which an employee may be eligible to receive or donate leave, the process of application for receipt or donation of leave, and provides forms for those purposes.

Voluntary Shared Leave is intended to be used by employees with a prolonged, life threatening medical condition and one that is likely to require an employee's absence from work for a prolonged time.

Voluntary shared leave does not apply to incidental, normal, and/or short-term medical conditions or illnesses. This includes conditions such as short-term, sporadic recurrence of chronic allergies or conditions; short-term or sporadic absences due to contagious disease; or short-term, recurring medical or therapeutic treatments. These examples are illustrative only, and are not intended to be all inclusive. Each case will be examined and decided based on its conformity to policy intent.

Voluntary shared leave is not intended to circumvent the requirement of management to have duties performed, or limit management's right to deny a request for leave without pay.

RESPONSIBILITY

Human Resources responsible for coordinating this program and interacting between the employees involved, the County Executive or their designee, and Payroll staff.

GUIDELINES

Donated hours can be used while an employee is on a Family and Medical Leave or unpaid Medical Leave as described in the Employee Handbook, or Collective Bargaining Agreement. When an employee is on unpaid Medical Leave and using shared leave, the income generated by the shared leave will not disqualify the employee from eligibility for the unpaid Medical Leave.

Employees on worker's compensation are not eligible to participate in Voluntary Shared Leave as a recipient.

Employees who are receiving Short Term Disability (STD) payments from the voluntary STD insurance plan available through Outagamie County are not eligible to participate in Voluntary Shared Leave as a recipient.

Program participation is limited to 1,040 hours (prorated for part-time recipients), either continuously or, if for the same condition, on a recurring basis. Additional verification from the physician may be required. The number of hours of leave an employee can receive is equal to the projected recovery or treatment period (up to a maximum of 1,040 hours), less the employee's combined vacation and sick leave balance as of the beginning absence, including Family and Medical Leave.

The employee must exhaust all available vacation, sick leave, floating holiday, and compensatory time (comp time) before using any donated shared leave.

Shared leave ends when the employee returns to work, even for a part of the employee's regular shift. In the event that there is a balance of donated leave when the employee returns to work, the donated leave will be returned to the donator(s) in reverse order of the date the donation was received in Human Resources.

The establishment of a leave bank for use by unnamed employees is prohibited. Leave must be donated on a one-to-one personal basis.

An employee may not directly or indirectly make any attempt to intimidate, threaten, or coerce any other employee for the purpose of soliciting leave. Such action is considered a personal conduct issue and subject to disciplinary action, including dismissal.

All information from the applicant and the donator will be kept strictly confidential, including the identity of the donator. In the event the applicant wishes to divulge any information, medical or otherwise, they may do so. However, there will be no release of information by Outagamie County, Human Resources, or Payroll, with the exception of a short announcement if the recipient grants permission to disclose their information.

ELIGIBILITY

Any county employee who is eligible to accrue vacation may participate in this program and may apply to receive leave donations at any time when faced with a prolonged, life threatening medical condition.

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A prolonged, life-threatening medical condition is one which has already or is likely to require an employee's absence from work for a prolonged period. A prolonged period is generally considered to be at least twenty (20) consecutive work days.

An exemption to the twenty (20) day requirement may be made if the employee has had previous, random, and excessive absences for the same condition as that for which shared leave is currently being requested; or if the employee has had a different but prolonged, life-threatening medical condition within the past twelve (12) months.

PROCESS

An eligible employee may apply to receive shared leave by submitting a completed Application to Receive Voluntary Shared Leave form to the Human Resources Department.

Only those applicants who currently have a zero balance in all paid leave accounts, i.e. sick leave, vacation, compensatory time, and floating holiday, will be considered.

The employee requesting the shared leave must provide a physician's statement describing the specific nature of the medical condition, prognosis, and the estimated recovery or treatment time. To do this, the employee can either attach such certification to the application form, or, in the event the employee is currently on Family and Medical Leave, they can choose to use the Health Care Provider Certification that justified that leave, so long as the date of the Family and Medical Leave Certification is within twelve weeks of the date of the Voluntary Shared Leave application. If an employee has used all of their Family and Medical Leave and is now applying for or is currently receiving unpaid Medical Leave, they must once again provide a certification from their physician justifying the need for the continued absence.

Human Resources will research the requesting employee's attendance history, provide information as to paid leave balances; and present the application form to the County Executive or their designee who will approve or deny the request.

The employee requesting the shared leave will be informed by Human Resources as to the results of the approval process.

DONATION PROCESS

Any eligible employee, i.e. one who currently has earned vacation in their vacation account, can donate vacation leave to another eligible employee. Attempts to donate sick leave, compensatory time or floating holidays will not be approved.

An employee may donate shared leave by submitting a completed Voluntary Shared Leave Donation form to the Human Resources Department.

An employee may not donate more than his/her available earned vacation amount.

The minimum allowable donation must be equal to the donator's full workday increments, whether in eight (8) hour, seven and one-half (7.5) hour, or prorated (part-time) blocks.

A full-time employee's donated hours, whether eight (8) hour or seven and one-half (7½) hour blocks, will be received by the full-time applicant in that same increment. That is, if an employee who normally works a seven and one-half (7½) hour day donates a day to an applicant who normally works an eight (8) hour day, the donation will be credited as seven and one-half (7½)

hours. Likewise, if an eight (8) hour employee donates a day, it will be received by the seven and one-half (7½) hour recipient as eight (8) hours. In the event a part-time employee donates one of their regular days, for example a four (4) hour day, to a full-time employee, that recipient will receive four (4) hours. In the event a full-time employee donates an eight (8) hour day to a part-time employee, the part-time recipient will receive eight (8) hours. At no time will a recipient be paid for more than the number of hours they normally work. In all cases, donations will be credited to the first day the recipient has been unpaid. For example, if the recipient had unpaid days beginning June 2nd, and on July 10th they received a donation of one (1) day, that donation would be paid out on the current check cycle but credited to June 2nd.

Human Resources will confirm that an employee who wishes to donate earned vacation actually has the vacation, will coordinate the donation with Payroll, and will inform the employee that their donation has been accepted or rejected.

DISCLAIMER

The Voluntary Shared Leave Program is an initiative of the County Executive and may be continued or discontinued at any time and without recourse by the participants in this Program.

The form to request Voluntary Shared Leave can obtained from Human Resources.



VOLUNTEERS

Outagamie County recognizes the value of the contributions made by volunteers to the community and in support of county programs. However, volunteers also expose the county to potential risk and liability. Proactive risk management efforts can control and minimize liability exposures and help ensure that the use of volunteers is a positive experience for the volunteers, Outagamie County and its residents.

This section of the handbook sets forth minimum requirements for the use of volunteers in support of county objectives. Due to the nature of various volunteer programs throughout the county, additional steps, training or safeguards may be prudent or required and are not limited by this section.

A volunteer of Outagamie County is defined as an individual recognized and authorized by Outagamie County or one of its officials, agents or employees to perform services on behalf of Outagamie County without receipt of salary or compensation other than expense reimbursement.

RESPONSIBILITY

It is the responsibility of the management staff of each department utilizing volunteers to ensure the provisions of this section of the handbook are followed and that any additional steps, training or safeguards which would minimize exposure to liability are instituted.

The Human Resources Department, Risk Administrator, Corporation Counsel and other departments are available as needed to assist with evaluation of technical issues associated with the operation of the volunteer programs.

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INSURANCE COVERAGES

General Liability. The county's general liability insurance policy provides that any expressly authorized volunteer of the county, while acting within the scope of their volunteer service, is covered by the policy, subject to its terms, conditions and exclusions.

If a volunteer's actions cause physical injury or property damage to another and the injured party files a claim against or sues the volunteer, the county or its insurer will defend the volunteer and be responsible for any financial judgment incurred, provided that the volunteer was acting within the scope of their responsibilities, gives notice of the claim to the county and cooperates in the defense or litigation.

Automobile Liability. The county's automobile liability insurance policy states that anyone operating a county owned vehicle with the permission of the county, or their personal vehicle while conducting county business, is an insured subject to policy terms, conditions and exclusions. However, when using a personal vehicle, the county's automobile liability coverage is secondary, or excess, over any other insurance available to the volunteer. Volunteers who use their own vehicle to conduct county business should confirm with their insurance provider that there is coverage for such use. The county does not provide any physical damage coverage for the volunteer's personal vehicle.

For any volunteer that is likely to drive in the course of their service, the Department is required to obtain and maintain on file a Certificate of Insurance or Insurance Identification Card that verifies automobile insurance coverage at least equal to the Wisconsin minimums. The Department will also obtain evidence of continued coverage if the volunteer's insurance expires during the term of service with the county. State minimums are listed on the Risk Administration website under the "Insurance Info" tab.

Volunteer Accident Policy. The county provides accident insurance to all volunteers which covers medical, dismemberment and death benefits to a maximum of $25,000 per occurrence along with a $1,000 dental benefit. These benefits are payable for an injury sustained while on the county premises and participating in authorized volunteer work or while traveling in connection with volunteer activities while under direct supervision of the county. The county does not provide any coverage for loss of income, permanent disability or other non-monetary damages or injuries.

Reporting. Volunteers must report all incidents/accidents related to their volunteer service to their supervisor as soon as possible and complete a Volunteer Report of Injury or Accident (Addendum 3) which must be forwarded to the Risk Administrator within 48 hours. Verbal notification to the Risk Administrator should be made as soon as possible.

MINIMUM PROCEDURAL REQUIREMENTS

All volunteer candidates should be screened and interviewed based on interests and suitability for the responsibilities of the assignment by the supervising department. References should be obtained, documented and retained.

Basic information will be collected and maintained by the supervising department or agency for all individuals retained as volunteers prior to the provision of any services on behalf of the county. The basic information will include: Name, Telephone Number, Address and Date of Application.

An Outagamie County Volunteer Information Form is attached (Addendum 1). Use of this particular form is optional. Based on the nature of the volunteer assignment, additional information may be required.

Criminal Background Investigations will be required for volunteers who are assigned tasks in which there will be unsupervised interaction with clients and/or where the handling of money or sensitive information is involved. The Human Resources Department will pay for Criminal Background Checks and will assist with processing the checks as necessary. Any questionable information obtained in a background check should be discussed with the Human Resources Department or Risk Administrator.

Motor Vehicle Operations Checks are required for all volunteers whose responsibilities will include driving any vehicle (county or personal) in the fulfillment of their assignments. Any check that reveals an infraction within the past 3 years must be reviewed with the Risk Administrator. Details for completing Motor Vehicle Operations Checks can be found on the Risk Administration website under the "Insurance Info" tab.

The supervising department or agency will provide all volunteers with a written description of their responsibilities and duties and should include at a minimum: volunteer title, supervisor or point of contact, objective of the position, duties of the position, and requirements necessary to perform the duties. The supervising department or agency will control the time and activities of the volunteer and maintain records which will, at a minimum, indicate the beginning and end of volunteer service for each individual.

All volunteers should receive basic training on how to carry out their responsibilities. Based on the complexity and responsibility of the assignment, instruction will vary from an informal orientation to a formalized training program. Training will include safety issues and incident reporting information.

It will be the responsibility of the supervising department or agency to monitor the performance of volunteers and ensure that volunteers are performing up to standards and in the best interests of the county. Those not performing up to expectations will be relieved of their responsibilities.

RECORDS RETENTION

Records of each volunteer's basic information, begin and end dates, and any other pertinent information will be retained by the supervising department or agency for a period of seven years. In the event a juvenile is retained as a volunteer, those records will be kept for a period of seven years from the date the individual reaches the age of majority (18).

A copy of the Volunteer Form can be obtained from Human Resources.



WHISTLEBLOWER PROTECTIONS

A whistleblower as defined by this policy is an employee of Outagamie County who reports an activity that they consider to be illegal or dishonest to one or more of the parties specified in this

Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include but are not limited to violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact the Human Resources Director or their designee. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas – confidentiality, and anti-retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. Outagamie County will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes they are being retaliated against must contact the Human Resources Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

In the event that such a report requires disclosures of trade secrets, the DTSA provides for immunity to the employee for certain disclosures of trade secrets.

Pursuant to 18USC1893(3) and Wis. Stat. § 134.90(1)(c), the term "trade secret" means all forms and types of financial, business, scientific, technical, economic, or engineering information, including patterns, plans, compilations, program devices, formulas, designs, prototypes, methods, techniques, processes, procedures, programs, or codes, whether tangible or intangible, and whether or how stored, compiled, or memorialized physically, electronically, graphically, photographically, or in writing if— (A)the owner thereof has taken reasonable measures to keep such information secret; and (B)the information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable through proper means by, another person who can obtain economic value from the disclosure or use of the information.

Defend Trade Secrets Act (DTSA) Compliance: "Immunity from Liability for Confidential Disclosure of a Trade Secret to the Government or in a Court Filing:

(1) Immunity—An individual shall not be held criminally or civilly liable under any federal or state trade secret law for the disclosure of a trade secret that—(A) is made—(i) in confidence to a federal, state or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or (B) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal.

(2) Use of Trade Secret Information in Anti Retaliation Lawsuit An individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding, if

the individual—(A) files any document containing the trade secret under seal; and (B) does not disclose the trade secret, except pursuant to court order."

WISCONSIN RETIREMENT SYSTEM

Employees expected to work 1200 hours and at least one year are eligible to participate in the Wisconsin Retirement System (WRS) as administered by Employee Trust Fund (ETF). This State-administered program covers employees from the first day in a qualifying position; however, employees hired on or after July 1, 2011 will be subject to a five (5) year vesting requirement.

The retirement plan consists of two parts: an employee-required portion and an employer-required portion. Outagamie County pays the employer portion, and employees are responsible for paying the employee-required portion. However, Sheriff's Department protective status management staff hired prior to July 1, 2011 will have the same Wisconsin Retirement System contribution arrangement as the Deputy Sheriff's Association. Contribution rates are determined by the Trust Funds Board and are subject to change.

A separation benefit from the Wisconsin Retirement Fund can be taken upon termination of employment. The termination must occur any time prior to age 55 for general category employees, or if over 55, a separation benefit would be available to participants who are not vested. A separation benefit is a lump sum withdrawal of the employee contribution balance which will include all employee contributions (whether deducted from the employee's salary or paid on the employee's behalf by the county) plus accumulated interest. The employer-required contributions are forfeited.

On retirement, employees vested in the Wisconsin Retirement System can apply for a lifetime monthly annuity based on the plan's available formula calculation or other options as allowed by ETF. Employees severing their employment status with the county should contact the Human Resources Department to obtain the applicable forms and information regarding their retirement account. Retiring employees are encouraged to contact ETF at least six (6) months in advance of their anticipated retirement date.



WORK WEEK AND HOURS

Outagamie County maintains work hours which are compatible with state law, departmental functions, and the maintenance of effective work schedules. The county reserves the right to modify the normal schedule of hours.

Each payroll period is two weeks long, beginning on a Sunday and ending on a Saturday, and is known as a bi-weekly payroll, with the exception of certain Highway employees who are on a semi-monthly schedule. Payday for most county employees is every other Friday.

Revision Date: April 2023

With the exception of Section 7(k) Sheriff Department employees, the normal work day for regular full-time employees shall generally be 7.5 - 8 hours and a normal work week shall generally be 37.5 - 40 hours. Employees on a 37.5 hour work week schedule shall be compensated at straight-time pay for all hours worked between thirty-seven and one-half (37.5) and forty (40) hours per week.

Brewster Village: Full-time regular Brewster Village employees shall work a normal day of eight (8) hours and a normal work period of forty (40) hours or eighty (80) hours, depending on assignment. Brewster Village nursing staff will receive a shift differential as defined on the wage schedule. The work schedule will be posted at least two (2) pay periods in advance and posted on the respective neighborhoods. In the event of a layoff, the work schedule shall be made two (2) weeks in advance of the effective date of the layoff and posted on the respective neighborhoods. Any deviation from this schedule, if requested by an employee, shall be the responsibility of the employee to have someone to work in their place as long as it does not involve overtime pay. Exceptions may be made in cases of illness, bereavement leave, or vacation.

Sheriff's Department: The normal work week for full-time employees classified as Telecommunicator, Correctional Officer, and Jail Operations Assistant will typically be 5 on – 2 off, 5 on – 3 off, and the normal work day for such employees shall consist of an eight and one-third (8.20) hour shift. Shifts for Communication Center Personnel and Jail Operations Assistants shall be assigned as determined by the county. Other assignments to the various shifts may be made by the county as needed.



WORKER'S COMPENSATION

It is the policy of the Outagamie County to provide a workers' compensation program at no cost to employees. This program covers any injury or illness sustained in the course of employment.

Workers' compensation is a "no-fault" system that provides compensation for reasonable medical expenses and wage losses to employees who are injured or who become ill because of employment.

Outagamie County has self-funded workers' compensation insurance with a third-party claims administrator. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job. Worker's Compensation begins on the employee's first day of work.

The County abides by all applicable state workers' compensation laws and regulations.

If an employee sustains a job-related injury or illness, the employee is required to notify the Supervisor and/or Risk Administration. The employee will complete and sign an Injury Report. The Supervisor will also complete an injury report and return both the employee's and their form to the Risk Administrator who will file the claim. In cases of true medical emergencies, the employee should report to the nearest emergency room and notify his or her supervisor as soon as possible.

In the case of serious work-related injury which requires the employee to leave work to seek medical attention on the date of the injury, a full day's pay will be allowed for the first day, regardless of what time of day the injury was sustained after the official starting time. Per Wisconsin

statutes, Chapter 102, if an employee misses work due to a work injury (or work illness), workers' compensation will pay up to two-thirds of the employee's gross average weekly wage. A three-day waiting period may apply. To receive any wage benefit, missed time must be authorized by the employee's treating physician.

No employee will be allowed to take sick leave for an occupational injury except as cited above, as per ruling of the Wisconsin Division of Workers' Compensation. Compensation is always paid on legal holidays falling on a work day, and when an employee is off work due to an injury over a holiday, they cannot receive holiday pay from the County. Compensation is figured at six (6) days per week.

If an employee returns to work after an injury and they have to go back to their doctor for treatment or checkup, such time can be charged to sick leave. If any employee is off from work at the close of the year because of occupational injury and still has unused vacation time, such time can be taken in the following year, with authorization from the Administrator.

During the time an employee is receiving temporary-total Worker's Compensation benefits, the County will continue paying its share of the Health Insurance premium, for a maximum of twelve (12) months.

Worker's Compensation Differential Pay for Correctional Officers, Telecommunicators, Process Servers, Operations Assistants & Records Specialists (former OCJCA employee group): In the event a full time employee becomes entitled to and receives Worker's Compensation payments for temporary-total or temporary-partial disability under Chapter 102 of Wisconsin Statutes, the employee's Worker's Compensation payments will be supplemented so that the employee will receive eighty percent (80%) of their full salary during said period up to a maximum of twenty-six (26) calendar weeks from the date of the original injury or illness. This shall be accomplished by the County paying the employee the difference between the employee's Worker's Compensation check and the employee's normal salary for the period covered by said Worker's Compensation check. For purposes of this paragraph only, an employee shall be considered as entitled to Worker's Compensation payments for temporary-total or temporary-partial disability during the first three (3) days of any illness or injury, notwithstanding the provisions of Chapter 102 of Wisconsin Statutes. Part time employees in these positions do not qualify for this differential pay.

Workers' compensation benefits (paid or unpaid) will run concurrently with the Family and Medical Leave Act, if applicable, and where permitted by state and federal law.

Information on how to report an injury can be found on the Risk Administration webpage http://myoc.org/home/showpublisheddocument/4646/638047862218330000

GLOSSARY OF TERMS

The following definitions are in alphabetical order and are presented here as resources for your use as you use the handbook.

Active Employment: Performing actual work for the county for which the employee receives pay.

Adjusted Date of Hire: A date used as a starting point to track such things as time in grade.

Allocation: The assignment of a position to a class.

Anniversary Date: The date an employee begins county employment. Also known as "Date of Hire".

Board: The Outagamie County Board of Supervisors.

Class: One or more positions which are sufficiently alike in duties and responsibilities to warrant using the same title, similar qualifications, selection processes and the same pay range.

Class Specification: A written description of a class containing the class title, a general statement of the duties and responsibilities, examples of typical duties performed, and minimum qualifications required.

Class Title: The official designation or name of the class as stated in the class specification. The class title shall be used on all personnel records and other official personnel actions.

Classification Plan: The sum total of all job class specifications in the county service and a system showing salary and classification relationships.

Compensatory Time: The hours absent from duty granted to compensate for authorized overtime worked.

Continuous Service: The total length of employment with the county without break or interruption.

Demotion: The assignment of an employee from one class to another class with a lower pay range.

Department: A unit of government having a separate operational budget, usually reporting directly to the County Executive.

Department Head: A county official with the responsibility for the operation of a county department and that department's budget.

Disciplinary Action: The action taken to discipline an employee for cause which may include any action from a verbal reprimand up to and including discharge.

Effective Date: The date at the beginning of a payroll period on or following the eligibility date for which a change in pay is to be implemented.

Eligible: A person certified as meeting the training, experience, and skill requirements and as successfully completing all parts of the selection process when formal selection devices are used.

Eligibility Date: The date an employee becomes eligible for benefits and/or change in salary.

Eligibility List: A list of persons eligible to fill positions in a particular job class.

Emergency Appointment: An appointment not to exceed thirty calendar days which may be made in case of unforeseen emergency and when necessary to prevent impairment of county service.

Employee: An individual who is employed by the county and is paid in part or whole through the county payroll. This specifically excludes leased, employment agency and independent contractors.

Employee Complaint: A formal employee complaint regarding alleged poor working conditions, unjust application of discipline, or unfair application or violation of the personnel rules and regulations of the county or the department for which the employee works.

Entrance Pay Rate: The rate at which an individual not currently on the payroll will normally be paid upon joining the county service.

Full Month of Service: Minimum of ten (10) times an employee's Factor (Full Time Factors: 8 and 7.5; Part Time Factors: As assigned by Payroll or employee's department); 10 is derived from 10 days of service in a month.

Immediate Family: Includes spouse, child, parent, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent, stepparent, stepchild, stepbrother, or stepsister.

Jurisdictional Committee: That committee established by the County Board to be the policy and budget oversight committee for a particular department.

Layoff: The involuntary separation of an employee because of lack of work, lack of funds, or the abolishment of a position.

Leave: An authorized absence from regularly scheduled work hours which has been approved by proper authority.

Overtime: Time an employee is directed and authorized to work in excess of forty (40) hours in one work week, or other hours as determined by Federal or State law for applicable law enforcement or Brewster Village staff.

Pay Plan: A schedule of pay ranges for all classes of positions in the county service.

Revision Date: April 2023

Pay Range: The minimum and maximum rates of pay established for each class of positions.

Position: A grouping of duties and responsibilities to be performed by an employee. A position may be filled or vacant, full-time or part-time, regular or temporary.

Promotion: The assignment of an employee from one class to another class with a higher pay range.

Reclassification: The reassignment of a position from one class to another to recognize a change in the duties and responsibilities of a position or to correct an error in the original assignment.

Reinstatement: The action by which a former employee may be reinstated to a position with pay and/or fringe benefits comparable to that received at the time of separation or as may be appropriate at the time.

Reprimand: A written notice to an employee that the supervisor believes a deficiency exists in the employee's work performance or conduct and improvement is needed, which is filed in the employee's Human Resources Department personnel file.

Supervisor: The person responsible for the assignment, direction and evaluation of the work of another employee.

Termination: The removal of an employee from the payroll for voluntary, or involuntary reasons, including dismissal, resignation, retirement, or death.

Transfer: The assignment of an employee from one position to another in the same class or to a class with the same pay range.

Vacancy: A duly created position which is not occupied and for which funds have been provided.

ADDITIONAL RESOURCES

Internal Outagamie County Website (for employees only)
http://myoc.org/

External Outagamie County Website
https://www.outagamie.org/

Administrative Rules & County Executive Newsletter
http://myoc.org/departments/county-executive

Human Resources Webpage
http://myoc.org/departments/human-resources

Tyler-Munis Employee Self-Service
https://outagamie.munisselfservice.com/

Various Policies and Procedures
http://myoc.org/applications/policies-procedures

Revision Date: April 2023

LOCK IN & ADOPTION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Lock In of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Lock in of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

5-9-23 County Board Meeting - May 9 2023 08:04:07 PM

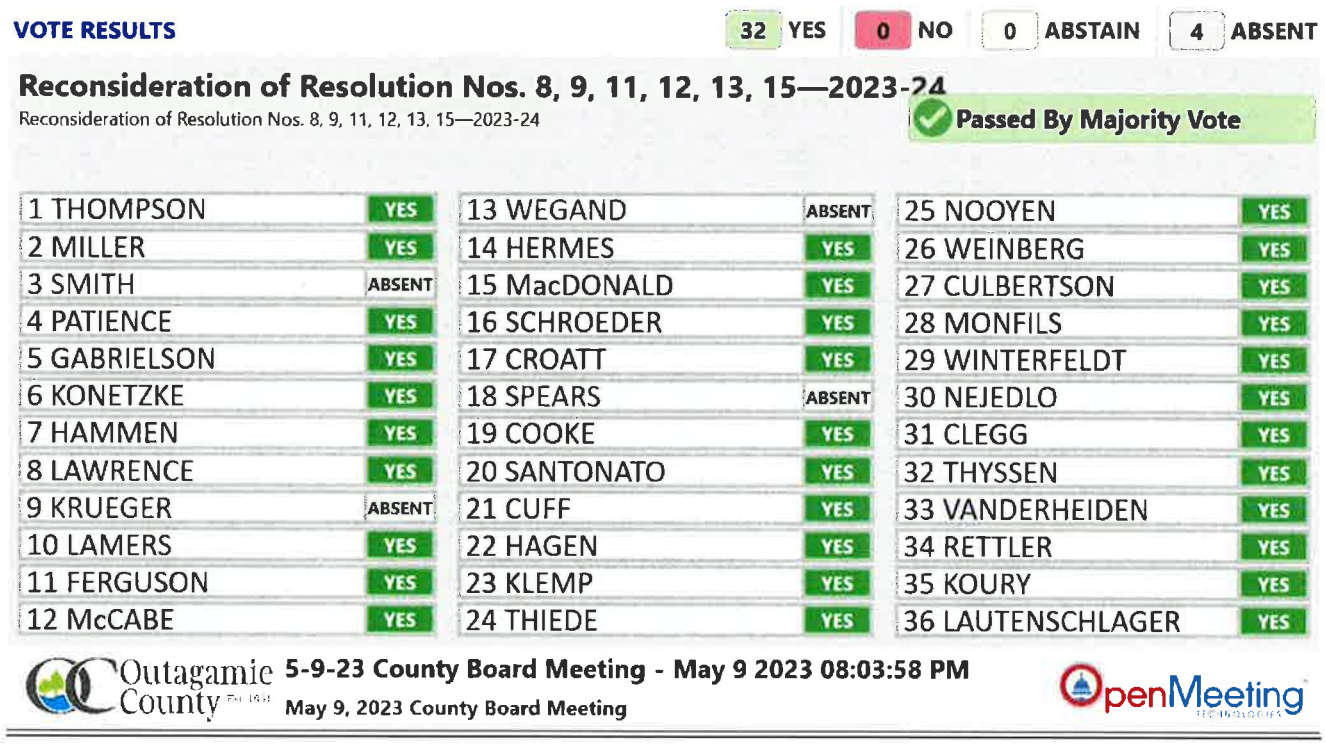
May 9, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24.

Supervisor Croatt moved, seconded by Supervisor Thiede, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NOS. 8, 9, 11, 12, 13, 15—2023-24 ARE RECONSIDERED.



VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Reconsideration of Resolution Nos. 8, 9, 11, 12, 13, 15—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

5-9-23 County Board Meeting - May 9 2023 08:03:58 PM

May 9, 2023 County Board Meeting

OpenMeeting

Resolution No. 15—2023-24 – Legislative/Audit and Human Resources Committee. Respectfully request that the State of Wisconsin provide regular revenue increases for mandated county programs at the rate of inflation in order to maintain programs operated by the County for the benefit of Wisconsin residents, and respectfully request that the Shared Revenue program be increased in order to provide additional state aid to local governments.

Supervisor Konetzke moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 31 yes, 1 no (Hermes), 4 absent. RESOLUTION NO. 15—2023-24 IS ADOPTED.

VOTE RESULTS 31 YES 1 NO 0 ABSTAIN 4 ABSENT

Resolution No. 15—2023-24

Legislative/Audit and Human Resources Committee. Respectfully request that the State of Wisconsin provide programs at the rate of inflation in order to maintain programs operated by the County for the benefit of Wisconsin residents, and respectfully request that the Shared Revenue program be increased in order to provide additional state aid to local governments.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES NO	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER ABSENT	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 5-9-23 County Board Meeting - May 9 2023 08:03:23 PM

May 9, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 15—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County works in partnership with the State of Wisconsin to provide important services to our constituents such as roads, public safety, conservation, and human services. The County has implemented many efforts to improve efficiency, effectiveness, and fees for services. However, the lack of increase in State funding is seriously impacting the level of service provided to our constituents and is putting more and more financial burden on the property tax levy. Many programs have not realized increases despite the effects of inflation. According to the United States inflation rate, $100,000 in year 2003 will need to be increased to $164,041.30 in year 2023 to maintain purchasing power.

This resolution respectfully requests that the State of Wisconsin provide regular revenue increases for mandated county programs at the rate of inflation. State levy limits will keep funding gaps from being shifted onto property taxpayers. However, a lack of inflationary increases in mandated programs will result in programs being cut back, poorly administered, and longer wait lists. This will continue to increase public cynicism in government efficiency.

The Shared Revenue program operated by the State is one program that is neglected from year to year. In 1993, the State program shared $900 million with local governments. Thirty years later, inflation would bring that amount to $1.879 billion. Instead, the program has been cut to $830 million. According to the Legislative Fiscal Bureau, in January 2023, Outagamie County only received $1,517,985 in County and Municipal Aid or Shared Revenue. With the County having a population of 192,938, this results in a per capita amount of $7.87. Citizens of Outagamie County are not being treated fairly. Other counties received higher per capita amounts of up to $101.93.

In 1993, when the State shared $900 million with local governments, the State income tax revenue was $3.45 billion. In 2021, when the State shared $830 million, the State income tax revenue was $9.28 billion.

Due to State imposed levy limits, quality of programs operated by the County is now in the sole control of the State government. The County Board urges the State to provide improved funding in order to maintain programs operated by the County for the benefit of Wisconsin residents.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby respectfully request that the State of Wisconsin provide regular revenue increases for mandated county programs at the rate of inflation in order to maintain programs operated by the County for the benefit of Wisconsin residents, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does respectfully request that the Shared Revenue program be increased in order to provide additional state aid to local governments, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Wisconsin Counties Association and the Outagamie County Lobbyist for distribution to the State Senators and State Representatives representing Outagamie County and the Governor of the State of Wisconsin.

Dated this 9th day of May 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: May 9, 2023

Signed: _____ _____

Board Chairperson County Clerk

Approved: 5/12/23 Vetoed: _____

Signed: _____

County Executive

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the May 9, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on May 9, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 9th day of May, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerk's Office (832-5077) if you would like further elaboration of these minutes.

RUN: June 9, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, May 23, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 30 present, 6 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Krueger, Lamers, Ferguson, Hermes, MacDonald, Schroeder, Spears, Cooke, Santonato, Cuff, Hagen, Thiede, Nooyen, Weinberg, Culbertson, Winterfeldt, Nejedlo, Clegg, Thyssen, Rettler, Koury, and Lautenschlager. Members Absent: McCabe, Wegand, Croatt, Klemp, Monfils, VanderHeiden

The Board Chairperson requested the Board's confirmation to excuse Supervisors McCabe, Wegand, Croatt, Klemp, Monfils, and VanderHeiden. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE MAY 9, 2023 COUNTY BOARD MEETING
Supervisor Weinberg moved, seconded by Supervisor Patience, to approve the minutes of the May 9, 2023, County Board meeting.

ROLL CALL: 25 yes, 3 no (MacDonald, Thiede, Winterfeldt), 2 abstain (Smith, Spears), 6 absent. MINUTES OF THE MAY 9, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have Resolution Nos. 16, 17, 18, 20 and 24—2023-24 locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

May 23, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	05/03/2023	Vernon County	Resolution #2023-33 Revise Current Real Estate Transfer Fees	Resolution No.: 14-2022-23
2	05/15/2023	Jackson County	Resolution No. 19-05-2023 Request State to Revise the Current Real Estate Transfer Fee Revenue Sharing Formula	Resolution No.: 14-2022-23
3	04/18/2023	Lincoln County	Resolution 2023-04-27 Resolution Requesting the State Revise the Current Real Estate Transfer Fees Revenue Sharing Formula	Resolution No.: 14-2022-23

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.
- There is still one supervisor that needs to complete the March IT training sessions.
- There are eighteen supervisors that need to complete the May IT training sessions. Links were emailed on May 15th and need to be completed by the end of May.
- Chairperson Nooyen stated that there is no agenda item regarding Supervisor Hermes' comments from the last meeting, therefore there would not be any public comment allowed in regards to that topic since it is not an agenda item.
- Corporation Counsel Sargent shared his legal opinion on previous comments from Supervisor Hermes.
- County Board Chair Nooyen presented an award of dedication and service to Craig Moser, who will be leaving Outagamie County to be the Deputy Director of East Central Regional Planning Association.

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY) – None.

Chairperson Nooyen called for a recess at 7:23 p.m.

The County Board resumed the meeting at 8:10 p.m.

APPOINTMENTS—None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Supervisor Thyssen made a motion to change the order of business and move Closed Session to the beginning of New Business. Supervisor Spears seconded the motion.

VOICE VOTE CARRIED UNANIMOUSLY. ORDER OF BUSINESS IS CHANGED TO MOVE CLOSED SESSION TO THE BEGINNING OF NEW BUSINESS.

CLOSED SESSION PURSUANT TO SECTION 19.85(1)(g) WIS STATS. FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED.

Supervisor Patience moved, seconded by Supervisor Lautenschlager, to go into Closed Session at 8:12 p.m.

ROLL CALL: 29 yes, 1 no (Ferguson), 6 absent. COUNTY BOARD ENTERS CLOSED SESSION.

END CLOSED SESSION

Supervisor Patience moved, seconded by Supervisor Clegg, to end Closed Session at 8:38 p.m. and resume regular session.

ROLL CALL: 30 yes, 6 absent. COUNTY BOARD ENDS CLOSED SESSION; RESUMES REGULAR SESSION.

Resolution No. 24—2023-24 – Finance Committee. Approve to disallow the claim submitted by The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari, on file in the County Clerk's Office, that no action of this claim may be brought against the County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Supervisor Konetzke moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 24—2023-24 IS ADOPTED.

Resolution No. 16—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to allow the County Highway Department to perform paving and related work at Plamann Park; various paving, earthwork and site prep items at the Appleton International Airport; and other work for internal County departments in calendar year 2023 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000, with no budget adjustment needed, as noted on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 16—2023-24 IS ADOPTED.

Resolution No. 17—2023-24 – Finance Committee. Consideration of Initial Resolution Approving Revenue Bond Financing for Bug Tussel 1, LLC, Bug Tussel 2, LLC or a Related Limited Liability Entity. Information with respect to the job impact of the project will be available at the time of consideration of the Resolution.

Supervisor Miller moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 29 yes, 1 no (Konetzke), 6 absent. RESOLUTION NO. 17—2023-24 IS ADOPTED.

Resolution No. 18—2023-24 – Health and Human Services Committee. Approve of the Department of Health and Human Services to submit an application to the State of Wisconsin to move to a stand-alone Aging and Disability Resource Center (ADRC) with shared services with Calumet County where economically and geographically feasible for ADRC operations beginning January 1, 2024, with budget changes to be included in the 2024 budget (as noted on the attachments); and approve the Department of Health and Human Services to restructure the existing Aging Advisory Committee to meet the requirements to serve as the ADRC Advisory Committee beginning in calendar year 2024.

Supervisor Gabrielson moved, seconded by Supervisor Krueger, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 18—2023-24 IS ADOPTED.

Resolution No. 19—2023-24 – Highway, Recycling and Solid Waste Committee. Approve of the County Highway Department to create a project for I-41 Traffic Management Planning in order to hire an external consultant to obtain an unbiased evaluation of the important corridors and intersections that run adjacent to I-41, and increase the I-41 Traffic Management line items by $250,000 each for HWY-

Intra County and Operating Expenses; decrease the Culvert Replacement Program line items by $250,000 each for HWY-Intra County and Operating Expenses, as noted on the attached fiscal note.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 19—2023-24 IS ADOPTED.

Resolution No. 20—2023-24 – Property, Airport, Recreation and Economic Development Committee and Highway, Recycling and Solid Waste Committee. Approve to accept the attached 2023 Outagamie County Facilities and Land Use Plan for the Outagamie County Department of Recycling and Solid Waste and Highway Department.

Supervisor Culbertson moved, seconded by Supervisor Hagen, for adoption.
ROLL CALL: 29 yes, 1 no (Cooke), 6 absent. RESOLUTION NO 20—2023-24 IS ADOPTED.

Resolution No. 21—2023-24 – Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee. Approve the attached Administrative Rule 2023-03 which amends the Outagamie County Public Works Project Administration for Projects under $1,500,000, and this rule shall be numbered 2023-03 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office.

Supervisor Culbertson moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 21—2023-24 IS ADOPTED.

Resolution No. 22—2023-24 – Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee. Approve the attached Administrative Rule 2023-04 which amends the Outagamie County Public Works Project Administration for Projects over $1,500,000, and this rule shall be numbered 2023-04 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office.

Supervisor Spears moved, seconded by Supervisor Santonato, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 22—2023-24 IS ADOPTED.

Resolution No. 23—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve of renaming the "Small Shelter" at Plamann Park the "Roblee Shelter" in honor of Greg Roblee, a team member who has made a difference in Outagamie County.

Supervisor Culbertson moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 23—2023-24 IS ADOPTED.

Ordinance No. A—2023-24 – Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee. Amend Chapter 22 of the County Code of Ordinances, Finance and Taxation, as pertains to Public Works Projects, as noted on the Ordinance.

Supervisor Konetzke moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 30 yes, 6 absent. ORDINANCE NO. A—2023-24 IS ADOPTED.

REPORTS – none.

RECONSIDERATION OF RESOLUTION NOS. 16, 17, 18, 20 AND 24—2023-24.

Supervisor Nejedlo moved, seconded by Supervisor Hammen, to reconsider the above listed resolutions.

Supervisor Konetzke requested Resolution No. 17—2023-24 to be separate for reconsideration.

Vote for reconsideration. ROLL CALL: 28 yes, 2 no (Santonato, Winterfeldt), 6 absent. RESOLUTION NO. 17—2023-24 IS RECONSIDERED.

Vote for lock in. ROLL CALL: 29 yes, 1 no (Konetzke), 6 absent. RESOLUTION NO. 17—2023-24 IS ADOPTED & LOCKED IN.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Resolution Nos. 16, 18, 20 and 24—2023-2024.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20 AND 24—2023-24 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20 AND 24—2023-24 ARE ADOPTED & LOCKED IN.

ADJOURNMENT
Supervisor Patience moved, seconded by Supervisor Thyssen to adjourn until June 13, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 9:04 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

LOCK IN & ADOPTION OF RESOLUTION NOS. 16, 18, 20, 24—2023-24.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20, 24—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 30 YES | 0 NO | 0 ABSTAIN | 6 ABSENT

Lock In of Resolution Nos. 16, 18, 20, 24—2023-24

Lock in of Resolution Nos. 16, 18, 20, 24—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

5-23-23 County Board Meeting - May 23 2023 09:03:32 PM

May 23, 2023 County Board Meeting

OpenMeeting TECHNOLOGIES

RECONSIDERATION OF RESOLUTION NOS. 16, 18, 20 AND 24—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20, 24—2023-24 ARE RECONSIDERED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Reconsideration of Resolution Nos. 16, 18, 20, 24—2023-24

Reconsideration of Resolution Nos. 16, 18, 20, 24—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 09:03:24 PM**

May 23, 2023 County Board Meeting

OpenMeeting

Resolution No. 24—2023-24 – Finance Committee. Approve to disallow the claim submitted by The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari, on file in the County Clerk's Office, that no action of this claim may be brought against the County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Supervisor Konetzke moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 24—2023-24 IS ADOPTED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Resolution No. 24—2023-24

Finance Committee. Approve to disallow the claim submitted by The Jeff Scott Olson Law Firm representing M Office, that no action of this claim may be brought against the County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 08:41:18 PM**

May 23, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 24—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

A Notice of Injury and Claim for Damages was filed on September 26, 2022 by The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari in the Outagamie County Clerk's Office. An itemized claim for relief was filed on February 21, 2023 by The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari. Upon review of this matter by Wisconsin Municipal Mutual Insurance Company and the Finance Committee, a recommendation was made that the claim be disallowed.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does disallow the claim submitted by The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari that has been placed on file in the office of the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to The Jeff Scott Olson Law Firm, 1025 Quinn Dr., #500, Waunakee, WI 53597 by certified mail, return receipt requested as a notice of disallowance, Wisconsin Municipal Mutual Insurance Company, 4781 Hayes Road, Suite 201, Madison, WI 53704, the Outagamie County Corporation Counsel, and the Outagamie County Risk Administrator.

Dated this 23rd day of May 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: May 23, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5.24.23 Vetoed: _____

Signed: _____
County Executive

WISCONSIN MUNICIPAL MUTUAL INSURANCE COMPANY
4781 Hayes Road, Suite 201 | Madison, WI 53704 • www.wmmic.com
Telephone: 608.246.3336 | Toll Free: 866.823.4217 | Facsimile: 608.852.8647

April 14, 2023

Chuck Schroeder
320 S. Walnut Street
Appleton, Wisconsin 54911

RE:

Claimant:	Xee Yang
Claim number:	GLOC00002093
Our Insured:	Outagamie County
Date of Loss:	5/30/2022

Dear Mr. Schroeder,

The above referenced claim was filed on 2/24/2023. Following a review of the information and an investigation of the facts, it has been determined that Outagamie County has no liability for this claim. Please issue a formal disallowance and provide a copy of this disallowance to WMMIC.

This claim will be closed on the date of receipt of the disallowance.

A copy of this letter has been placed in the claim file for reference. If you should have any further questions, please contact me.

Sincerely,

Jackie Kaul, AINS, AIC, ACP, CLMP
Liability Manager
Wisconsin Municipal Mutual Insurance Company
(608) 229-6819
jkaul@wmmic.com

LOCK IN & ADOPTION OF RESOLUTION NOS. 16, 18, 20, 24—2023-24.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20, 24—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Lock In of Resolution Nos. 16, 18, 20, 24—2023-24

Lock in of Resolution Nos. 16, 18, 20, 24—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 09:03:32 PM**

May 23, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 16, 18, 20 AND 24—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20, 24—2023-24 ARE RECONSIDERED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Reconsideration of Resolution Nos. 16, 18, 20, 24—2023-24

Reconsideration of Resolution Nos. 16, 18, 20, 24—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County

5-23-23 County Board Meeting - May 23 2023 09:03:24 PM

May 23, 2023 County Board Meeting

OpenMeeting

Resolution No. 16—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to allow the County Highway Department to perform paving and related work at Plamann Park; various paving, earthwork and site prep items at the Appleton International Airport; and other work for internal County departments in calendar year 2023 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000, with no budget adjustment needed, as noted on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 16—2023-24 IS ADOPTED.



VOTE RESULTS — 30 YES | 0 NO | 0 ABSTAIN | 6 ABSENT

Resolution No. 16—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to allow the County Highway [illegible] at Plamann Park; various paving, earthwork and site prep items at the Appleton International Airport; and other work for internal County departments in calendar year 2023 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000, with no b...

Passed With 3/4 of Full Membership

1 THOMPSON — YES	13 WEGAND — ABSENT	25 NOOYEN — YES
2 MILLER — YES	14 HERMES — YES	26 WEINBERG — YES
3 SMITH — YES	15 MacDONALD — YES	27 CULBERTSON — YES
4 PATIENCE — YES	16 SCHROEDER — YES	28 MONFILS — ABSENT
5 GABRIELSON — YES	17 CROATT — ABSENT	29 WINTERFELDT — YES
6 KONETZKE — YES	18 SPEARS — YES	30 NEJEDLO — YES
7 HAMMEN — YES	19 COOKE — YES	31 CLEGG — YES
8 LAWRENCE — YES	20 SANTONATO — YES	32 THYSSEN — YES
9 KRUEGER — YES	21 CUFF — YES	33 VANDERHEIDEN — ABSENT
10 LAMERS — YES	22 HAGEN — YES	34 RETTLER — YES
11 FERGUSON — YES	23 KLEMP — ABSENT	35 KOURY — YES
12 McCABE — ABSENT	24 THIEDE — YES	36 LAUTENSCHLAGER — YES

Outagamie County — 5-23-23 County Board Meeting - May 23 2023 08:42:32 PM

May 23, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 16—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***3/4 MAJORITY – 27 VOTES***

Pursuant to §59.52(29)(a) Wis. Stats., all public work, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed $25,000 shall be let by contract to the lowest responsible bidder. However, the county board may, by a three-fourths vote, provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids.

It has been determined that it is most cost effective to utilize the Outagamie County Highway Department to complete various paving, earthwork and site prep projects in 2023 for internal county departments given the current bidding environment and scheduling challenges. These may include, but are not limited to, the following projects:

- Parks – Plamann Park paving and related work. Estimated cost of $3.3 million with sufficient funding currently budgeted in 2023.
- Appleton International Airport – There are various paving, earthwork and site prep items within the Airport CIP in 2023 that the Highway Department could complete ranging from $1.5 - $2.5 million in total. These projects are budgeted in 2023 and sufficient funding is available.

The Outagamie County Highway Department is able to complete the work due to budgeting annually for other internal county department work. Therefore, this request is for approval by the County Board to allow internal county departments to utilize the Outagamie County Highway Department to complete these and any other 2023 internal projects the Highway Department is able to complete within their annual work plan. At this time, no budget adjustment is required as there is an allocation of cost and related revenues for internal county work included in the 2023 budget.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does allow the Outagamie County Highway Department to perform paving and related work at Plamann Park; various paving, earthwork and site prep items at the Appleton International Airport; and other work for internal Outagamie County departments in calendar year 2023 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000 with no budget adjustment needed as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director, the Outagamie County Parks Director, the Outagamie County Highway Commissioner, the Appleton International Airport Director, and the Outagamie County Executive.

Dated this 23rd day of May 2023.

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION AND ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: May 23, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5.24.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request approval to utilize Outagamie County Highway Department for internal county department paving and other earthwork & site prep projects in calendar year 2023.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

It has been determined that it is most cost effective to utilize the Outagamie County Highway Department to complete various paving, earthwork and site prep projects in 2023 for internal county departments given the current bidding environment and scheduling challenges. These may include, but are not limited to, the following projects:

1) Parks – Plamann Park paving and related work. Estimated cost of $3.3M with sufficient funding currently budgeted in 2023.
2) Airport – There are various paving, earthwork and site prep items within the Airport CIP in 2023 that Highway could complete ranging from $1.5 - $2.5M, in total. These projects are budgeted in 2023 and sufficient funding is available.

The Highway Department is able to complete the work due to budgeting annually for other internal county department work. Therefore, this request is for approval by the County Board to allow internal county departments to utilize the Outagamie County Highway Department to complete these and any other 2023 internal projects the Highway Department is able to complete within their annual work plan. At this time, no budget adjustment is required as there is an allocation of cost and related revenues for internal county work included in the 2023 budget.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [X] None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) n/a ( )
4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)
5. Is the proposal to accept additional revenues only? yes ( ) no (x)
6. Does this request modify/adjust the current year budget? yes ( ) no (x)
   If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)
   The project on

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
No Budget Adjustment Needed			

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (x)
9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost -0-
   Annual Revenue -0-

Fiscal Note Prepared by: Dean Steingraber/Abe Weber/Loren Dieck/Craig Moser

For Financial Services purposes only

Reviewed By: BN 4/26/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditure Account Number	Amount

LOCK IN & ADOPTION OF RESOLUTION NO. 17—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 1 no (Konetzke), 6 absent. RESOLUTION NO. 17—2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 1 NO 0 ABSTAIN 6 ABSENT

Resolution No. 17—2023-24 - Lock In

Lock in of Resolution No. 17—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE NO	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County

5-23-23 County Board Meeting - May 23 2023 09:02:54 PM

May 23, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NO. 17—2023-24.

Supervisor Nejedlo moved, seconded by Supervisor Hammen, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 28 yes, 2 no (Santonato, Winterfeldt), 6 absent. RESOLUTION NO. 17—2023-24 IS RECONSIDERED.

VOTE RESULTS 28 YES 2 NO 0 ABSTAIN 6 ABSENT

Resolution No. 17—2023-24 - Reconsideration

Reconsideration of Resolution No. 17—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	NO
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	NO	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Wisconsin **5-23-23 County Board Meeting - May 23 2023 09:02:39 PM**

May 23, 2023 County Board Meeting

OpenMeeting

Resolution No. 17—2023-24 – Finance Committee. Consideration of Initial Resolution Approving Revenue Bond Financing for Bug Tussel 1, LLC, Bug Tussel 2, LLC or a Related Limited Liability Entity. Information with respect to the job impact of the project will be available at the time of consideration of the Resolution.

Supervisor Miller moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 29 yes, 1 no (Konetzke), 6 absent. RESOLUTION NO. 17—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES 1 NO 0 ABSTAIN 6 ABSENT

Resolution No. 17—2023-24

Finance Committee. Consideration of Initial Resolution Approving Revenue Bond Financing for Bug Tussel 1, Liability Entity. Information with respect to the job impact of the project will be available at the time of consideration of the Resolution.

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KONETZKE	NO	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN **5-23-23 County Board Meeting - May 23 2023 08:43:14 PM**

May 23, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 17—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

INITIAL RESOLUTION APPROVING
REVENUE BOND FINANCING FOR BUG TUSSEL 1, LLC,
BUG TUSSEL 2, LLC OR A RELATED LIMITED LIABILITY ENTITY

INTENT & SYNOPSIS: To provide approval of an Initial Resolution of Outagamie County to participate with other counties in accordance with an Intergovernmental Agreement pursuant to which Fond du Lac County, Wisconsin will serve as the conduit bond issuer for Revenue Bond Financing for Bug Tussel 1, LLC, Bug Tussel 2, LLC, or a related limited liability entity to be formed to finance a project for acquisition, construction and installation of certain telecommunications infrastructure, for the purpose of providing wireless internet and telephone communication services to businesses, governmental units and residents of rural communities where such service is currently unavailable or prohibitively expensive (the "Project"), which includes Project costs located in Outagamie County in an amount not to exceed $24,000,000.

FISCAL NOTE: None.

Section 66.1103 of the Wisconsin Statutes (the "Act") authorizes municipalities to authorize the issuance and sale of bonds to construct, equip, re-equip, acquire by gift, lease or purchase, install, reconstruct, rebuild, rehabilitate, improve, supplement, replace, maintain, repair, enlarge, extend or remodel industrial projects.

Bug Tussel 1, LLC, a Wisconsin limited liability company, Bug Tussel 2, LLC, a Wisconsin limited liability entity yet to be created, or a related limited liability entity to be formed, and/or one or more of its affiliates (including, without limitation, Bug Tussel Wireless, LLC, Hilbert Communications, LLC and Cloud 1, LLC) (the "Company"), whether existing on the date hereof or to be formed and whether owned directly or indirectly by the Company, desires to finance a project consisting of the acquisition, construction and installation of certain telecommunications infrastructure that includes, among other things (i) acquisition of tower sites by purchase or lease of land and equipping such sites with towers and electronics to provide broadband, high speed cellular, emergency communications and point to point (P2P) data communications; (ii) constructing fiberoptic data transmission facilities (cable and electronics) between towers, key community facilities, businesses and residential aggregation points; (iii) where appropriate, connecting individual premises into the broadband network including the cost of Consumer Premise Equipment (CPE); (iv) payment of capitalized interest; (v) funding of a debt service reserve fund; (vi) payment of such project costs located in Outagamie County in an amount not to exceed $24,000,000; and (vii) payment of professional fees (collectively, the "Project"), all of which will be for the purpose of providing wireless internet and telephone communications services to businesses, governmental units and residents of rural communities where such service is currently unavailable or is prohibitively expensive.

Outagamie County, Wisconsin is a political subdivision of the State within whose boundaries a portion of the Project is located.

Pursuant to Sections 66.1103 and 66.0301 of the Wisconsin Statutes, individual counties or two or more counties, each a "Participating County", acting pursuant to an Intergovernmental Agreement may serve as the conduit issuer for such financing.

Fond du Lac County, Wisconsin (the "Issuing County") acting pursuant to intergovernmental powers adopted an initial resolution on August 17, 2021 (the "2021 Authorization") to authorize the issuance of taxable or tax-exempt revenue bonds to be issued in one or more series in an aggregate principal amount not to exceed $240,000,000 and (i) the Issuing County has heretofore on December 16, 2021, issued the first tranche of conduit revenue bonds to finance a portion of the multi-jurisdictional Project, in the aggregate amount of $70,000,000, (ii) the Issuing County has heretofore on August 16, 2022, issued the second tranche of conduit revenue bonds to finance a portion of the multi-jurisdictional Project, in the aggregate amount of $92,900,000, and (iii) the Issuing County has authority under the 2021 Authorization to issue the remaining $77,100,000 aggregate principal of conduit revenue bonds to finance a portion of the multi-jurisdictional Project (the "Third Tranche").

It is yet to be determined if the Project located in Outagamie County in an amount not to exceed $24,000,000 will (i) be included in the Third Tranche as part of the 2021 Authorization or (ii) be included in a new taxable bond issue pursuant to a new initial resolution to be adopted by the Issuing County on such date yet to be determined which would authorize the issuance of additional taxable or tax-exempt revenue bonds to be issued in one or more series in an aggregate principal amount not to exceed $240,000,000 to finance a portion of the multi-jurisdictional Project (the "New Bond Issue").

Section 66.1103(3)(f) of the Wisconsin Statutes provides that a municipality also may finance an industrial project which is located entirely outside the geographic limits of the municipality, but only if the revenue agreement for the project also relates to another project of the same eligible participant, part of which is located within the geographic limits of the municipality.

The Project includes necessary infrastructure for essential services by and for Outagamie County and local units of government in Outagamie County and is in furtherance of the public purposes set forth in the Act.

The proposed Project is a multi-jurisdictional project which is located in multiple counties to be identified, and the Company has requested that each of the Participating Counties approve an initial resolution (the "Initial Resolution") providing for the financing of the Project in an aggregate amount not to exceed $317,100,000 to be included in the Third Tranche (in an amount up to $77,100,000) or the New Bond Issue (in an amount up to $240,000,000) (the "Bonds").

Pursuant to the Intergovernmental Agreement, Fond du Lac County shall be the Issuing County of said revenue Bonds, and it shall be determined at a future date which county or counties shall be Participating Counties.

The Company has requested that Outagamie County and other Participating Counties who will directly benefit from the Project to each provide a limited guaranty (the "Guaranty") to enhance the collateral position of the Company in an amount equal to the pro rata portion of the Project costs incurred and essential services benefits derived in such Participating County.

The Company will have the primary obligation to make all scheduled principal and interest payments when due on the Bonds, and Outagamie County's Guaranty will apply only in the event that the Company does not make the required payments due on the Bonds.

In return for Outagamie County's Guaranty, Outagamie County shall receive an annual guaranty fee of 40 basis points (0.40%) (based upon the amount of its Guaranty), and the Company will pay all costs to Outagamie County and all expenses by Outagamie County related to the bond issue.

At the option of the Company, bond insurance may be purchased with respect to the Bonds which will require approval by subsequent resolution of Outagamie County.

The Company shall enter into a Reimbursement Agreement (the "Reimbursement Agreement") with Outagamie County agreeing to reimburse Outagamie County for any payment required under Outagamie County's Guaranty and to indemnify Outagamie County for any and all costs, expenses and liabilities related to the Bonds.

As security for the Reimbursement Agreement, Outagamie County shall receive a first mortgage on all land, buildings, and improvements of the Company located in Outagamie County which are financed with proceeds of the Bonds.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby approve that Fond du Lac County, as the Issuing County, acting pursuant to the Intergovernmental Agreement, shall:

(a) Finance the Project in an aggregate amount not to exceed $317,100,000 to be included in the Third Tranche (in an amount up to $77,100,000) or the New Bond Issue (in an amount up to $240,000,000) which includes Project costs located in Outagamie County in an amount not to exceed $24,000,000, and

(b) Acting pursuant to the Intergovernmental Agreement by and among one or more Participating Counties, Fond du Lac County shall issue industrial development revenue bonds in one or more issues or series of tax-exempt or taxable bonds in an aggregate amount not to exceed $317,100,000 as part of the 2021 Authorization or the New Bond Issue in order to finance costs of the Project located in the Participating Counties, pursuant to Section 66.1103(3)(f) of the Wisconsin Statutes, and

2. The aforesaid plan of financing contemplates, and is conditioned upon, the following:

(a) The Bonds shall be limited obligations of the Issuing County, acting pursuant to the Intergovernmental Agreement, and are payable solely from revenues provided by the Company and are secured in part by the limited Guaranty of Outagamie County, and

(b) The Bonds shall never constitute an indebtedness of Outagamie County, the Issuing County or the Participating Counties within the meaning of any state constitutional provision or statutory limitation, and

(c) The Project shall be subject to property taxation in the same amount and to the same extent as though the Project were not financed with industrial development revenue bonds, and

(d) The Company shall find a purchaser for all of the Bonds, and

(e) All out-of-pocket costs, including but not limited to legal fees, incurred by Outagamie County in connection with the issuance and sale of the Bonds shall be paid by the Company, whether or not the Issuing County or another Participating County ultimately issues the Bonds, and

(f) Outagamie County shall be paid an annual guaranty fee of 40 basis points (0.40%) (based upon the amount of Outagamie County's Guaranty), and

3. The aforesaid plan of financing shall not be legally binding upon Outagamie County nor be finally implemented unless and until:

(a) The details and mechanics of the bond financing are authorized and approved by a further resolution of Fond du Lac County, as the Issuing County, by a vote of at least three-fourths of the members-elect (as defined in Section 59.001(2m) of the Wisconsin Statutes) of the Board of Supervisors. Such approval shall be solely within the discretion of the Issuing County, acting pursuant to the Intergovernmental Agreement and approval of the Board of Supervisors of the Issuing County, and

(b) Said approval and Guaranty are further conditioned upon terms and conditions of one or more written agreements between Outagamie County and the various parties involved, ensuring that all of the proceeds from the sale of the Bonds shall be administered by a duly appointed independent trustee, that the bond proceeds shall be used exclusively for the development of the Project and for no other purpose, and that the project funds shall be paid over to the Company by the trustee only as they become needed for completion of the Project, and

(c) The County Clerk of Outagamie County shall cause notice of adoption of this Initial Resolution, in the form attached hereto as Exhibit A, to be published once in a newspaper of general circulation in Outagamie County, and the electors of Outagamie County shall have been given the opportunity to petition for a referendum on the matter of the aforesaid bond issue, all as required by law, and

(d) Either no such petition shall be timely filed or such petition shall have been filed and said referendum shall have approved the bond issue, and

(e) The county clerks of Outagamie County and the Participating Counties shall each have received an employment impact estimate issued under Section 238.11 of the Wisconsin Statutes, and

(f) The Bonds shall be limited obligations of the Issuing County, acting pursuant to the Intergovernmental Agreement and are payable solely from revenues provided by the Company and secured in part by a limited guaranty of each Participating County, and

(g) All Participating Counties have entered into the Intergovernmental Agreement and identified Fond du Lac County as the Issuing County, and

(h) All Participating Counties shall approve their respective guaranties by a vote of at least three-fourths of the members-elect of their respective County Board of Supervisors; such subsequent approval shall be solely within the discretion of each Participating County; and

(i) All documents required to consummate the financing have been duly authorized and delivered, and

4. Pursuant to the Act, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Company having represented that it is able to negotiate satisfactory arrangements for completing the Project and that Outagamie County's interests are not prejudiced thereby, and

5. The County Clerk of Outagamie County is directed following adoption of this Initial Resolution (i) to publish notice of such adoption not less than one time in the official newspaper of Outagamie County, such notice to be in substantially the form attached hereto as Exhibit A and (ii) to file a copy of this Initial Resolution, together with a statement indicating the date the Notice to Electors was published, with the Wisconsin Economic Development Corporation within twenty (20) days following the date of publication of such notice, and

6. This Initial Resolution is an "initial resolution" within the meaning of the Act and official action toward issuance of the Bonds. Furthermore, it is the reasonable expectation of Outagamie County that proceeds of the Bonds may be used to reimburse expenditures made on the Project prior to the issuance of the Bonds. The maximum principal amount of debt expected to be issued for the Project on the date hereof is $317,100,000, and

7. Outagamie County Officers and Corporation Counsel shall forthwith negotiate and confer with all interested parties, draft, edit, or approve and deliver the contracts or other documents necessary to carry out the provisions of this Initial Resolution; provided, however, that such Officers and Corporation Counsel shall present the same to the Board of Supervisors for the Board's final review, ratification, and approval of all of the specific terms and conditions contained in said documents prior to the issuance of the Bonds on behalf of the Company. Such subsequent approval shall be solely within the discretion of Outagamie County and its Board of Supervisors, notwithstanding this Initial Resolution, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Corporation Counsel, the Outagamie County Finance Director, the Outagamie County Development and Land Services Director, and the Outagamie County Executive.

Dated this 23rd day of May 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: May 23, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5.24.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY, WISCONSIN
RESOLUTION NO. _____

INITIAL RESOLUTION APPROVING
REVENUE BOND FINANCING FOR BUG TUSSEL 1, LLC,
BUG TUSSEL 2, LLC OR A RELATED LIMITED LIABILITY ENTITY

INTRODUCED BY: Finance Committee

INTENT & SYNOPSIS: To provide approval of an Initial Resolution of Outagamie County to participate with other counties in accordance with an Intergovernmental Agreement pursuant to which Fond du Lac County, Wisconsin will serve as the conduit bond issuer for Revenue Bond Financing for Bug Tussel 1, LLC, Bug Tussel 2, LLC, or a related limited liability entity to be formed to finance a project for acquisition, construction and installation of certain telecommunications infrastructure, for the purpose of providing wireless internet and telephone communication services to businesses, governmental units and residents of rural communities where such service is currently unavailable or prohibitively expensive (the "Project"), which includes Project costs located in Outagamie County in an amount not to exceed $24,000,000.

FISCAL NOTE: None.

WHEREAS, Section 66.1103 of the Wisconsin Statutes (the "Act") authorizes municipalities to authorize the issuance and sale of bonds to construct, equip, re-equip, acquire by gift, lease or purchase, install, reconstruct, rebuild, rehabilitate, improve, supplement, replace, maintain, repair, enlarge, extend or remodel industrial projects; and

WHEREAS, Bug Tussel 1, LLC, a Wisconsin limited liability company, Bug Tussel 2, LLC, a Wisconsin limited liability entity yet to be created, or a related limited liability entity to be formed, and/or one or more of its affiliates (including, without limitation, Bug Tussel Wireless, LLC, Hilbert Communications, LLC and Cloud 1, LLC) (the "Company"), whether existing on the date hereof or to be formed and whether owned directly or indirectly by the Company, desires to finance a project consisting of the acquisition, construction and installation of certain telecommunications infrastructure that includes, among other things (i) acquisition of tower sites by purchase or lease of land and equipping such sites with towers and electronics to provide broadband, high speed cellular, emergency communications and point to point (P2P) data communications; (ii) constructing fiberoptic data transmission facilities (cable and electronics) between towers, key community facilities, businesses and residential aggregation points; (iii) where appropriate, connecting individual premises into the broadband network including the cost of Consumer Premise Equipment (CPE); (iv) payment of capitalized interest; (v) funding of a debt service reserve fund; (vi) payment of such project costs located in Outagamie County in an amount not to exceed $24,000,000; and (vii) payment of professional fees (collectively, the "Project"), all of which will be for the purpose of providing wireless internet and telephone communications services to businesses,

governmental units and residents of rural communities where such service is currently unavailable or is prohibitively expensive; and

WHEREAS, Outagamie County, Wisconsin is a political subdivision of the State within whose boundaries a portion of the Project is located; and

WHEREAS, pursuant to Sections 66.1103 and 66.0301 of the Wisconsin Statutes, individual counties or two or more counties, each a "Participating County", acting pursuant to an Intergovernmental Agreement may serve as the conduit issuer for such financing; and

WHEREAS, Fond du Lac County, Wisconsin (the "Issuing County") acting pursuant to intergovernmental powers adopted an initial resolution on August 17, 2021 (the "2021 Authorization") to authorize the issuance of taxable or tax-exempt revenue bonds to be issued in one or more series in an aggregate principal amount not to exceed $240,000,000 and (i) the Issuing County has heretofore on December 16, 2021, issued the first tranche of conduit revenue bonds to finance a portion of the multi-jurisdictional Project, in the aggregate amount of $70,000,000, (ii) the Issuing County has heretofore on August 16, 2022, issued the second tranche of conduit revenue bonds to finance a portion of the multi-jurisdictional Project, in the aggregate amount of $92,900,000, and (iii) the Issuing County has authority under the 2021 Authorization to issue the remaining $77,100,000 aggregate principal of conduit revenue bonds to finance a portion of the multi-jurisdictional Project (the "Third Tranche"); and

WHEREAS, it is yet to be determined if the Project located in Outagamie County in an amount not to exceed $24,000,000 will (i) be included in the Third Tranche as part of the 2021 Authorization or (ii) be included in a new taxable bond issue pursuant to a new initial resolution to be adopted by the Issuing County on such date yet to be determined which would authorize the issuance of additional taxable or tax-exempt revenue bonds to be issued in one or more series in an aggregate principal amount not to exceed $240,000,000 to finance a portion of the multi-jurisdictional Project (the "New Bond Issue"); and

WHEREAS, Section 66.1103(3)(f) of the Wisconsin Statutes provides that a municipality also may finance an industrial project which is located entirely outside the geographic limits of the municipality, but only if the revenue agreement for the project also relates to another project of the same eligible participant, part of which is located within the geographic limits of the municipality; and

WHEREAS, the Project includes necessary infrastructure for essential services by and for Outagamie County and local units of government in Outagamie County and is in furtherance of the public purposes set forth in the Act; and

WHEREAS, the proposed Project is a multi-jurisdictional project which is located in multiple counties to be identified, and the Company has requested that each of the Participating Counties approve an Initial resolution (the "Initial Resolution") providing for the financing of the Project in an aggregate amount not to exceed $317,100,000 to be included in the Third

Tranche (in an amount up to $77,100,000) or the New Bond Issue (in an amount up to $240,000,000) (the "Bonds"); and

WHEREAS, pursuant to the Intergovernmental Agreement, Fond du Lac County shall be the Issuing County of said revenue Bonds, and it shall be determined at a future date which county or counties shall be Participating Counties; and

WHEREAS, the Company has requested that Outagamie County and other Participating Counties who will directly benefit from the Project to each provide a limited guaranty (the "Guaranty") to enhance the collateral position of the Company in an amount equal to the pro rata portion of the Project costs incurred and essential services benefits derived in such Participating County; and

WHEREAS, the Company will have the primary obligation to make all scheduled principal and interest payments when due on the Bonds, and Outagamie County's Guaranty will apply only in the event that the Company does not make the required payments due on the Bonds; and

WHEREAS, in return for Outagamie County's Guaranty, Outagamie County shall receive an annual guaranty fee of 40 basis points (0.40%) (based upon the amount of its Guaranty), and the Company will pay all costs to Outagamie County and all expenses by Outagamie County related to the bond issue;

WHEREAS, at the option of the Company, bond insurance may be purchased with respect to the Bonds which will require approval by subsequent resolution of Outagamie County;

WHEREAS, the Company shall enter into a Reimbursement Agreement (the "Reimbursement Agreement") with Outagamie County agreeing to reimburse Outagamie County for any payment required under Outagamie County's Guaranty and to indemnify Outagamie County for any and all costs, expenses and liabilities related to the Bonds; and

WHEREAS, as security for the Reimbursement Agreement, Outagamie County shall receive a first mortgage on all land, buildings, and improvements of the Company located in Outagamie County which are financed with proceeds of the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Outagamie County Board of Supervisors as follows:

1. Outagamie County hereby approves that Fond du Lac County, as the Issuing County, acting pursuant to the Intergovernmental Agreement, shall:

(a) Finance the Project in an aggregate amount not to exceed $317,100,000 to be included in the Third Tranche (in an amount up to $77,100,000) or the New Bond Issue (in an amount up to $240,000,000) which includes Project costs located in Outagamie County in an amount not to exceed $24,000,000; and

(b) Acting pursuant to the Intergovernmental Agreement by and among one or more Participating Counties, Fond du Lac County shall issue industrial development revenue bonds in one or more issues or series of tax-exempt or taxable bonds in an aggregate amount not to exceed $317,100,000 as part of the 2021 Authorization or the New Bond Issue in order to finance costs of the Project located in the Participating Counties, pursuant to Section 66.1103(3)(f) of the Wisconsin Statutes.

2. The aforesaid plan of financing contemplates, and is conditioned upon, the following:

(a) The Bonds shall be limited obligations of the Issuing County, acting pursuant to the Intergovernmental Agreement, and are payable solely from revenues provided by the Company and are secured in part by the limited Guaranty of Outagamie County;

(b) The Bonds shall never constitute an indebtedness of Outagamie County, the Issuing County or the Participating Counties within the meaning of any state constitutional provision or statutory limitation;

(c) The Project shall be subject to property taxation in the same amount and to the same extent as though the Project were not financed with industrial development revenue bonds;

(d) The Company shall find a purchaser for all of the Bonds; and

(e) All out-of-pocket costs, including but not limited to legal fees, incurred by Outagamie County in connection with the issuance and sale of the Bonds shall be paid by the Company, whether or not the Issuing County or another Participating County ultimately issues the Bonds; and

(f) Outagamie County shall be paid an annual guaranty fee of 40 basis points (0.40%) (based upon the amount of Outagamie County's Guaranty).

3. The aforesaid plan of financing shall not be legally binding upon Outagamie County nor be finally implemented unless and until:

(a) The details and mechanics of the bond financing are authorized and approved by a further resolution of Fond du Lac County, as the Issuing County, by a vote of at least three-fourths of the members-elect (as defined in Section 59.001(2m) of the Wisconsin Statutes) of the Board of Supervisors. Such approval shall be solely within the discretion of the Issuing County, acting pursuant to the Intergovernmental Agreement and approval of the Board of Supervisors of the Issuing County;

(b) Said approval and Guaranty are further conditioned upon terms and conditions of one or more written agreements between Outagamie County and the

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various parties involved, ensuring that all of the proceeds from the sale of the Bonds shall be administered by a duly appointed independent trustee, that the bond proceeds shall be used exclusively for the development of the Project and for no other purpose, and that the project funds shall be paid over to the Company by the trustee only as they become needed for completion of the Project;

(c) The County Clerk of Outagamie County shall cause notice of adoption of this Initial Resolution, in the form attached hereto as Exhibit A, to be published once in a newspaper of general circulation in Outagamie County, and the electors of Outagamie County shall have been given the opportunity to petition for a referendum on the matter of the aforesaid bond issue, all as required by law;

(d) Either no such petition shall be timely filed or such petition shall have been filed and said referendum shall have approved the bond issue;

(e) The county clerks of Outagamie County and the Participating Counties shall each have received an employment impact estimate issued under Section 238.11 of the Wisconsin Statutes;

(f) The Bonds shall be limited obligations of the Issuing County, acting pursuant to the Intergovernmental Agreement and are payable solely from revenues provided by the Company and secured in part by a limited guaranty of each Participating County;

(g) All Participating Counties have entered into the Intergovernmental Agreement and identified Fond du Lac County as the Issuing County;

(h) All Participating Counties shall approve their respective guaranties by a vote of at least three-fourths of the members-elect of their respective County Board of Supervisors; such subsequent approval shall be solely within the discretion of each Participating County; and

(i) All documents required to consummate the financing have been duly authorized and delivered.

4. Pursuant to the Act, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Company having represented that it is able to negotiate satisfactory arrangements for completing the Project and that Outagamie County's interests are not prejudiced thereby.

5. The County Clerk of Outagamie County is directed following adoption of this Initial Resolution (i) to publish notice of such adoption not less than one time in the official newspaper of Outagamie County, such notice to be in substantially the form attached hereto as Exhibit A and (ii) to file a copy of this Initial Resolution, together with a statement indicating the date the Notice to Electors was published, with the Wisconsin Economic Development Corporation within twenty (20) days following the date of publication of such notice.

6. This Initial Resolution is an "initial resolution" within the meaning of the Act and official action toward issuance of the Bonds. Furthermore, it is the reasonable expectation of Outagamie County that proceeds of the Bonds may be used to reimburse expenditures made on the Project prior to the issuance of the Bonds. The maximum principal amount of debt expected to be issued for the Project on the date hereof is $317,100,000.

7. Outagamie County Officers and Corporation Counsel shall forthwith negotiate and confer with all interested parties, draft, edit, or approve and deliver the contracts or other documents necessary to carry out the provisions of this Initial Resolution; provided, however, that such Officers and Corporation Counsel shall present the same to the Board of Supervisors for the Board's final review, ratification, and approval of all of the specific terms and conditions contained in said documents prior to the issuance of the Bonds on behalf of the Company. Such subsequent approval shall be solely within the discretion of Outagamie County and its Board of Supervisors, notwithstanding this Initial Resolution.

Recommended for adoption this 23rd day of May, 2023.

Adopted ____
Defeated ____ by the Outagamie County Board of Supervisors this
Tabled ____ _____ day of _____, 2023.

County Board Chair County Clerk

I, the undersigned, the duly appointed and qualified Clerk of Outagamie County, Wisconsin do hereby certify that the foregoing resolution was duly adopted by the County Board of Supervisors at a meeting of said County held in open session in accordance with the requirements of Subchapter V of Chapter 19 of the Wisconsin Statutes on May 23, 2023.

OUTAGAMIE COUNTY, WISCONSIN

County Clerk

APPROVED AS TO FORM:
Kyle J. Sargent
Corporation Counsel
Outagamie County
Date Approved: 5/2/22

EXHIBIT A

NOTICE TO ELECTORS OF
OUTAGAMIE COUNTY, WISCONSIN

TAKE NOTICE that the Board of Supervisors of Outagamie County, Wisconsin ("Outagamie County"), at a meeting held at the Outagamie County Courthouse, 320 South Walnut Street, Appleton, Wisconsin, on May 23, 2023, adopted an initial resolution (the "Initial Resolution") pursuant to Section 66.1103 of the Wisconsin Statutes, as amended, expressing the intention to approve Fond du Lac County (the "Issuing County"), acting pursuant to an intergovernmental agreement, to issue not to exceed $240,000,000 of industrial development revenue bonds (the "Bonds") on behalf of Bug Tussel 1, LLC, a Wisconsin limited liability company, Bug Tussel 2, LLC, a Wisconsin limited liability yet to be created, or a related limited liability company to be formed, and/or one or more of its affiliates (including, without limitation, Bug Tussel Wireless, LLC, Hilbert Communications, LLC and Cloud 1, LLC) (the "Company"), to finance a project consisting of the acquisition, construction and installation of certain telecommunications infrastructure that includes, among other things (i) acquisition of tower sites by purchase or lease of land and equipping such sites with towers and electronics to provide broadband, high speed cellular, emergency communications and point to point (P2P) data communications; (ii) constructing fiberoptic data transmission facilities (cable and electronics) between towers, key community facilities, businesses and residential aggregation points; (iii) where appropriate, connecting individual premises into the broadband network including the cost of Consumer Premise Equipment (CPE); (iv) payment of capitalized interest; (v) funding of a debt service reserve fund; (vi) payment of project costs located in Outagamie County in an amount not to exceed $24,000,000; and (vii) payment of professional fees (collectively, the "Project"), all of which will be for the purpose of providing wireless internet and telephone communications services to businesses, governmental units and residents of rural communities. The Company has represented that the net number of full-time equivalent jobs which will be created in Outagamie County is 2.

Pursuant to the terms of Section 66.1103 of the Wisconsin Statutes, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Company having represented that it is able to negotiate satisfactory arrangements for completing the Project and that Outagamie County's interests are not prejudiced thereby.

THE BONDS SHALL NEVER CONSTITUTE AN INDEBTEDNESS OF OUTAGAMIE COUNTY, NOR SHALL THE BONDS GIVE RISE TO ANY PECUNIARY LIABILITY OF OUTAGAMIE COUNTY, NOR SHALL THE BONDS BE A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWERS OF OUTAGAMIE COUNTY. RATHER, THE BONDS SHALL BE PAYABLE SOLELY FROM THE REVENUES AND OTHER AMOUNTS TO BE DERIVED

PURSUANT TO THE REVENUE AGREEMENT RELATING TO SAID PROJECT TO BE ENTERED INTO BETWEEN THE ISSUING COUNTY AND THE COMPANY.

The Initial Resolution may be inspected in the office of the Outagamie County Clerk at 320 South Walnut Street, Appleton, Wisconsin, during business hours.

TAKE FURTHER NOTICE THAT THE ELECTORS OF OUTAGAMIE COUNTY MAY PETITION FOR A REFERENDUM ON THE QUESTION OF THE BOND ISSUE. Unless within thirty (30) days from the date of the publication of this Notice a petition signed by not less than five percent (5%) of the registered electors of Outagamie County is filed with the County Clerk requesting a referendum on the question of the issuance of the Bonds, the Issuing County will issue the Bonds without submitting the proposition for the electors' approval. If such petition is filed as aforesaid, then the Bonds shall not be issued until approved by a majority of the electors of Outagamie County voting thereon at a general or special election.

Jeffrey King, County Clerk
Outagamie County, Wisconsin

Outagamie County Est. 1851

OUTAGAMIE COUNTY CLERK'S OFFICE
320 South Walnut Street | Appleton, WI 54911
Jeff King, County Clerk
Kelly Gerrits, Deputy County Clerk-Programmer
Karen Herman, Deputy Clerk Assistant
Telephone: 920-832-5077 | Fax: 920-832-2200
Website: www.outagamie.org

May 23, 2023

CERTIFICATE OF ADOPTION

State of Wisconsin)
)
County of Outagamie)

Office of the County Clerk

I, Jeff King, County Clerk of Outagamie County, Wisconsin, certify that the enclosed is a true and correct copy of Resolution No. 17--2023-24; which the Outagamie County Board of Supervisors adopted at the May 23, 2023, County Board meeting.

Jeff King
Outagamie County Clerk

LOCK IN & ADOPTION OF RESOLUTION NOS. 16, 18, 20, 24—2023-24.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20, 24—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Lock In of Resolution Nos. 16, 18, 20, 24—2023-24

Lock in of Resolution Nos. 16, 18, 20, 24—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 09:03:32 PM**

May 23, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 16, 18, 20 AND 24—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20, 24—2023-24 ARE RECONSIDERED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Reconsideration of Resolution Nos. 16, 18, 20, 24—2023-24

Reconsideration of Resolution Nos. 16, 18, 20, 24—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County

5-23-23 County Board Meeting - May 23 2023 09:03:24 PM

May 23, 2023 County Board Meeting

OpenMeeting

Resolution No. 18—2023-24 – Health and Human Services Committee. Approve of the Department of Health and Human Services to submit an application to the State of Wisconsin to move to a stand-alone Aging and Disability Resource Center (ADRC) with shared services with Calumet County where economically and geographically feasible for ADRC operations beginning January 1, 2024, with budget changes to be included in the 2024 budget (as noted on the attachments); and approve the Department of Health and Human Services to restructure the existing Aging Advisory Committee to meet the requirements to serve as the ADRC Advisory Committee beginning in calendar year 2024.

Supervisor Gabrielson moved, seconded by Supervisor Krueger, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 18—2023-24 IS ADOPTED.



VOTE RESULTS — 30 YES | 0 NO | 0 ABSTAIN | 6 ABSENT

Resolution No. 18—2023-24

Health and Human Services Committee. Approve of the DHHS to submit an application to the State of Wisco... **Passed By Majority Vote**
services with Calumet County where economically and geographically feasible for ADRC operations beginning January 1, 2024, with budget changes included in the 2024 budget; and approve the DHHS to restructure the existing Aging Advisory Committee to meet the requirements to serve as the ADRC Advisory Com...

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 5-23-23 County Board Meeting - May 23 2023 08:45:01 PM
May 23, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 18—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

In 2005, Calumet, Outagamie, and Waupaca (COW) counties submitted an application to the State of Wisconsin to operate a consortium Aging and Disability Resource Center (ADRC). That proposal was accepted and the COW ADRC Consortium was formed. On December 14, 2004, the Outagamie County Board of Supervisors adopted Resolution 109-2004-05 authorizing the joint ADRC application from the three counties. On May 9, 2006, the Outagamie County Board of Supervisors adopted Resolution 8-2006-07 authorizing the Calumet, Outagamie, and Waupaca County ADRC Advisory Committee. Additionally, Resolution 8-2006-07 approved the appointment of four representatives by the Health and Human Services Committee, one being a County Board member, to serve on the COW ADRC Advisory Committee.

Currently, there are 37 counties in the State of Wisconsin that operate stand-alone ADRC's and 37 counties that are part of a small number of County Board consortium ADRC's. Recently, there has been a trend for more counties to opt out of consortium ADRC's and operate independent stand-alone ADRC's.

Waupaca County recently gave Calumet County and Outagamie County notice that they intend to leave the COW Consortium ADRC effective January 1, 2024. As a result of this notification, Calumet County and Outagamie County reviewed their options and studied three different models of reorganizing their respective ADRC's going forward. Those three options included a stand-alone model for both counties (with no cooperative services), a stand-alone application model, but one where both counties would continue to share services where economically and geographically feasible, and a third model where Outagamie County would apply to operate a two county consortium with a shared part-time ADRC Coordinator. Attached is a fiscal analysis of the three options. Not any of the three have a major impact on Outagamie County funding required to operate the ADRC program.

After studying all three options in terms of staffing and financial costs, Health and Human Services Administration recommended to the Health and Human Services Board and Committee that staff apply for a stand-alone application model, with both Calumet County and Outagamie County continuing to share ADRC services where economically and geographically feasible.

In addition, Outagamie County Health and Human Services Administration will work to restructure the existing Aging Advisory Committee to meet the requirements to serve as the Aging and Disability Resource Center (ADRC) Advisory Committee beginning in calendar year 2024.

The Health and Human Services Department is requesting to move to a stand-alone ADRC with shared services with Calumet County where economically and geographically feasible for ADRC operations beginning January 1, 2024. The anticipated timeframe of the completed new ADRC application to the State of Wisconsin is before July 1, 2023. Any budget changes and net budgetary impact, which is projected to be minor, will be included in the 2024 proposed budget.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of the Department of Health and Human Services to submit an application to the State of Wisconsin to move to a stand-alone Aging and Disability Resource Center (ADRC) with shared services with Calumet County where economically and geographically feasible for ADRC operations beginning January 1, 2024, with any budget changes to be included in the 2024 proposed budget, as noted on the attached fiscal note, ADRC Proposed Funding Operations worksheet, and attachments, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of the Department of Health and Human Services to restructure the existing Aging Advisory Committee to meet the requirements to serve as the Aging and Disability Resource Center (ADRC) Advisory Committee beginning in calendar year 2024, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Health and Human Services Director.

Dated this 23rd day of May 2023

Respectfully Submitted,

HEALTH AND HUMAN SERVICES COMMITTEE

Dan Gabrielson

Justin Krueger

Jeff McCabe

Cathy Thompson

Kelly Schroeder

Duly and officially adopted by the County Board on: May 23, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5.24.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Department of Health and Human Services Request to Reorganize the Aging and Disability Resource Center effective 01/01/2024

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

In 2005, Calumet, Outagamie and Waupaca Counties submitted an application to the State of Wisconsin to run a consortium Aging and Disability Resource Center (ADRC). That proposal was accepted and the COW ADRC Consortium was formed. On December 14, 2004, the Outagamie County Board of Supervisors passed Resolution 109-2004-2005 authorizing the joint ADRC application from the three counties. On May 9, 2006 the Outagamie County Board of Supervisors passed Resolution 8-2006-2007 authorizing and approving the Calumet, Outagamie, and Waupaca County ADRC Advisory Committee and the appointment of four representatives by the Health and Human Services Committee, one being a County Board member, to serve on the COW ADRC Advisory Committee.

Currently there are 37 counties in the State that run stand-alone ADRC's and 37 counties that are part of some small number of county based consortium ADRC's. Recently there has been a trend for more counties to opt out of consortium ADRC's and run independent stand-alone ADRC's.

Waupaca County recently gave Calumet and Outagamie County notice that they intend to leave the COW Consortium ADRC effective January 1, 2024. As a result of that notification, Calumet and Outagamie County reviewed their options and studied three different models of reorganizing their respective ADRC's going forward. Those three options included a stand-alone model for both counties (with no cooperative services), a stand-alone application model but one where both counties would continue to share services where economically and geographically feasible, and a third model where we would apply to run a two county consortium with a shared part-time ADRC Coordinator. Attached is a fiscal analysis of the three options. None of the three have a major impact on the Outagamie County funding required to run the ADRC program.

After studying all three options in terms of staffing and financial costs, Health and Human Services Administration recommended to the Health and Human Services Board that we apply for a stand-alone application model but one where both Outagamie and Calumet will continue to share ADRC services where economically and geographically feasible.

In addition, Outagamie County Health and Human Services Administration will work to restructure our existing Aging Advisory Committee to meet the requirements to serve as the counties Aging and Disability Resource Center (ADRC) Advisory Committee beginning in calendar year 2024.

The Health and Human Services Committee has approved the creation of a County Board Resolution that would allow the department to submit an application to run a stand-alone ADRC with shared services with Calumet County where economically and geographically feasible for ADRC operations beginning January 1, 2024. The anticipated timeframe of the completed new ADRC application to the State of Wisconsin is before July 1, 2023.

The department of Health and Human Services is requesting to move to a stand-alone ADRC with shared services with Calumet County where economically and geographically feasible for ADRC operations beginning January 1, 2024. Any budget changes and net budgetary impact, which is projected to be minor, will be included in the 2024 proposed budget.

Current Year Budget Impact **(Check one or more of the following boxes)**

[ ] Revenues [ ] Expenses (Cost) [X] None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
N/A - To be included in 2024 Budget			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact?

Annual Cost: Similar to current 2023 budget

Annual Revenue: Similar to current 2023 budget

Fiscal Note Prepared by: Betty Gehring

For Financial Services purposes only	
Reviewed By: PM	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 5/1/23	
Comments:	

ADRC Proposed Funding Options
2024 Projections

Expenditures	Outagamie Stand Alone	Outagamie Stand Alone Shared Services with Calumet	Consortium with Outagamie and Calumet - Only Outagamie
Salaries	734,568	734,568	734,568
Fringes	331,782	331,782	331,782
Mileage	7,002	7,002	7,002
Meals/Lodging/Other	1,133	1,133	1,133
Training & Seminars	2,266	2,266	2,266
Sundry	404	404	404
Office Equipment	3,811	3,811	3,811
Interpreter Fees	4,036	4,036	4,036
Telephone-Cellular	689	689	689
Dues & Subscriptions	258	258	258
Computer Services	1,659	1,659	1,659
ADRC Coordination Costs	3,100	3,100	64,114
VPI Contract Staffing Costs	512,704	571,514	539,628
Expense Transfer - Allocated Applied Credit	(4,420)	(4,420)	(4,420)
Total Expenditures	1,598,991	1,657,801	1,686,929
Revenues			
Benefit Specialist	33,438	33,438	33,438
MMA/SPAP	10,243	10,243	10,243
ADRC Grant	1,454,148	1,454,148	1,454,148
SHIP Grant	6,428	6,428	6,428
Nursing Home	67,283	67,283	67,283
DCS Funding	40,000	40,000	40,000
Total Revenues	1,611,540	1,611,540	1,611,540
Net Cost (Tax Levy)	(12,549)	46,261	75,389

Assumptions Used in this Exercise:

1. Salaries & fringes were based on 2023 budget with a projected increase for salary and fringes using the same projected increase from 2022 to 2023 Increase - Salaries 2.48%, Fringes 3.85% resulting in an overall Salary and Fringe Increase of 2.9%
2. Assume all other expenses increase by 3% over 2023 budget
3. Added Contracted VPI Costs for staffing: Stand alone 5.75 FTE, Shared Services 6.75 FTE, and Consortium with Calumet 7.55 FTE
4. Revenue remained stable and did not include an increase from 2023 to 2024
5. For 2024, VPI Contract Staffing costs were split using updated population %:

County	*Population*	*Population %*
Outagamie	*191,545*	*78.48%*
Calumet	*52,539*	*21.52%*
Total	*244,084*	*100.00%*

Outagamie County Est. 1851

HEALTH AND HUMAN SERVICES
OUTAGAMIE COUNTY GOVERNMENT CENTER LEVEL 3
320 S. WALNUT ST. APPLETON, WISCONSIN 54911
TELEPHONE 920.832.4741 Fax 920.832.5164

Date: April 24, 2023

To: Honorable Members of the Outagamie County Health & Human Service Board

From: Amie Bastian, Aging and Long Term Support Manager, and John Rathman, Director

Subject: Calumet, Outagamie, and Waupaca Aging and Disability Resource Consortia Changes

Waupaca County has recently provided Outagamie and Calumet County notice of their intent to become an independent and stand-alone Aging and Disability Resource Center (ADRC) and they have started the process to get approval from their Health and Human Services (HHS) Committee and Board to provide this notice and start the new application process with the State of Wisconsin. This change will require both Calumet and Outagamie County to determine how we will move forward providing required ADRC services in our counties. The following information is provided to assist the Board in determining next steps for our ADRC.

In 2005 Calumet, Outagamie, and Waupaca Counties submitted to the State of Wisconsin a collaborative proposal to establish a multi-county Aging and Disability Resource Center. Such arrangements were promoted by the State at the time. That proposal was accepted and the consortium referred to as the COW ADRC was formed. As part of the establishment of the consortium, a governing oversight body was established to provide monitoring of overall standards of service delivery. On December 14, 2004 the Outagamie County Board of Supervisors passed Resolution 109-2004-2005 authorizing the joint application for Outagamie, Calumet and Waupaca counties for the development of the ADRC consortia. On May 9, 2006 the Outagamie County Board of Supervisors passed Resolution 8-2006-2007 authorizing and approving the Calumet, Outagamie, and Waupaca County ADRC Advisory Committee and the appointment of four representatives by the HHS Committee to the COW Advisory Committee with one being a HHS Board member.

The State funds the consortium based on an allocation determined by certain demographics of each county. Calumet County has acted as the fiscal agent for the consortium since the consortia was created.

Currently in the State there are 37 counties with independent ADRC's and 37 consortiums with varied sizes from 2-5 counties in each consortium. A map is also being provided to show the current ADRC structures of the counties throughout the state.

We analyzed three different options for Outagamie County to structure our ADRC starting in calendar year 2024. Staffing levels and financial considerations of each of the three models is highlighted below.

Current Staffing Model:

Outagamie County Staff
ADRC Supervisor (1)
Elder Benefit Specialist (1.5)
Community Support Specialist (8)

Contracted Staff
Community Living Specialist (1)
Disability Benefit Specialist (3)
ADRC Assistant (1)

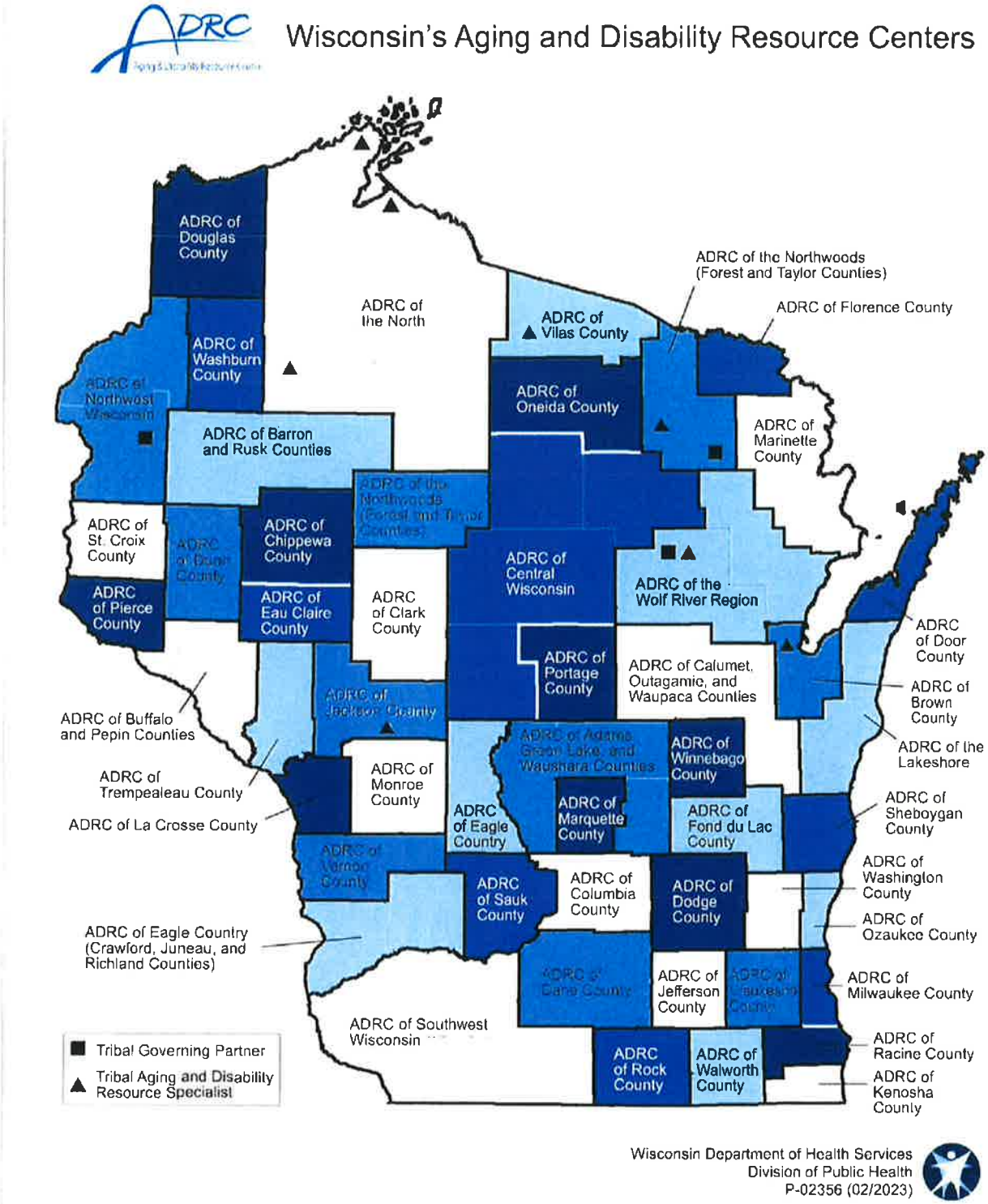
Shared Consortia Staff
ADRC Director (1)*
Prevention Coordinator (1)
Dementia Care Specialist (1)

*Position housed and employed by Calumet County

Option 1-Standalone: This option would be a stand-alone model where Outagamie County would provide all ADRC services independently. In this model, the full-time shared positions of Dementia Care Specialist and Prevention Coordinator would be reduced to half-time (.5) positions. Director responsibilities would also be taken over by our existing ADRC Supervisor and a dedicated ADRC Director would no longer be required.

Option 2-Standalone with Shared Services: This option would have both Outagamie County and Calumet county apply and operate stand-alone ADRC's, however, we would work together to provide certain services and positions in a "shared services" model. At this time, we are hopeful that the Dementia Care Specialist and the Prevention Coordinator could be shared between the two counties allowing both of these positions to remain full-time. This will make recruitment and retention of these positions easier than if each county tried to find part-time staff to assume these responsibilities. This model would likely reduce staff turnover and provide for better back-up staffing opportunities between the two counties.

Option 3-Calument/Outagamie Consortia Model: This model would have Outagamie and Calumet Counties apply as a new consortium, this time applying as a two-county consortium. In this model, efficiencies are achieved in only having to do a single ADRC application, monthly financial report, yearly audit and sponsoring a single Advisory Committee, however, additional administrative time would be required to run a two county consortium and there would continue to be a need for a part-time ADRC coordinator which does increase the cost of this particular model. In addition, the two counties will soon be operating different data systems so complications of how we meet State requirements for ADRC data would need to be addressed and negotiated with the State.


Wisconsin's Aging and Disability Resource Centers
ADRC of Douglas County
ADRC of Washburn County
ADRC of Barron and Rusk Counties
ADRC of St. Croix County
ADRC of Pierce County
ADRC of Chippewa County
ADRC of Eau Claire County
ADRC of Buffalo and Pepin Counties
ADRC of Trempealeau County
ADRC of La Crosse County
ADRC of Eagle Country (Crawford, Juneau, and Richland Counties)
ADRC of Southwest Wisconsin
ADRC of the North
ADRC of Clark County
ADRC of Monroe County
ADRC of Vilas County
ADRC of Oneida County
ADRC of the Northwoods (Forest and Taylor Counties)
ADRC of Florence County
ADRC of Marinette County
ADRC of Central Wisconsin
ADRC of the Wolf River Region
ADRC of Portage County
ADRC of Calumet, Outagamie, and Waupaca Counties
ADRC of Door County
ADRC of Brown County
ADRC of the Lakeshore
ADRC of Winnebago County
ADRC of Marquette County
ADRC of Fond du Lac County
ADRC of Sheboygan County
ADRC of Washington County
ADRC of Ozaukee County
ADRC of Milwaukee County
ADRC of Eagle Country
ADRC of Sauk County
ADRC of Columbia County
ADRC of Dodge County
ADRC of Jefferson County
ADRC of Rock County
ADRC of Walworth County
ADRC of Racine County
ADRC of Kenosha County
Tribal Governing Partner
Tribal Aging and Disability Resource Specialist
Wisconsin Department of Health Services
Division of Public Health
P-02356 (02/2023)

Resolution No. 19—2023-24 – Highway, Recycling and Solid Waste Committee. Approve of the County Highway Department to create a project for I-41 Traffic Management Planning in order to hire an external consultant to obtain an unbiased evaluation of the important corridors and intersections that run adjacent to I-41, and increase the I-41 Traffic Management line items by $250,000 each for HWY-Intra County and Operating Expenses; decrease the Culvert Replacement Program line items by $250,000 each for HWY-Intra County and Operating Expenses, as noted on the attached fiscal note.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 19—2023-24 IS ADOPTED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Resolution No. 19—2023-24

Highway, Recycling and Solid Waste Committee. Approve of the County Highway Dept to create a project for an external consultant to obtain an unbiased evaluation of the important corridors and intersections that run adjacent to I-41, and increase the I-41 Traffic Management line items by $250,000 each for HWY-Intra County and Operating Expenses; decrease the Culvert Replacement Program line items by $250,000...

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 08:52:02 PM**

May 23, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 19—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Highway Department (the Department) is requesting to create a project for I-41 Traffic Management Planning and transfer funds to begin this project in 2023. Through collaborative efforts with WisDOT and local partners, there is a need to have an unbiased evaluation of the important corridors and intersections that run adjacent to I-41 in order to establish a baseline and pre-construction conditions in order to protect the investments and the integrity of the existing County Trunk Highway infrastructure system due to the impacts of reconstruction of I-41. Therefore, if approved, the Department will be hiring an external consultant to evaluate this impact.

The Highway Department's experience with I-41 incident response, planned and unplanned traffic events, and other community events cause significant stress on the local roadway network. The reconstruction of I-41 will be no different and will place additional traffic on the network over the course of the anticipated six years of project construction. The Department did not anticipate working on this project when preparing the 2023 budget. However, incidents during the year have shown where traffic reroutes itself for a few hours and the issues it causes. When completing the year end revolving funds document the Department identified this as a potential project and would prioritize this over a portion of the culvert replacement program.

This resolution approves the request to transfer a portion of the funds that were rolled over for the culvert replacement program to the new I-41 Traffic Management Planning project in the amount of $250,000. The 2023 culvert program will have approximately $361,000 budgeted for culvert issues after this transfer. There is no net levy impact.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of the Outagamie County Highway Department to create a project for I-41 Traffic Management Planning in order to hire an external consultant to obtain an unbiased evaluation of the important corridors and intersections that run adjacent to I-41, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the I-41 Traffic Management, HWY-Intra County line item by $250,000; increasing the I-41 Traffic Management, Operating Expenses line item by $250,000;

decreasing the Culvert Replacement Program, HWY-Intra County line item by $250,000; and decreasing the Culvert Replacement Program, Operating Expenses line item by $250,000, as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance Director.

Dated this 23rd day of May 2023

Respectfully Submitted,
HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: May 23, 2023

Signed: Board Chairperson

County Clerk

Approved: 5.24.23 Vetoed: _____

Signed: County Executive

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for resolution to create a project for I-41 Traffic Management Planning

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Highway Department is requesting to create a project for I-41 Traffic Management Planning and transfer funds to start this project in 2023. Through our collaborative efforts with WisDOT and local partners, we feel we need to have an unbiased evaluation of the important corridors and intersections that run adjacent to I-41 so that we can establish baseline, pre-construction conditions in order to protect our investments and the integrity of the existing County Trunk Highway infrastructure system due to the impacts of reconstruction of I-41. Therefore, if approved, we will be hiring an external consultant to evaluate this impact.

Our experiences with I-41 incident response, planned and unplanned traffic events and other community events cause significant stress on the local roadway network. The reconstruction of I-41 will be no different and will place additional traffic on the network over the course of the anticipated six years of project construction. We did not anticipate having to work on this project when preparing the 2023 budget, however, incidents during the year have shown us where traffic reroutes itself for a few hours and the issues it causes. When completing the year end revolving funds we identified this as a potential project and would prioritize this over a portion of the culvert replacement program.

Therefore, we are requesting to transfer a portion of the funds that were rolled over for the culvert replacement program to this new I-41 Traffic Management Planning project in the amount of $250,000. The 2023 culvert program will still have approximately $361,000 budgeted for culvert issues after this transfer would be made. There is no net levy impact.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (x)

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)
The project on

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
I-41 Traffic Management	HWY- Intra County	6005840.4415.01	$250,000.00
I-41 Traffic Management	Operating Expenses	6005840.5001	$250,000.00
Culvert Replacement Program	HWY- Intra County	6005899.4415.01	($250,000.00)
Culvert Replacement Program	Operating Expenses	6005899.5001	($250,000.00)

Annual and Long-Term Impact

8. Is the above increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Michelle Uitenbroek

For Financial Services purposes only	
Reviewed By: *BM May 3, 2023*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditure Account Number — Amount
Comments:	

LOCK IN & ADOPTION OF RESOLUTION NOS. 16, 18, 20, 24—2023-24.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20, 24—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Lock In of Resolution Nos. 16, 18, 20, 24—2023-24

Lock in of Resolution Nos. 16, 18, 20, 24—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

5-23-23 County Board Meeting - May 23 2023 09:03:32 PM

May 23, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 16, 18, 20 AND 24—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 16, 18, 20, 24—2023-24 ARE RECONSIDERED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Reconsideration of Resolution Nos. 16, 18, 20, 24—2023-24

Reconsideration of Resolution Nos. 16, 18, 20, 24—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 09:03:24 PM**

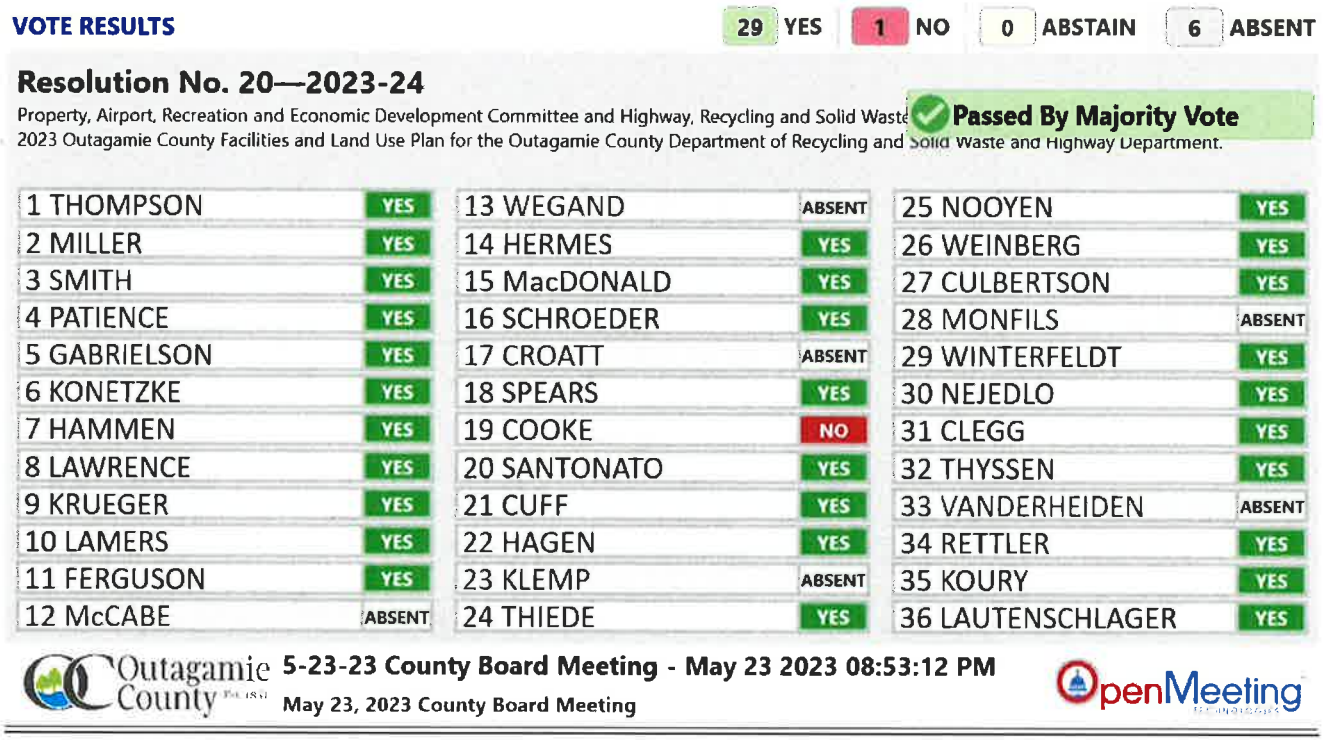
May 23, 2023 County Board Meeting

OpenMeeting

Resolution No. 20—2023-24 – Property, Airport, Recreation and Economic Development Committee and Highway, Recycling and Solid Waste Committee. Approve to accept the attached 2023 Outagamie County Facilities and Land Use Plan for the Outagamie County Department of Recycling and Solid Waste and Highway Department.

Supervisor Culbertson moved, seconded by Supervisor Hagen, for adoption.

ROLL CALL: 29 yes, 1 no (Cooke), 6 absent. RESOLUTION NO. 20—2023-24 IS ADOPTED.



VOTE RESULTS — 29 YES | 1 NO | 0 ABSTAIN | 6 ABSENT

Resolution No. 20—2023-24

Property, Airport, Recreation and Economic Development Committee and Highway, Recycling and Solid Waste
2023 Outagamie County Facilities and Land Use Plan for the Outagamie County Department of Recycling and Solid Waste and Highway Department.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE NO	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 5-23-23 County Board Meeting - May 23 2023 08:53:12 PM
May 23, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 20—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

In March of 2022, Outagamie County sought assistance on the development of a facilities and land use plan for the Department of Recycling and Solid Waste and Highway Department locations. The intended outcome of the plan was to identify current and anticipated space requirements for each department, and to determine a future plan for land use at their shared location.

The space needs for both departments have continued to grow, creating issues that the newly completed Outagamie County Facilities and Land Use Plan seeks to address. Portions of the current site on Holland Road are used by the Parks Department, Sheriff's Office, and Emergency Management. The study included the outlying highway shops, a potential alternate site for the dog park on Brewster Street, and the Sheriff's Office facility on Goodland Avenue.

The Facilities and Land Use Plan recommends five major projects to be implemented over the next several years:

- Relocate the Sheriff's Office and Emergency Management storage from the Appleton site to the facility at 3030 E. Glendale Drive.
- Relocate the dog park to the Highway Department controlled Brewster Street site.
- Purchase land from the Department of Transportation for a new highway shop and salt shed in the Town of Hortonia.
- Prepare the final design for Highway Department improvements on the Appleton site.
- Implement improvements to Shiocton and Seymour highway locations.

This resolution seeks approval of the 2023 Outagamie County Facilities and Land Use Plan for the Outagamie County Department of Recycling and Solid Waste and Highway Department, with a few items already included in the 2023 budget, and the majority of the plan's recommendations to be funded in future budgets.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee and Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does accept the attached 2023 Outagamie County Facilities and Land Use Plan for the Outagamie County Department of Recycling and Solid Waste and Highway Department, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive, the Outagamie County Finance Director, the Outagamie County Highway Commissioner, and the Outagamie County Director of Recycling and Solid Waste.

Dated this 23rd day of May 2023.

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE
AND
HIGHWAY, RECYCLING, AND SOLID WASTE COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: May 9, 2023

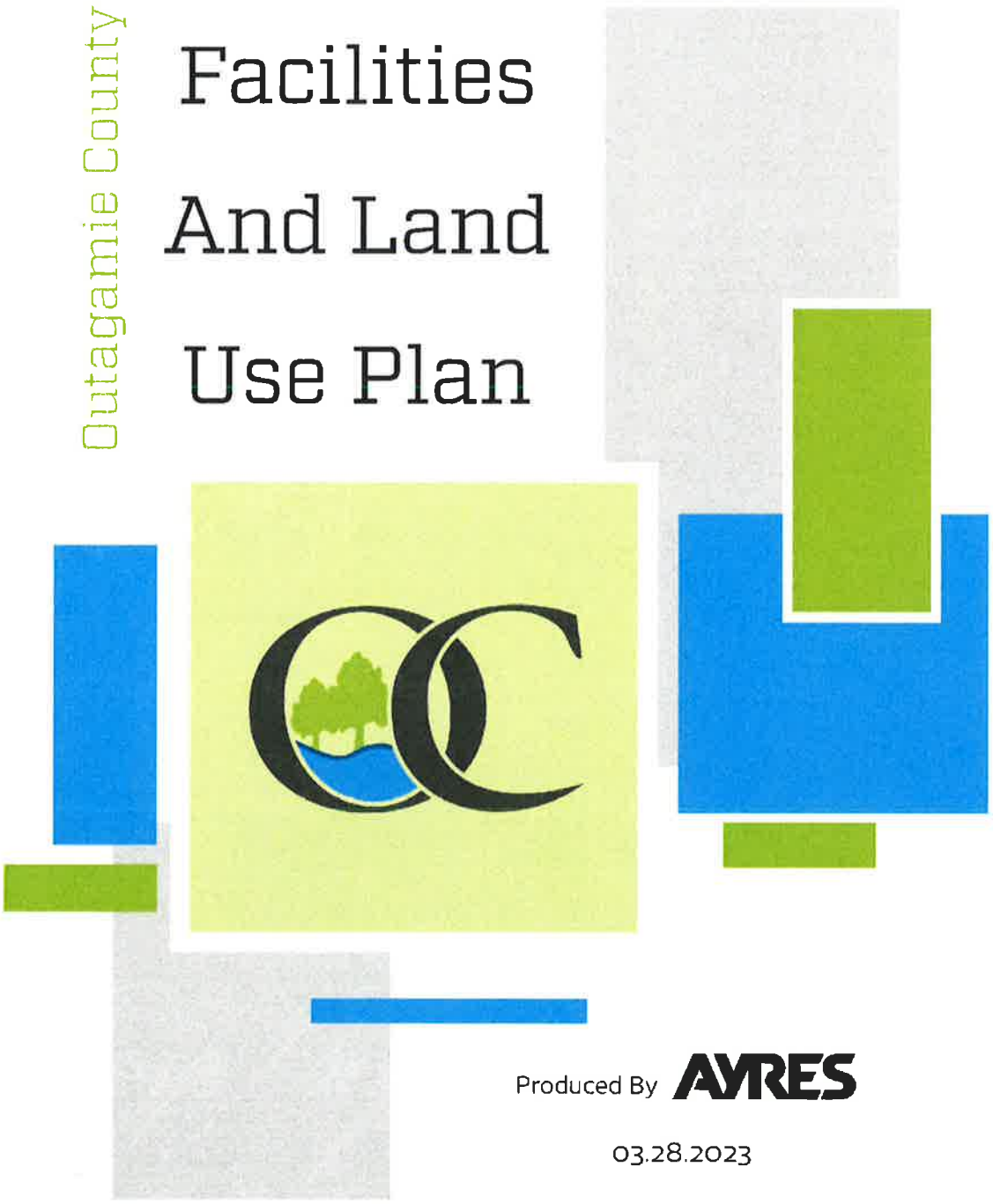
Signed: _____
Board Chairperson

_____
County Clerk

Approved: 5/24/23

Vetoed: _____

Signed: _____
County Executive


Outagamie County
Facilities
And Land
Use Plan
Produced By AYRES
03.28.2023

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A **Appendix A - Concept Plans**

B **Appendix B - Costs**

Acknowledgments

Thank you to the following people who provided input as well as the many other local government representatives who fielded questions.

Outagamie County Highway Department

Dean Steingraber, Commissioner
Jon Milheiser, Equipment/Facility Superintendent
Curtis Reidy, Patrol Superintendent
Michelle Uitenbroek, Accountant/Office Manager

Outagamie County Recycling and Solid Waste Department

Brian Van Straten, Director
Greg Parins, Superintendent
Jeff Tetzlaff, Equipment/Facility Superintendent

Outagamie County Sheriff's Office

Clint Kriewaldt, Sheriff
Corey Besaw, Chief Deputy

Outagamie Parks Department

Loren Dieck, Director

Outagamie Emergency Management

Paula Reider, Director

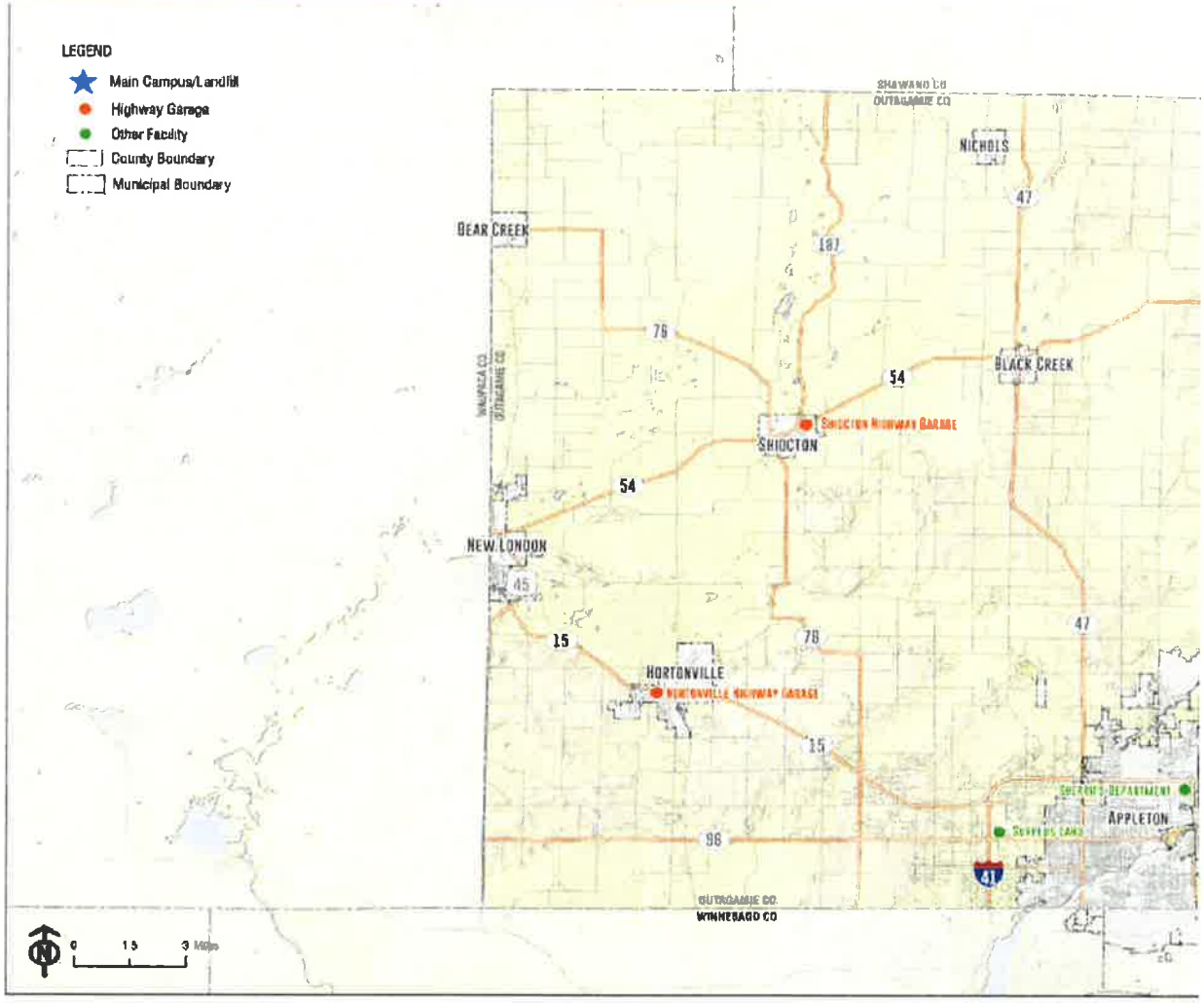
Development and Land Services

Kara Homan, Director
Sadie DiNatale Burda, Acting Director

Planning and Design Assistance

Amanda Arnold, Urban Planner/Project Manager
Andrew Rowell, Traffic Engineer
Chris Silewski, Landscape Architect
David Land, Landscape Architect
Mark Christensen, Urban Planner
Paige Bernhardt, Landscape Designer
Tiara Wuethrich, Landscape Designer
Aaron O'Keefe, GIS Specialist

1 Introduction



Facility Locations

1.1 Purpose of the Study

In March of 2022, Outagamie County sought assistance on the development of a facilities and land use plan for the Department of Recycling and Solid Waste and Highway Department locations. These two departments' facilities are located adjacent to each other at 1313 and 1419 Holland Road in Appleton, Wisconsin. In addition, the Highway Department has three other garages located in Hortonville, Shiocton, and Seymour, Wisconsin. The Highway Department also owns land currently used for materials storage in the Town of Grand Chute.

The County's recycling and solid waste functions and highway operations were formally part of one department. However, as demand for services grew, the two functions were separated into two different departments but have continued to share the Holland Road site. The space needs for both departments have continued to grow, creating issues that this plan seeks to address.

The Appleton site is approximately 450 acres. The Recycling and Solid Waste Department manages two closed and one active landfill on the site, occupying approximately 400 of the 450 acres. There is also a dog park, operated by the Parks and Recreation Department, located in the southwest corner of the Holland Road site, and a building called Zebra 12, used for storage by the Sheriff's Office and Emergency Management Department in the Highway Department area. As the county's population continues to grow, both departments have to ensure their future space needs. The Recycling and Solid Waste Department has an operations plan to help guide space needs decisions, but the Highway Department does not have a similar document.



This plan serves as a summary of the overall issues on the Appleton site and the outlying Highway facilities, presents long range plans for the Highway Department improvements, and outlines a series of capital budget options to ensure that both departments can function as well as possible given financial and other constraints. Moreover, the plan outlines a series of operational efficiencies that can result from investment in the Highway department sites. The plan was produced by Ayres Associates between April and December of 2022. The study is a tool for both departments and County leadership to use as expansion and improvements are planned over the next ten to fifteen years.

1.2 Summary of Input Process

The planning process was managed by the County's Department of Development and Land Services. The director of that department coordinated regular meetings with the Recycling and Solid Waste Department and Highway Department staff throughout the nine-month planning process. The study began with a kick-off meeting in April of 2022 at which time the Ayres staff collected information about the applicable sites. County and Ayres staff toured the Appleton site and discussed issues. Because portions of the Appleton site are used by the Parks Department, Sheriff's Office, and Emergency Management Department, representatives of those functions were also available for the tours. The Ayres staff also visited the outlying highway shops, a potential alternate site for the dog park on Brewster Street, and the Sheriff's facility on Goodland Avenue.

In July and August, a series of meetings were held with other stakeholders to gain background and vet potential options. These stakeholders included representatives from:

- The City of Appleton Community Development and Public Works Departments
- The Town of Grand Chute Community Development and Public Works Departments
- The Village of Little Chute Administration and Community Development Department
- The City of Seymour Administration and Public Works Department
- The Village of Shiocton Staff and Board
- The Village of Hortonville Administration
- The Town of Hortonia Board (their planning consultant was also consulted)

» The Wisconsin Department of Transportation
» The Appleton Airport Staff

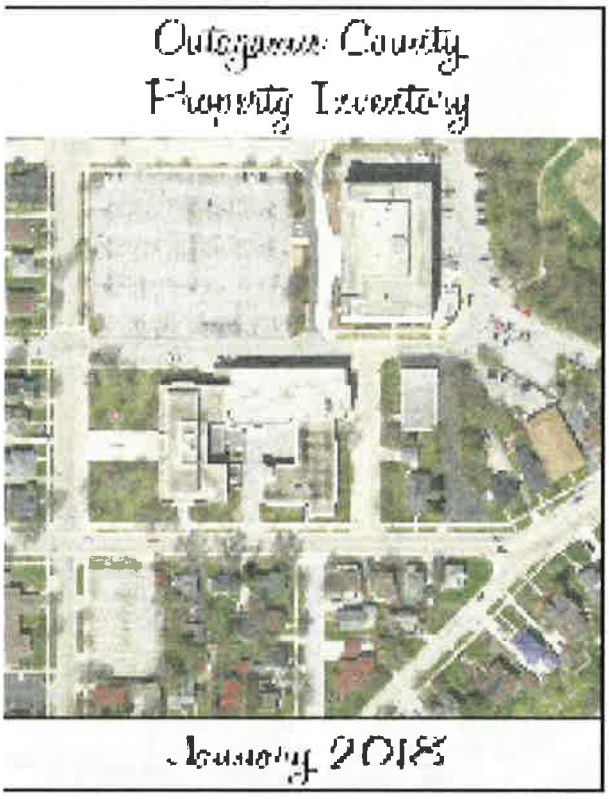
Ayres staff provided several virtual presentations to County staff as concepts were developed, and an second site visit was held in November of 2022 to review concepts in person.

1.3 Summary of Other Relevant Studies and Work

During the meeting with stakeholders (listed above), area comprehensive plans were discussed to assess how the facilities fit in with area growth. Because most of the sites have been established for some time, no major conflicts were found. Although, opportunities and issues will be discussed for each site later in the report.

The primary study affecting the Appleton site is the Recycling and Solid Waste Department Landfill Plan and Preliminary Layout produced by Foth in 2016. This analysis began with a preliminary layout in 2016 to address development of the Northwest Landfill. The analysis has been amended as recently as 2021 and serves as a guide for the Recycling and Solid Waste Departments expansion plans.

Other studies that were reviewed included:
» The Outagamie County Property Inventory and Recommendations Report
» Area roadway expansion plan, including the 2020 County OO/French Road Evaluation
» Utility connections
» Existing building plans
» The 2018 Dog Park Strategic Plan



9



2 Historic and Current Conditions

This chapter describes all of the existing uses and conditions on the Appleton site and the other supporting sites. The chapter also outlines future needs.

2.1 Appleton Site

2.1.1 History of the Site

The Appleton site was acquired in 1975 for solid waste landfill operations by the former Department of Public Works. Refuse has been landfilled at the west landfill cell since the inception. Then in 1989, the Appleton area highway office and mechanics garage moved from the Brewster Street Site to the Holland Road site. For many years highway and solid waste activities were under one public works department. Field employees commonly worked on both highway maintenance projects and solid waste projects based on the time of year and the needs of the department. Equipment operators would construct road improvements in the summer and excavate future landfill cell expansions/conduct landfill capping operations during the winter.

As recycling and recovery efforts increased in the mid-1990's, more dedicated operations and administration for solid waste activities were required. It came to a point where the need for two separate departments was evident. Also, a new Brown, Outagamie, and Winnebago County Solid Waste Intergovernmental Agreement was created that regionalized solid waste landfill operations. Commonly referred to as BOW, this agreement further increased the need for the recycling and solid waste operations to be separate from the highway functions.



Appleton Facility Layout and Functions

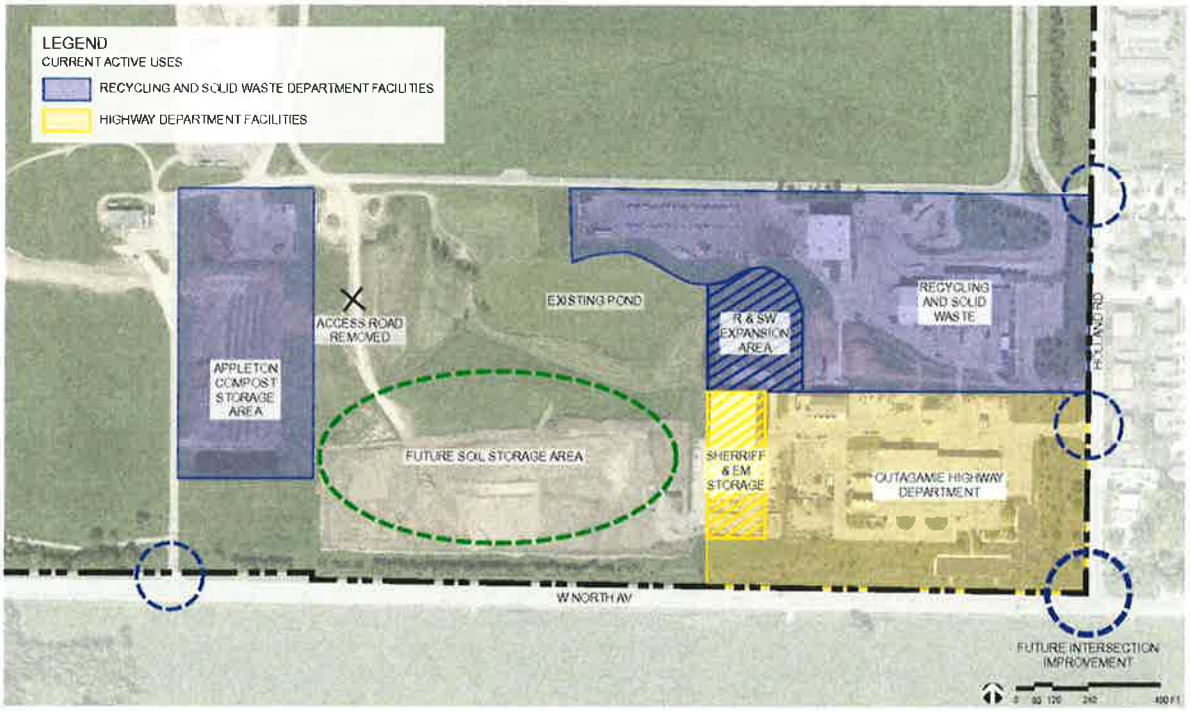
2.1.2 Current Site Layout and Function

The Appleton site is located between IH-41 and County Highway OO (W. North Avenue), French Road, and Holland Road, in the Town of Vandenbroek and the City of Appleton, but surrounded by the Village of Little Chute. The site addresses are 1313 and 1419 Holland Road.

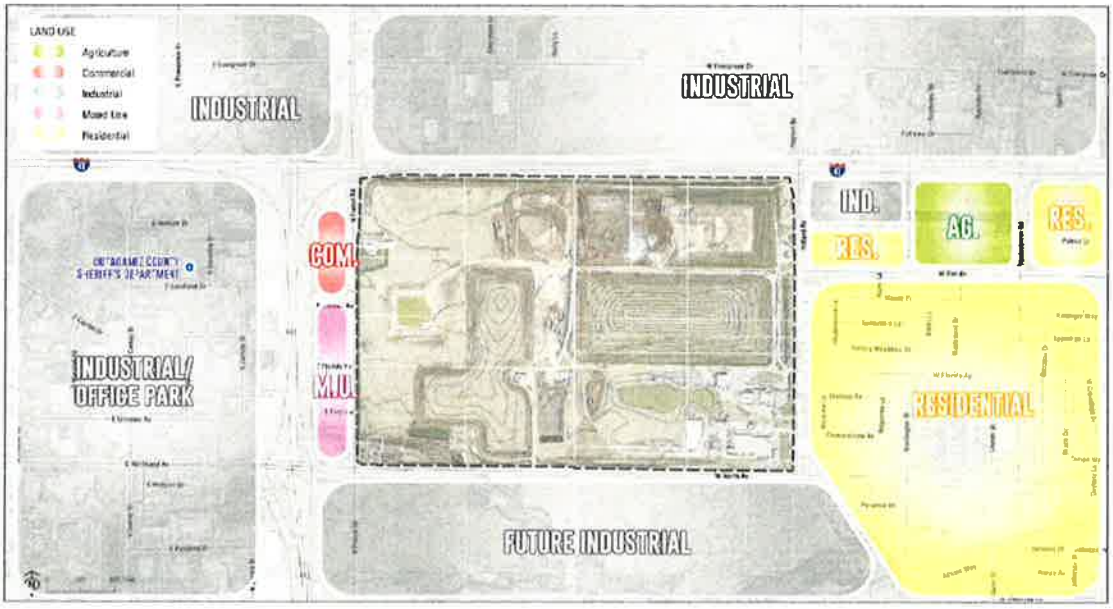
The following uses are on site:

- The Recycling and Solid Waste Department's single stream material recovery facility,
- Two inactive and one active landfills,
- City of Appleton compost area (this will be relocated and replaced)
- The Highway Department offices and the Appleton garage,
- Storage for the Sheriff's Office and Emergency Management Department (in a building referred to as Zebra 12),
- A dog park operated by Outagamie County's Parks Department, and
- A private communications tower.

Until recently, the Highway Department utilized an open area just west of Zebra 12 for stockpiling roadway materials. In 2021, this area was identified as a future stockpile location for the new Northwest Landfill expansion. Generally, the site is now portioned such that the far southeast 1/16th of the total site is dedicated for Highway Department use, while the remainder is dedicated for recycling and solid waste use.



Appleton Facility Zones of Ownership



Surrounding Land Uses

2.1.3 Topography and Surface Water

The Appleton site's topography is dictated by the intended use of the land for the landfill. There are three sedimentations ponds. Pond 1, located just north of the Highway Department facility, in the Southeast quadrant of the site currently has excess settling capacity. The Recycling and Solid Waste Department plans to fill in the east side for future expansion for recycling purposes. Pond 2 rests just north of the creek and just west of the communications tower. Pond 3 was recently built west of the west landfill cell. There is a creek in the Southwest quadrant of the site that separates the dog park from the other uses. There are no floodplain issues.

2.1.4 Surrounding Land Uses

For any heavy use like a highway garage or landfill, the surrounding land use can present operational constraints. The site is bordered by: Highway 41 adjacent to the landfill, an industrial and business park to the north, Holland Road and residential development to the east, W. North Avenue, farmland, that is likely to be developed, to the south, and County Road OO/French Road, a few homes, open land, mini-storage, and Highway 441 to the west.

The Village of Little Chute Comprehensive Plan calls for continued industrial development to the north, maintenance of the neighborhoods to the east, industrial development to the south, and recreational uses to the west. All landfills and major public facilities have some impacts on surrounding land uses. Noise, odor, and traffic are common issues. However, all off site impacts in regard to dust, odor, gull and litter control management programs and activities are actively addressed in all current and future WDNR approved plan of operations. Traffic flow along Northland Avenue to and from the landfill and Highway facility present on going constraints due to Holland Road being the main egress to the facilities.

2.1.5 Access and Circulation

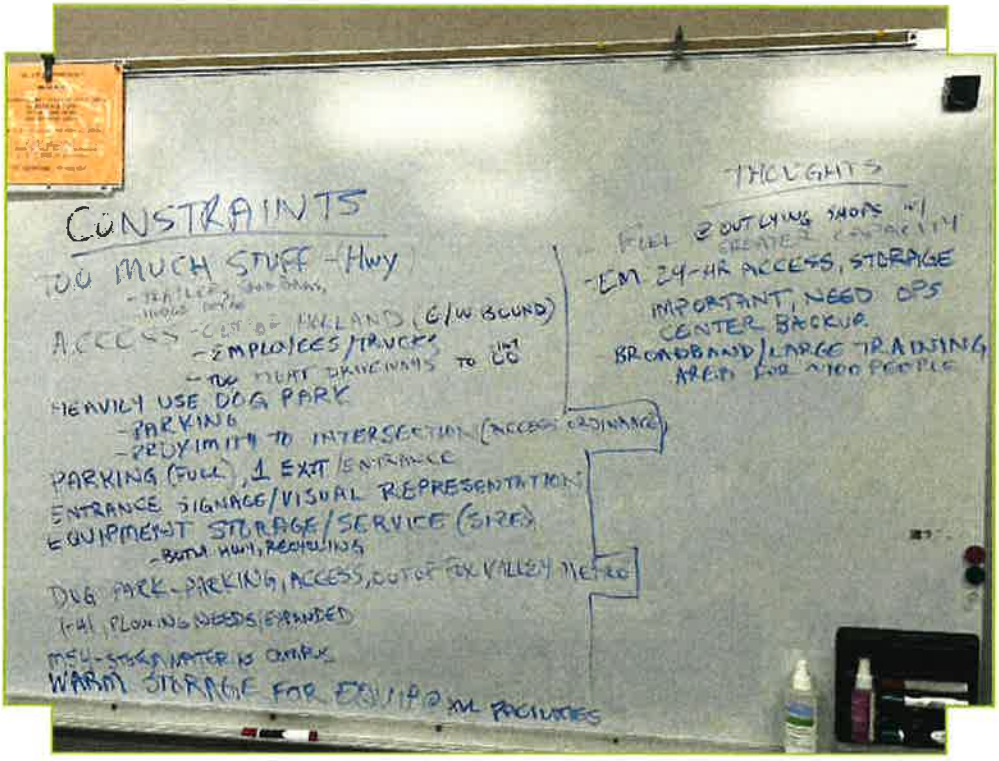
There are current concerns with both internal and external access and circulation, and each use has different access and circulation issues:

Recycling and Solid Waste Department - There is one primary public access point for both government and commercial haulers and the general public for dropping off waste and recyclable materials. The general customer entrance is located at 1919 Holland Road. A quarter mile long driveway leads to the scale houses. Customers are then directed by staff to the appropriate area within the greater landfill site.

A secondary entrance exists across from Florida Avenue. This entrance is not used as it does not provide a staging area for daily truck traffic entering the site. There are three vehicle scales, each of which have specific customer requirements. Most one-time users of the site use the scale closest to the building. The far scale is used by repeat commercial haulers equipped with RFID badges.

A general public access road runs east-west through the site in line with Florida Ave from the scale area for about ½ mile, then turns south for about ¼ mile to a gated exit onto County OO. This also serves as a return road to the scale area for reweighing vehicles. This long internal queuing is well designed to allow customers, both commercial and the public, to queue inside the facilities prior to reaching the scales and is of great value as to not allow a line of vehicles to impact travel on Holland Road.

Access roads exist to the different landfill cells. A paved access road exists from the scale north, adjacent to the entrance driveway, and then turns west in line with Elm Drive towards the current operating northeast cell. Typically, refuse trucks and tractor-trailer refuse haul trucks are allowed to dump directly in the active cell. Haulers with RFID badges are weighed upon entry and then are allowed to exit the site along the access road. Individual trucks, contractors, and general public are weighed upon entry and then must weigh upon exit to calculate appropriate landfill tip fees.





Highway Department – The Highway Department is occasionally accessed by the public, but the primary traffic is generated internally from highway trucks and employees accessing the site. Currently the traffic circulation for the highway department is not efficient. In addition, the highway trucks experience delays when leaving the site via the intersection of Holland Road and County Road OO.

Access to the employee parking, and visitor access to the administrative offices and conference room is located about 150 feet north of County Road OO. Access to the garage, mechanics area, salt shed and fueling stations is located about 550 feet north of County Road OO. This access is gated. Various vehicles travel within the site at any given time. The most congested times are at the beginning and end of the field employee shifts.

Holland Road is a 2-lane street with bike lanes and parking lanes. County Road OO is a 4-lane undivided highway. The intersection of Holland Road and County Rd OO is currently a T-intersection with stop control on Holland Road. As a 1-way stop, the traffic demand exceeds capacity for Holland Road. Traffic queues extend for several cars. This causes delays for highway and solid waste traffic attempting to turn onto County Rd OO, especially for left turns. The intersection is listed in the County Capital Improvement Plan to study and design a traffic signal or roundabout at the intersection.

Sheriff's Office and Emergency Management – Both of these departments store vehicles and items in a building referred to as Zebra12. They do not have issues with circulation or access to the storage. Users are required to enter the Highway garage entrance gate to access the site.

Dog Park – Access to the dog park is located on French Road about 250 feet north of County Road OO. The primary issue for access related to the dog park is that the user demand exceeds the parking area available. The parking lot is full frequently, and people opt to park on French Road, which creates safety issues. There are approximately 26 spaces in the dog park parking lot.

Communications Tower – The tower is accessed from an internal road off of County Road OO. The site is fenced so only authorized individuals can access the tower.

None of the uses on site are typically accessed by bicycle or sidewalk.

The site is mostly surrounded by a security fence along all public roads. A few areas by the Highway Department salt shed and outer storage facility are unfenced. Entrances are gated and open during the day. The main gate at the entrance to Recycling and Solid Waste is an automatic gate on a set schedule, but it can be opened and closed remotely. The exit gate is an automatic gate for anyone wishing to leave the site during off hours. Other entrances to the Solid Waste site, including the maintenance garage, 3414 N French Rd, the overflow gate across from Florida Ave, and another gate in line with the employee and visitor entrance to the administrative office, are manual gates. The gate to the Highway Department can be opened and closed by employees with remote or by keypad.

Year 2019 annual average daily traffic (AADT) on the surrounding roadways is as follows:

Road	AADT
County Road OO	12,400
Holland Road	5,100
French Road	5,100
Evergreen Drive (North of I-41)	1,700
I-41	59,300
State Highway 441	32,400

2.1.6 Utilities

The site is served by water and sewer lines from the Village of Little Chute. There is an ATC 138 kV electric transmission line that runs north-south through the site, along the western edge of the northeast and east landfill cells. Old gas lines that fed the old methane co-generation facility, previously located at the Highway garage, have been abandoned in place between landfill site and gas plant.



Sewer and Culvert Pipe Inventory - Appleton Garage

2.2 Individual Department Operations

2.2.1 Recycling and Solid Waste Department

There are two closed landfills and one active landfill on site which make up most of the 450 acre site. The site also includes administrative offices, recycling sorting facility, material recovery facility (MRF), resource recovery park (RRP), hazardous materials drop off, and a maintenance garage.

Administrative Offices – Access to the administrative offices is located on Holland Road near the southeast corner of the landfill site property. There is an 80-stall parking lot for staff and visitors. The administrative building includes the recycling and solid waste department offices, scale operators, employee break room, conference room, and a locker room.

Materials Recycling Facility (MRF) – The materials recycling area is adjacent to the administrative offices under the same roof. The 50,000 SF facility can sort over 350-400 tons of recyclables on a given day. All recyclable materials are loaded into a metering bin, and then enter the conveyor belt to the sorting system. Materials are sorted through mechanical, and technological means in addition to hand sorting. Aluminum, steel, paper, cardboard, and plastic recyclables are baled, while glass is crushed and dumped into large containers outside the facility. Minimal on-site storage exists for recyclables. Approximately 15-20 loads of recyclables are picked up daily.

Transfer Station – The transfer station building is a separate building located slightly north and west of the materials recycling facility. The transfer station is approximately 20,000 SF. In this building residents and small commercial customers dispose of materials to then be transferred to the landfill, or sorted for potential recovery. A wheeled loader is used to push, sort, and load materials throughout the day.

Resource Recovery Park (RRP) – The RRP was newly added in 2020. It provides residential and small contractors the ability to separate certain waste and recycling materials in a way to recover reusable items to reduce these from going straight to the landfill. It is located just west of the transfer station. Thirty low-profile, color-coded and labeled dumpsters are used to separate different waste materials. It also is the drop-off area for items such as electronics, appliances, tires, and waste oil. This area is approximately 2.5 acres in size.

Active Landfill Cell – The current active landfill is the northeast (NE) cell, which is in the northeast part of the property, adjacent to IH-41 and generally north of Elm Drive. This is where refuse is currently being dumped on a daily basis. The capacity of the NE cell is to be determined.



Inactive Closed Landfill – Two closed and capped landfills exist on the site. The west landfill encompasses over 45 acres and is generally an "L" shape that is located in the middle western half of the site. The site was closed in 1980. The east landfill is located between the general access road and the active northeast landfill access road. This cell is a full rectangular area and received its final cover and closure cap in 2016. It covers about 60 acres.

Hazardous Materials Drop-off – The hazardous materials drop-off is currently done at 3414 N French Road, which is a collection of older storage buildings on the far west side of the landfill site. This is a drop-off only collection and no materials are stored on site. The highway department uses some of the existing sheds for concrete forming equipment and seasonal equipment storage.

Compost Drop-Off – A biodegradable materials drop-off area is located at the inside corner of the site access road when it turns from west to south. Residents are allowed to dispose of dirt, stone, sod, grass clippings, plants, and branches. Just to the south is a large composting area used by the City of Appleton. The City of Appleton section is not open to the public.

Debris Management Area – A debris management area has also been constructed to facilitate a county-wide emergency event such as high wind damage, flooding, tornadoes, etc. Material can be delivered and subsequently source separated prior to landfilling or other resource recovery operation opportunities with storm related debris. This area also houses concrete, brick, base, shingle, asphaltic products, small loads of dirt and sod products as alternative to customer access to the active landfill.

Maintenance Garage – The Recycling and Solid Waste landfill maintenance garage is just north of the main customer entrance across from Elm Dr. The maintenance garage has a separate driveway from Holland Road that is controlled by a manual gate. Approximately 10 parking stalls exist for employees and private repair/sale visiting personnel. Most Recycling and Solid Waste vehicles are serviced here.

Methane Collection Facilities – Until recently the methane recovery area was attached and adjacent to the far southwest portion of the primary highway garage. The methane recovery private firm Mas Energy is currently building a new methane gas recovery facility north of the highway salt shed.



2.2.2 Highway Department

The Highway Department administrative offices and Appleton garage are located at the corner of County Highway OO and Holland Road. Approximately 20 acres of the overall site is used by the Highway Department. The Appleton highway facility was built in 1989. This approximately 95,000 SF building includes administrative office space, a public conference room, employee break room, parts inventory, mechanics, sign shop, welding area, body shop, paint booth and vehicle parking garage.

The Appleton Highway facilities have two access driveways onto Holland Road. One driveway leads to the employee and visitor parking area. The other leads to the garage and storage area. Employee and visitor parking is near the front of the building and not protected by security fencing. The Highway Department administrative building conference room serves as the Emergency Management backup emergency operations center and a primary location for training sessions and meetings. The meeting capacity is approximately 75 people. The spaces in the Highway garage facility are as follows:

Administrative Office – The administrative portion of the building is about 10,000 SF located in the far southeast part of the building. This includes an office area for reception, the Highway Commissioner, engineering, highway accounting, and field and shop supervisory staff. It also includes the employee break room, locker rooms, rest rooms, and highway conference room.

Parts Inventory Room – The parts inventory room is located just east of the mechanic shop. It includes an office for the inventory clerk. This room is only accessed by management and inventory personnel.

Miscellaneous Shops – Along the east wall of the garage are the sign shop, wood shop, sign storage area, tire room, and north of the parts delivery doors are the body shop, paint booth and welding shop.

Mechanics Shop – The general mechanic shop area is about 22,000 SF. It is located in the east-center section of the building. There is space for 14 dedicated pieces of equipment for maintenance or repair. There is also an oil room in the northwest corner of the shop section.

Garage Storage Area – The western half of the building is the garage storage area. This general area is about 44,000 SF. Subdivided in this area is the wash bay, vehicle maintenance bay and restroom in the northeast corner of the building section, and office and storage related to the landfill co-generation operations in the southwest corner of the section. Two overhead doors on each end of the building provide one-way north to south movement through the garage area. Approximately 20 fully equipped plow trucks can park in this area.



Fueling Station - Appleton

"Zebra 12" Sheriff Storage

Materials and Equipment Storage - Appleton

Salt Shed - Appleton

The following are separate from the primary building:

Additional Detached Storage – A 30,000 SF non-heated storage building is located on the far west part of the site that is used for non-quick response vehicles, seasonal storage, and traffic control equipment for roadways.

Fuel System – A six-pump fueling station is located in the northeastern part of the site, near the entrance gate. Both unleaded gasoline and diesel fuel is available for County vehicles. Fuel is also made available to the Recycling and Solid Waste Department, Sheriff's vehicles, EMS, and other county departments, as well as the Village of Little Chute, Vandenbroek Fire, and Kimberly Waste. Vehicles must enter the highway facilities gate to access the fueling stations.

Salt Shed – A gambrel roof-style salt shed structure is located to the northwest of the garage storage facility. This shed holds 4,500 tons of salt used for both county and Wisconsin DOT roadways. The brine making facility is adjacent to the salt shed. This brine making equipment was installed in 2019. Five 6,500-gallon and two 20,000-gallon storage tanks exist along the south wall of the salt shed.

Sand Blasting Area – This is located adjacent to the west wall of the salt shed. In the summer it is used to store highway road paint and other containers.

Culvert and Miscellaneous Apparatus Storage – Three dedicated materials storage areas are located west of the primary storage garage. One is north of the former co-generation engines, and two other larger areas are west of the access road for the garage. These hold culverts, storm sewer pipes and structures, guard rails, posts, and other miscellaneous items. Some plow equipment is also stored in this area in the off season.

Materials Storage – Construction materials are stored in the far southwest corner of the Highway Department site, located south of the Sheriff's evidence building (referred to as Zebra 12). Concrete bins store common sizes of stone, breaker rock, sand and chips for miscellaneous highway use. There is no room on site for project-specific stone materials.

Outside Vehicle and Equipment Storage – Large construction equipment is commonly parked west of the culvert storage area. Other seasonal equipment is parked along the north property fence between the salt shed and the fuel system.

As mentioned, the Highway Department operates three outlying garages located in Seymour, Shiocton, and Hortonville. The Highway Department also stockpiles roadway materials on county-owned property on Brewster



Street in the Town of Grand Chute. These are described later in the chapter.

2.2.3 Sheriff's Office

The Sheriff's Office uses space within a building on the main site referred to as "Zebra 12". This building is located on the southwest side of the property. Zebra 12 has four sections; three fully enclosed and one outdoors that is fenced. The Sheriff's Department uses the following spaces:

Interior Parking – This section is the largest with 10,000 SF. It has three overhead doors on both sides of the building which allow drive-through access. This area is shared with Emergency Management. The Sheriff's Office uses one of the three bays for storing the patrol boat, patrol cars, and patrol vehicles parts. There is also a catwalk that is above the locked evidence area used for miscellaneous equipment storage.

Locked Evidence Area – This is a separate room adjacent to the storage bay used by the Sheriff's Office. The 2,400 SF area is used to store long-term evidence and overflow evidence that cannot be contained at the main Sheriff's facility located at 3030 Goodland Avenue.

Vehicle Evidence – This is an unheated, separate section of Zebra 12 used for storing evidence vehicles. This 6,000 SF section of the building has one overhead door on each side of the building. A central alley allows access between parked evidence vehicles on each side of the alley. Approximately sixteen passenger vehicles can be parked in this space.

Outside Evidence – A separate outdoor locked fenced area is also used for vehicle evidence storage. Vehicles stored outside usually are ones for which there is no concern of weather impacting the evidence. The 5,000 SF area can store approximately 12 passenger vehicles. Additional oversized evidence vehicles (examples: school bus, semi tractor-trailer) typically are stored outside of the locked evidence area.

Zebra 12 has separate badged requirements for the doorways. Sheriff's staff have access to all four areas. The parking garage is also accessible by Emergency Management staff and Emergency Management volunteers. Highway Department management staff also has access to the interior parking area. To access the site, Sheriff personnel must enter the gate for the Appleton Highway Garage site, and travel through the entire site to the Zebra 12 building. The Outside Evidence fence currently sits about one foot off of the ground, which causes some security concerns because the gap could allow someone to break into this area.

2.2.4 Emergency Management

As mentioned, the Emergency Management Department also stores materials in Zebra 12, and it uses the Highway Department conference meeting rooms on occasion. Emergency Management uses one of the three bays for storing the emergency barricade trailer, CERT truck, mobile communications trailer and emergency health trailer or sheltering trailer, flooding sandbags, and other emergency supplies. To access the site, EM personnel must enter the gate for the Appleton Highway Garage site and travel through the entire site to the Zebra 12 building.

2.2.5 Dog Park

The dog park covers approximately nine acres. It has a parking lot and separate area for small dogs. The dog park is on land managed by the Recycling and Solid Waste Department. With the construction of the Northwest Landfill, part of the dog park was closed and turned into a stockpile area. Long term the Recycling and Solid Waste Department has plans for this area. Thus, another site for the dog park needs to be found.

2.2.6 Communications Tower

There is a private communications tower located near the southwest corner of the overall site. It is used by Emergency Management and others. There is a small private drive for access and maintenance.



CERT Vehicle at "Zebra 12"



Sheriff Offsite Evidence Storage



Sheriff Offsite Evidence Storage



Sheriff Offsite Vehicle Evidence Storage



Northland - County Dog Park



Northland - County Dog Park



Northland - County Dog Park



Northland - County Dog Park

2.3 Outlying Facilities

In addition to the Highway Department's main office and garage at this site, there are three outlying garages located in Hortonville, Shiocton, and Seymour. The Highway Department also stores materials and snow at its Brewster Street site near Appleton.

2.3.1 Hortonville Garage



The Hortonville Garage is located on Oak Street which is a dead-end street off State Highway 15. This garage is within the Village of Hortonville. The current facility was constructed in 1982. This facility is adjacent to MidCon Products, an industrial concrete manufacturing facility to the east. Residential single-family homes exist to the west. There are railroad tracks on the south side of the site. There is no security fence around the site. The total county owned property is about 1.6 acres. This location includes a vehicle storage garage, dual purpose employee break room and parts area, foreman's office, and unisex bathroom. The storage garage has four overhead doors that require vehicles to be backed in or out. Vehicles are parked two or more vehicles deep within the garage during winter. There are two 6,500-gallon brine tanks on site. There is also a diesel fueling station. One salt shed holds both county and Wisconsin DOT salt. The existing salt shed is in poor condition and there is no room to wash vehicles. There is a minimal area to store road materials on site. Some county equipment is parked outside in the road right-of-way. These issues make it a pivotal site in the overall plan for resources. Decisions will need to be made about replacing the salt shed or relocating. There is the potential to relocate the salt shed, or even the whole garage facility to excess land associated with the new Highway 15 construction.

2.3.2 Shiocton Garage



The Shiocton Garage is located on the east side of the Village of Shiocton with direct access to State Highway 54. It is surrounded to the west by single family homes and undeveloped lots and farm fields to the east. The current facility was built in 1985. There is a security fence around the perimeter of the buildings. The gate is an electric, remote or keypad operated sliding gate. The Shiocton garage is the largest of the outlying garages. It is a drive-thru garage with one overhead door each on the east and west ends of the building. This location includes vehicle storage garage, dual purpose employee break room and parts room, foreman's office, unisex bathroom. There is a diesel fueling station on site and two 6,500-gallon brine tanks. Two separate salt sheds are on this property, one that houses salt intended for county use, and one for Wisconsin DOT roadway use. A waste oil storage tank on the property is used for supplemental heating. The total County-owned land at this site is about 21 acres, however only about 6.5 acres are currently used for the garage, salt sheds, equipment, and road materials storage.

2.3.3 Seymour Garage



The Seymour Garage is located on a 5-acre site on Municipal Drive on the west side of Seymour located off County Highway G. It is adjacent to the City of Seymour Public Works Department facilities. The current facility was constructed in 2000. The security gate is an electric, remote or keypad operated sliding gate. Most of the remainder of the site is unfenced. This location includes vehicle storage garage, foreman's office, tool room, unisex bathroom and dual purpose employee break room/parts room. One salt shed holds both county and Wisconsin DOT salt. There are two 6,500-gallon brine tanks. There is also a diesel fueling station on site. A waste oil storage tank on the site is used for supplemental heating. The storage garage has 5 overhead doors that require vehicles to be backed in or out. Vehicles are parked two or more vehicles deep within the garage during winter. This location has sufficient open space to store equipment and road materials for projects in the area.



2.3.4 Brewster Street

An additional relevant Highway Department owned property is located at the west end of Brewster Street in the Town of Grand Chute. The Highway Department mechanics garage and administrative offices used to be located in this general location, west of the current Brewster Village Assisted Living Center. About two acres of area is available for materials storage. Additional buildable area exists but this is being retained for potential future Brewster Village expansion and possible other community shared use. The Highway Department hauls snow from the downtown courthouse campus to this location. Current materials stored here include concrete rubble, asphalt material, base course, breaker run, and recycled topsoil.

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Service area rings for the various facility locations.



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3 Current and Future Needs Assessment

The previous chapter focused on existing conditions, and this chapter shifts to a discussion of current and future needs. Some needs have been planned for and are in existing or future budgets. Other needs must be weighed against a variety of influences to determine the best course of action. This chapter builds the basis for the more detailed evaluation of priorities in the following chapters.

3.1 Recycling and Solid Waste Department

This department, in part because of the heavily regulated nature of its operation, and its need to provide long-term recycling and solid waste solutions with a regional focus, has a solid plan for its future expansion and operations.

In 2003, the Brown, Outagamie, and Winnebago (BOW) Intergovernmental Solid Waste Disposal Agreement set the commitment to use each county's existing and future landfill capacities. This allowed the counties to stabilize operating costs while meeting the waste management and recycling needs of 65 communities. Due to the success of the partnership, a new BOW agreement was approved by all three county's committees/boards in fall of 2020. This agreement runs through 2042.

The Recycling and Solid Waste Department has engaged Foth, an engineering consulting company, to guide them through their expansion plans. As mentioned in Chapter 2, the site currently has two inactive and one active landfills. A Phase 2 expansion of the NW landfill is planned for 2029, and this will involve many changes to the site to accommodate:

- The removal of three buildings in the northwest corner of the site.
- The need for soil storage. Soil from excavation is currently being stored on site. Ultimately, 500,000 of cubic yards of mass excavated soils for the final cell in the new expansion will need to be stockpiled either on- or off-site.
- The need to relocate the City of Appleton compost overflow. The overflow will need to be removed or used as the landfill expands.
- The desire to place a hazardous waste collection site in the location of the current dog park. The location of the existing dog park provides good public access, but it also necessitates the relocation of the dog park.
- The filling of Pond 1. This act will create yard storage for transfer, recycling, and recovery operations.

The Recycling and Solid Waste Department has an extensive list of capital projects planned including:

- Installation of artificial intelligence sorting robots
- Replacement of balers
- Implementation of a Glass Clean-up System to improve glass recovery
- Leachate conveyance installation to City of Appleton wastewater treatment facility
- Installation of NE Cell leachate and gas piping vertical wells
- Replacement of metering bin and metering wheel for recyclables
- Materials Recycling Facility expansion to enclose the MRF compactors and glass system

The primary unmet capital need at this time is IT Support. In order to make sure that there is enough bandwidth to support cameras and other operations. Redundant fiber cabling is needed.

3.2 Highway Department

The over-arching need for the Highway Department is to meet the needs associated with a growing highway network while being constrained by Recycling and Solid Waste Department's site-based needs. In addition, the balancing of services in the outlying locations is a challenge. Below, the needs and challenges for all the locations are listed first, and then the challenges and opportunities at each garage are listed.

3.2.1 Needs - All Locations

- Broadband is needed at the outlying facilities to support needed cameras, VOIP, improved audio-visual capabilities, fuel systems, scale systems, brine production and communications.
- Emergency generators are needed at all facilities. Appleton has one generator, but it is undersized.
- Security cameras are needed at all locations.
- Scales are needed at all locations.
- Brine production and fueling upgrades are needed at all locations. Expand brine systems up to 200,000 gallons at Appleton and 40,000 gallons at each outlying facility. Update fuel stations as unleaded gas to diesel ratios need to change.
- Equipment wash bays are needed at outlying locations.
- More warm storage space is needed for equipment at all locations. There are safety/ risk management issues when hooking up plows outside.
- All locations need building upgrades. In all of the outlying facilities, up-to-date (separate male/female) locker rooms and break rooms are needed.
- Data closets in outlying facilities should have their own spaces, away from dust/debris and outside individual office space.
- All facilities either need security fencing or fencing alterations.

With more development, there are more miles of road to plow and maintain, and more equipment will be needed. There are transportation issues when moving equipment and materials from Appleton to other locations and this adds to costs. Most of the seasonal equipment is in Appleton. In general, all the needs listed above create an overall challenge about how and where to invest resources.



3.2.2 Appleton

The Highway facilities in Appleton are in good condition, but a series of situations make operations challenging.

Circulation – There are circulation issues with access to the main building as well as with trucks maneuvering about the site. Wayfinding/improved signage is needed throughout the whole site. A better entrance area that delineates the main entrance from the employee entrance is needed.

Fuel Access – The current fuel system supports other departments and various municipalities. This fuel system is within a fenced area requiring all vehicles to enter the secured fence area. In addition, the current fueling system is at the end of its lifespan.

Office growth – The department will be adding staff and the offices are already tight. Meetings already have to take place within the Highway Commissioner's office (which is not always practical), the main meeting room is used frequently by large groups and is often at capacity, and there is little room for summer interns (let alone new, permanent staff). In addition, there are several needs related to keeping the site safe and secure for staff. For example, building security upgrades including more locking doors, cameras, and visitor security elements are needed.

Equipment – Several upgrades are desired including: column lifts (to lift dump trucks graders), a bigger paint booth (the current length is fine, but the width is tight), a larger, drive through wash bay, and a new scale.

Storage – 35,000 SF of heated storage space is needed now to get all equipment under roof.

Brine/Salt – Currently there is a 4,500 ton salt shed on site. The State will soon need to add a 10,000 ton shed on site. Current loading of brine is done through two stations, servicing 20 trucks, at times creating congestion.

Fleet Capacity – With the upcoming STH 15 and I-41 expansions planned and funded, the Highway Department estimates a minimum six snowplows and tow plows will be needed.

Surrounding Growth – As surrounding land is developed, conflicts between Highway Department vehicles and other traffic will increase. Access onto road network in the morning is already a challenge.

Site use by other departments – As the Recycling and Solid Waste Department has expanded, the Highway operations have become more constrained. In addition, the Sheriff's Office and Emergency Management use storage on site.

3.2.3 Hortonville

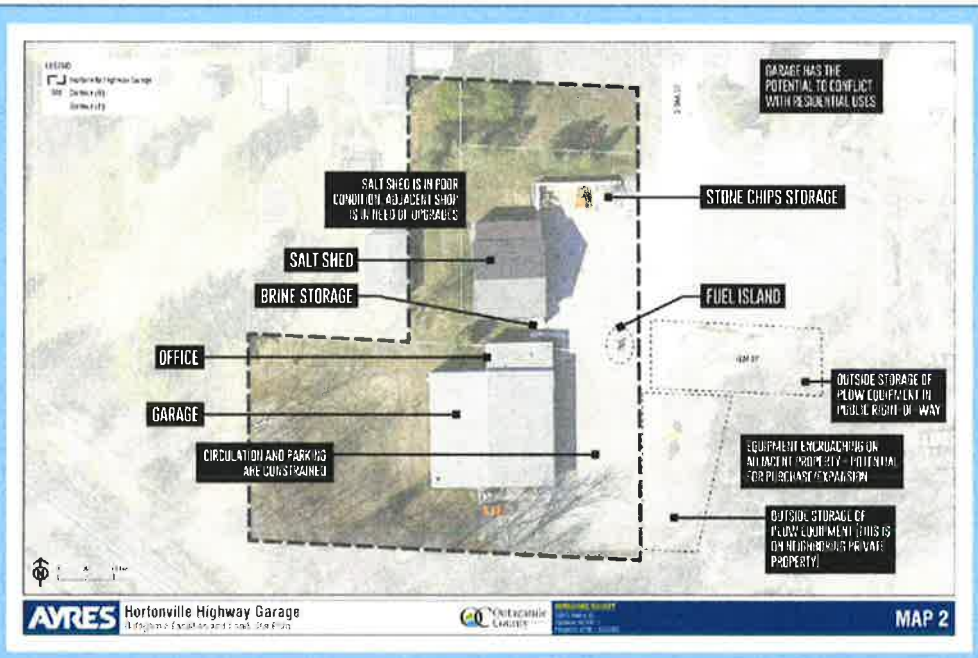
The Hortonville site is the most constrained of all of the Highway facilities and has the most issues in terms of condition and functionality. The facility is on a relatively small parcel behind residential development. The challenges on the site include:

Circulation/Space – Hortonville has a back-in garage which was designed for equipment of the time. There are four bays of overhead doorways where vehicles must back in and park double deep. The doors are narrow due to the increased size of equipment required.

Size – The operations are outgrowing the site. There is minimal storage and thus this shop must use adjacent right-of-way space for overflow. There is little room for employee parking.

Interior Space - Like all of the other facilities, it needs interior upgrades. Separate space for shops, a foreman's office, and a break area is needed. Office walls are thin and the shared ventilation results in a lack of privacy. Other needed facilities include separate male and female locker rooms, broadband access, fuel upgrades and exterior fencing.

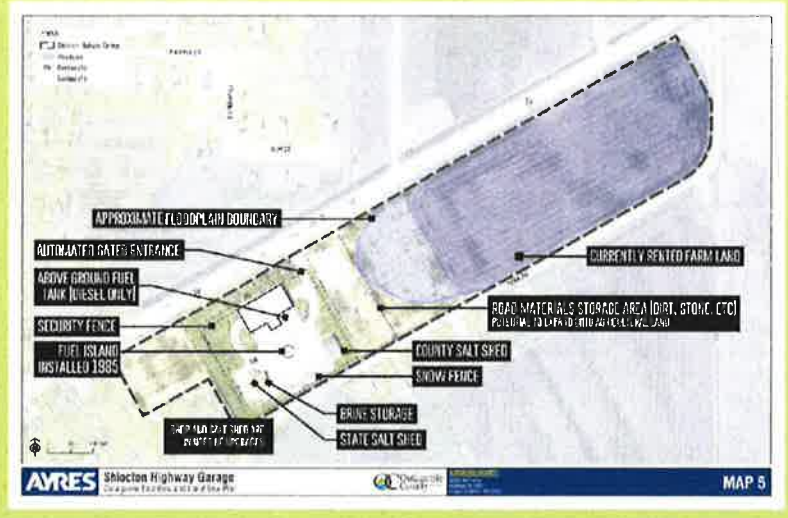
Surrounding Growth – The soon to be completed State Highway 15 bypass will require (at a minimum) two additional snowplow vehicles, and trucks must drive through town to get to the bypass. This bypass will make access to the state highway from the current garage less efficient and will increase commute time. There is not enough salt storage to accommodate the expanded roadway system. While the current neighbors do not presently mind, this garage is located next to homes which could pose future issues resulting from these incompatible development types.



Condition – The salt shed is in need of replacement.
Storage - Capacity for signs, barrels, and barricades, as well as the trailer is limited. Construction materials storage space is also needed.

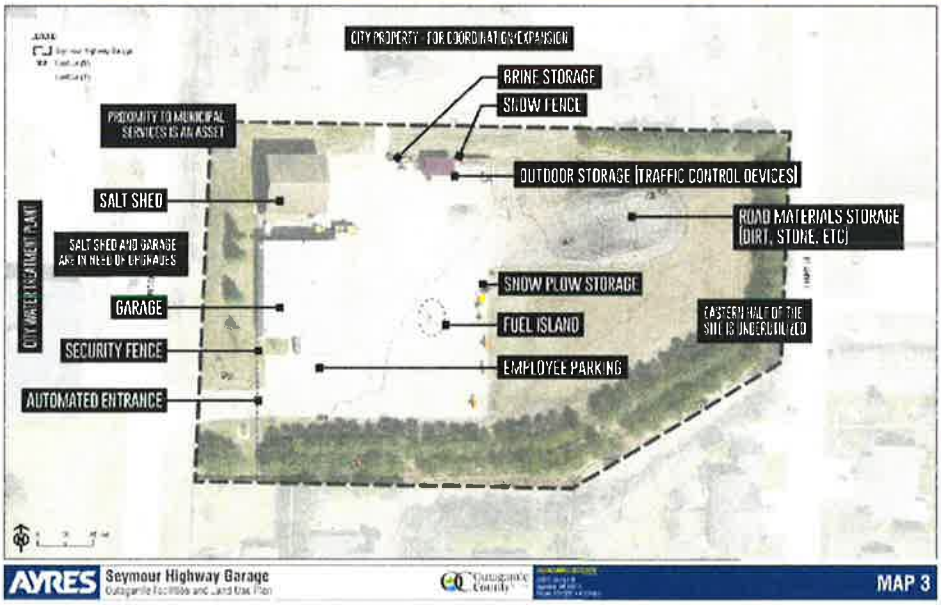
3.2.4 Shiocton

The Shiocton facility is in relatively good condition and it has the advantage of having space for expansion. However, the site shares the same challenges as the others: the need for better interior space (including a breakroom, training space, and male and female locker rooms), broadband, and fueling upgrades. The building also has limited capacity for signs, barrels, and barricades as well as a trailer.



3.2.5 Seymour

Seymour is the second smallest garage. Like all the other facilities, it needs male and female locker rooms and meeting space. Seymour has a back-in garage. There are five bays of overhead doorways where vehicles must back in and park double deep. The doors are narrow. The brine is not located in the best spot due to backing up. The current salt shed has a low ceiling, no push walls for equipment used, and narrow side and doors.



3.2.5 Brewster Street

This site is currently used for material storage, including snow storage from the courthouse. There has been discussion of moving the dog park to this site, but then a new location will need to be found for the stored materials. The site is currently far away from the other Highway locations, and a site in the western Fox Cities would be more ideal. There are some drainage issues. There was an old garage on site. Contamination could be an issue.

3.3 Sheriff's Office

Currently the Sheriff's Office stores materials on the Appleton site in a building called Zebra 12. The shared nature of Zebra 12 compromises security. Having off-site evidence is inconvenient when items need to be transported from the Sheriff's office at 3030 Goodland or when evidence stored at Zebra 12 needs to be examined, released or destroyed. The outdoor vehicle storage is not secure, and there is the potential for people to tamper with the evidence in or on the vehicles.

3.4 Emergency Management

The Emergency Management (EM) Department also stores materials in Zebra 12. The shared nature of Zebra 12 compromises security. Ideally some of these items should be housed closer to the center of the County for overall ease of accessibility. Heated storage is also a needed improvement.

3.5 Dog Park

The over-arching challenge for the dog park is that its existing location is not under the control of the Parks Department and the Recycling and Solid Waste Department would like to absorb the space for other uses. The current site is very popular and there is often parking overflow on French Road. Improvements are planned for the French Road/County Road OO intersection that could impact the dog park. Generally, maintenance of a dog park is challenging. Local police sometimes have to police the dog park. There is no access to water for the dogs, and the site has drainage issues which have created gully and trip hazards.



4 Constraints and Opportunities

Chapters 2 and 3 focused on existing conditions and needs. This chapter focuses on constraints and opportunities. The inter-relationships of all the functions that take place on the Appleton site are complex. In addition, the outlying highway facilities share some needs, but also have unique constraints and opportunities.

Before exploring the constraints and opportunities of each function and site, some "shared understandings" of the facilities can be established:

4.1 Shared Opportunities

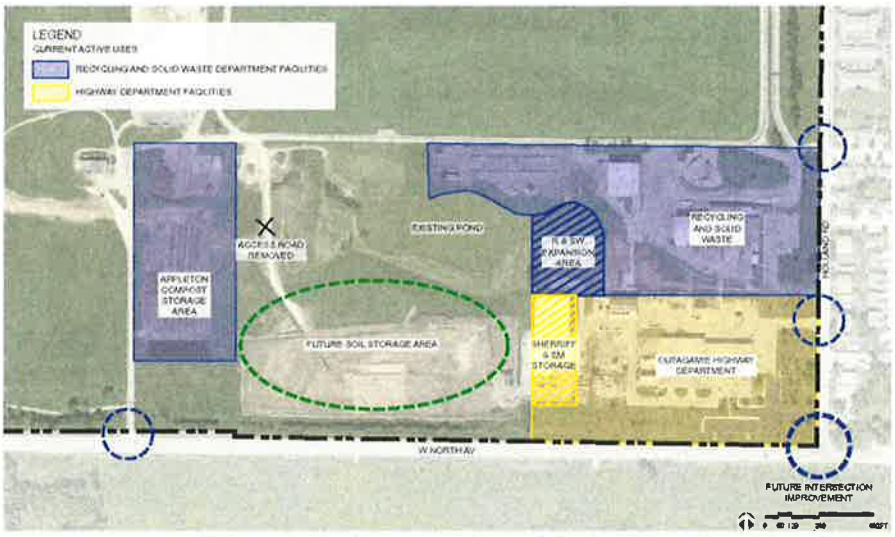
- The landfill has a life span of at least 15 more years and has a solid operations plan for the existing site. Depending on regional agreements and the diversion of products from the landfill, the life span could be longer.
- The Highway Department will need more space to accommodate growth demands. The Highway Department uses approximately 20-acres of the overall Appleton site. The operations are constrained at this point, and growth (i.e. the need for trucks, a larger staff, and expanded salt and fueling operations) cannot be accommodated within the existing 20-acre area.
- All of the Highway Department shops and salt sheds are in need of upgrades. Expanded salt capacity is needed at the Appleton and Hortonville sites which are required to accommodate increased systems due to expansions of STH 15 and I-41.
- The Appleton shop and office need to be expanded to accommodate more staff and equipment. The outlying shops are all older and do not include necessary facilities like separate male/female locker rooms, private meeting/office space for managers, and IT space. In general, the facilities are all too small to accommodate needed storage.
- It is more prudent to use existing space, but some land purchases may be needed.
- With the approval of a new 911 Center at the Goodland facility, it is logical that storage could be shifted from Holland Road to the Goodland Drive site.
- Previous studies have identified a workable location for a new dog park. The Brewster Street site is an appropriate fit for a dog park, and a new location for the storage of highway materials should be found.

Even given these facts, there are unique opportunities at each site that are documented in the remaining sections of this chapter.

4.2 Appleton Site

The Recycling and Solid Waste Department has continued to execute extensive planning for its operational expansion in serving its municipal and commercial base primarily in Outagamie County in addition to their BOW partners of Brown and Winnebago Counties. Surrounding land uses and traffic will remain a challenge simple due to growth in the area, but the impacts can be mitigated through communication with the Village of Little Chute. Given that the Recycling and Solid Waste Department will remain, the pressures on Highway Department and the dog park will continue, and this in turn impacts the storage uses for the Sheriff's Office and Emergency Management Department.

Surrounding traffic and land uses – The potential for land use changes around the Appleton site is limited by the availability of utilities, but there is the potential for development at the corner of County Road OO and French Road. This intersection will be upgraded in 2023. Land to the south of County Road OO is planned for industrial development, but no concepts have been developed. A roundabout is a potential improvement to the intersection of Holland Road and County OO. The Village of Little Chute has land permitting authority over the Highway and Recycling and Solid Waste buildings.



AYRES **OUTAGAMIE COUNTY** | OUTAGAMIE FACILITIES AND LAND USE PLAN

4.2.1 Primary Coordination Issues

Soil Storage - The Recycling and Solid Waste Department will consume an additional 500,000 cubic yards of capacity in the WDNR approved NWLF Plan of Operations existing soil stockpile location with the next landfill expansion. This will further limit options for the Highway Department. This will further limit options for the Highway Department. There is no planned option for off site storage of excavated soils generated from the development of the Northwest Landfill.

Repurposing of the Co-generation Facilities - The former methane co-generation facilities located adjacent to highway garage could be re-purposed or redeveloped for use by the Highway Department. However, this facility is a Recycling and Solid Waste asset with recycling operations currently utilizing the facility as storage and maintenance. If it is determined that this space is needed for Highway operations, the Recycling and Solid Waste Department would need to be compensated.

Stormwater Management – There is a pond on the Recycling and Solid Waste Department's portion of the site. The Recycling and Solid Waste Department plans to alter this pond with future expansion, but there is still the opportunity for at least some stormwater from the Highway Department's portion of the site to be diverted to this pond. Currently the Highway Department's stormwater follows natural run off patterns toward County Road OO.

Circulation – While the two functions have shared some circulation in the past, they find it more efficient to operate separately at this time.

Use of Existing Buildings - The Recycling and Solid Waste Department would like to place a hazardous waste collection site in the location of the current dog park. That location provides good public access for hazard waste drop-off, but would necessitate the relocation of the dog park. In addition, the buildings in the northwest corner of site are not currently used by Recycling and Solid Waste. However, the Highway Department uses two. The plan is for these buildings to be removed during the Phase 2 expansion of the landfill in 2029.

Other Users of the Site - The compost facility on site is used for City of Appleton overflow. Eventually it will

need to be relocated as the landfill operations are expanded. There is a private communications tower on site, but at this point no impacts are projected for that use.

4.3 Outlying Highway Facilities

The Highway Department needs major investment in all of its facilities. The issue is how to be strategic about these investments. The Hortonville facility is the oldest, having been built in 1982. It is also the facility with the greatest site constraints. The Shiocton facility was built in 1986 and has the fewest issues but is still in need of upgrades to function well. The Seymour facility was built in 2000. There are building needs at the Seymour facility and the site is not used as well as it could be. Each site needs:

- Building upgrades (improved locker rooms, meeting space, IT space, more equipment storage, etc.),
- Relocated and improved fueling station,
- Additional/upgraded salt and brine facilities,
- Fencing, and
- A scale.

4.3.1 Hortonville

The Hortonville site creates the biggest challenge. The site is small and constrained by nearby residential uses. A new salt shed is a necessity because of the condition of the existing one and the need for more capacity.

The new alignment of Highway 15 is almost complete, and the Wisconsin Department of Administration (DOT) has planned for a new salt shed on a remnant parcel, approximately two-miles from the existing County site. The ideal situation is for the County and State salt supplies to be co-located rather than being just a few miles apart. There is no room for the State salt on the current site. A separate issue is that the County could offer more efficient services to the larger area if its Hortonville shop were located to the east (closer to Greenville), and the Highway 15 and 76 intersection.

Understanding that investment in a new salt shed at the existing constrained County-owned site (and in an outdated garage) is not prudent, the County has the following options:

- Seek out a site to the east of Hortonville and establish a new shop and garage closer to Greenville.
- Attempt to buy more property around the current site from an adjacent industrial landowner and expand and redevelop the current site.
- Co-locate with the DOT on the site that has been purchased two-miles west of Hortonville in the Town of Hortonia. This option could involve the construction of a salt shed and the rest of the operations could be left at the existing site, but this is arguably inefficient.
- Purchase more land from the DOT and move all the Hortonville operations to the west.

A decision about this site needs to be made in early 2023 because the DOT has started designing their salt shed to the west of Hortonville adjacent to Highway 15. Plans will need to be altered if the salt supplies are going to be co-located. Factors to consider are:

- The County currently owns approximately 1.5-acres in Hortonville. A purchase of at least approximately four more acres from the adjacent property owner would be needed to create a functional site. It is not known if the adjacent property owner is a willing seller or not.
- While the current residential neighbors don't mind the operations, the site is not in an appropriate location. The site is located in an area designated as a mixed-use growth area and community gateway improvement zone by the Village of Hortonville. However, the Village of Hortonville appreciates and benefits from the current location.
- There is not currently an appropriate available parcel to the east of Hortonville, plus land costs are higher to the east.
- The County could purchase land from the DOT in the Town of Hortonia. A decision about how much land to purchase would have to be made (the County could buy only what is needed, or more land to accommodate future uses).
- The Town of Hortonia has been supportive of the concept of a relocated highway facility, but land use approvals would be needed.

» The DOT site in the Town of Hortonia does not have public utilities, so construction would involve a septic system and well. In addition, there is shallow rock on this site.

4.3.2 Shiocton

The Shiocton site functions, but upgrades are needed. The active part of the site is approximately 9 acres, and approximately 12 additional acres are located to the east and rented to a local farmer. Much of this land is floodplain. Another 1.3 acres of surplus land is located to the west of the shop.

The Village of Shiocton is comfortable with the use, as long as any future expansion plans don't impact local roads. A neighbor has expressed interest in purchasing the 1.3 acre parcel if it is not needed. The Village indicated that some storage and temporary uses could take place in the floodplain.

This site offers the following opportunities:



"County" Salt Shed - Shiocton

» The ability to set up an "Equipment Learning Space or Equipment Training Lab" for heavy equipment operators.
» The option to sell the 1.3 acres to the east or keep it for future expansion.

4.3.3 Seymour

The Seymour location is the second smallest garage, but it has a good amount of surrounding space. The site is five acres. There is room for current and future material storage and the potential to support and collaborate with the City of Seymour Public Works which owns much of the surrounding land. The City supports the current location and is open to operational cooperation.

This site offers the following opportunities:

» Additional future material storage (base course, reclaimed asphalt, excavated material).

- The potential to support and collaborate with the City of Seymour Public Works.
- The potential to share fueling with City or school district.

4.3.4 Brewster Street

This site is currently being used for material storage, including snow storage from the courthouse. A previous study identified Brewster Street as a good option for a relocated dog park. However, if the dog park is moved to this site, a new location will need to be found for material and snow storage. This site is currently far away from the other Highway locations, and a site in the central part of the county would be more ideal for material storage. There are some site constraints:

- There are some drainage issues.
- There was an old garage on site. Contamination could be an issue.

There are several advantages to using this site as a dog park, including:

- The Brewster Street site serves a more populous area. The existing park is relatively close to Kaukauna's dog park, so resources would be better dispersed with a new location.
- Brewster Street has water and sewer service nearby so connections can be made.
- There is an inter-generational playground proposed nearby. The dog park and the playground could be a coordinated draw for the area.
- There is more development potential, and thus more potential use of a dog park, at the Brewster Street location.
- The Town of Grand Chute could be a partner in finding alternate sites for the existing material and snow storage.



4.4 Sheriff's Office and Emergency Management

An expansion to 3030 Goodland site has been approved, and it has been determined that the evidence storage can be moved from the Zebra12 building on the Highway Department's portion of the Holland Road site to that facility. The Emergency Management Department's materials could also potentially be moved to Goodland or accommodated elsewhere in a Highway Department facility.



CERT - Emergency Management Trailer

5 Options and Alternatives

The previous chapters have outlined existing conditions, needs, opportunities and constraints. This chapter focuses on options for some alternative sites and redevelopment of several existing sites.

In order to narrow the number of options and focus on those that are most logical and efficient, several high-level conceptual approaches were considered and either decided against or carried forward. Then concept plans were produced for the Highway Department site for consideration.

5.1 High Level Conceptual Options

Option 1: New Highway Headquarters

The approach could be taken that the Highway Department has outgrown its operations at the Holland Road site, and a new site could be found. If Option 1 were pursued, a site of at least thirty acres would need to be found. While this could be feasible, the current location in the greater Appleton area is well positioned. If a new site were pursued, it should be located near Appleton, but farther east to better disperse operations throughout the County. Property east of the current site could easily cost $100,000 an acre. Thus, land alone would total $3 million and site development could total $30 million.

Option 2: Reconfiguration of the Existing Holland Road Site

The Holland Road site could be reconfigured. However, the major issue is that Recycling and Solid Waste will need most of the site. The only potential for flexibility would be if some of the expected soil storage could be sold off or housed elsewhere. The Highway Department is currently functioning at the maximum capacity that the 20-acre area can accommodate, so some additional land would need to be dedicated to the Highway Department during re-configuration.

Option 3: More Space Sharing

There is some potential for storage and activities to be shifted between the different Highway facilities. However, this is limited because most activity and staff are focused around the Appleton site. Space sharing would likely be limited to storage. Before this option can be fully explored, decisions need to be made about the satellite operations in order to understand how they can function better and potentially alleviate some of the pressures on the Holland Road site.

Option 4: Relocation of the Outlying Highway Department Facilities

The Seymour and Shiocton garages have adequately-sized lots and are well positioned in the county, so they should remain. The Hortonville site either needs to be expanded or relocated in order to function into the future.

5.2 Recommended Approach

After weighting the four high level options and developing a series of conceptual plans, the overall recommended approach is to reconfigure the existing Holland Road site. While some land will be needed from the areas that Recycling and Solid Waste has planned for soil storage, efforts were made to keep this to a minimum. It was determined that working with the existing Appleton site is the most financially prudent. While improvements are needed, the core structures at the Holland Road site are in good condition and have several decades of life expectancy.

While shifting uses and space sharing between the Highway shops may not have a major impact, it does provide more incentive to upgrade the outlying facilities.

The two options for the Hortonville site are outlined below along with concept plans for the Shiocton and Seymour sites.

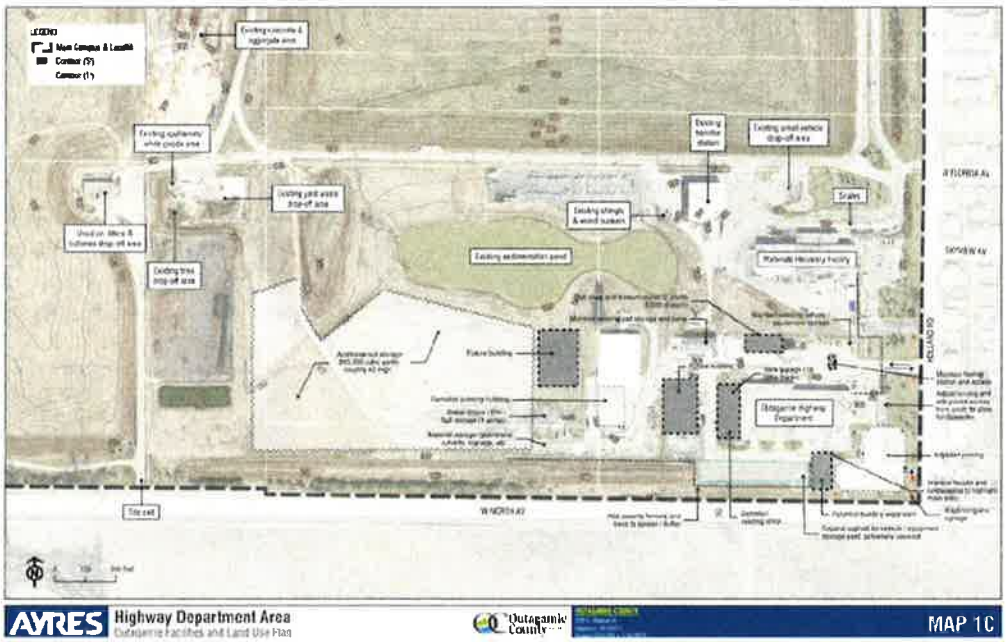
5.3 Site Alternatives

Much of the planning processes focused on the creation of site plans for the various Highway facilities. Concepts were drawn and refined for the existing Hortonville site, the DOT site (which could be a potential new location), the Shiocton site, and the Seymour site. Multiple concepts were developed for the Highway portion of the Appleton site, and these were ultimately narrowed to one preferred option. The Brewster Street site was excluded from the drawings because concepts for that were created in a previous dog park relocation study.

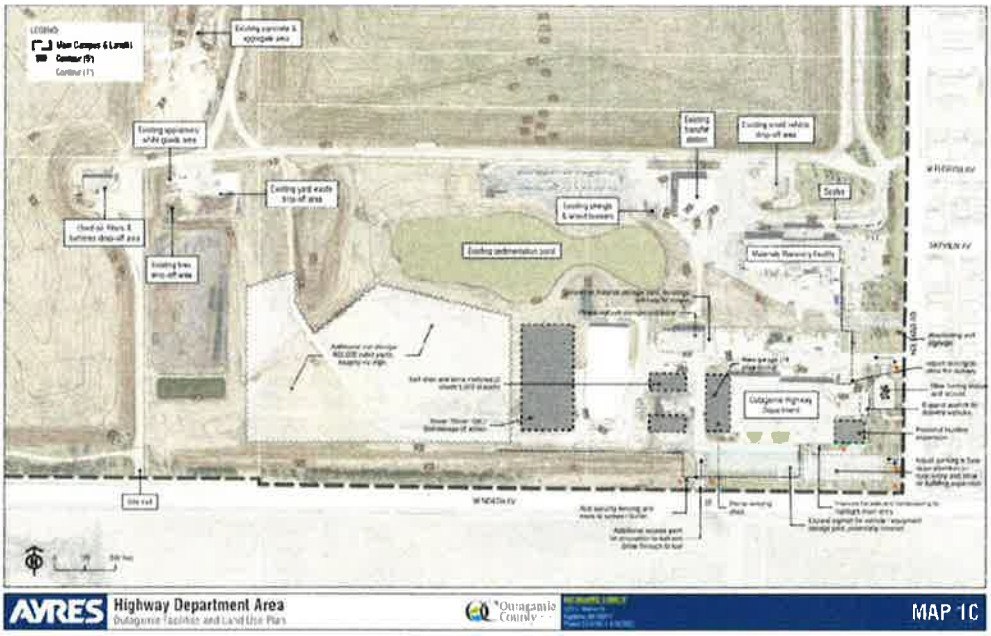
The concepts were developed to a level where cost models could be created. These cost estimates were created for long-term budgeting purposes and not for construction. The plans will have to be further developed after priorities have been confirmed. The improvements will take place over a series of years, so costs will increase with time, but it was the goal to create costs that could be compared by order of magnitude at this time.

5.3.1 Appleton

Initially four basic concepts for the Appleton site were presented virtually to Recycling and Solid Waste, Highway, and Development and Land Services staff in August 2022. These are shown on the following pages.

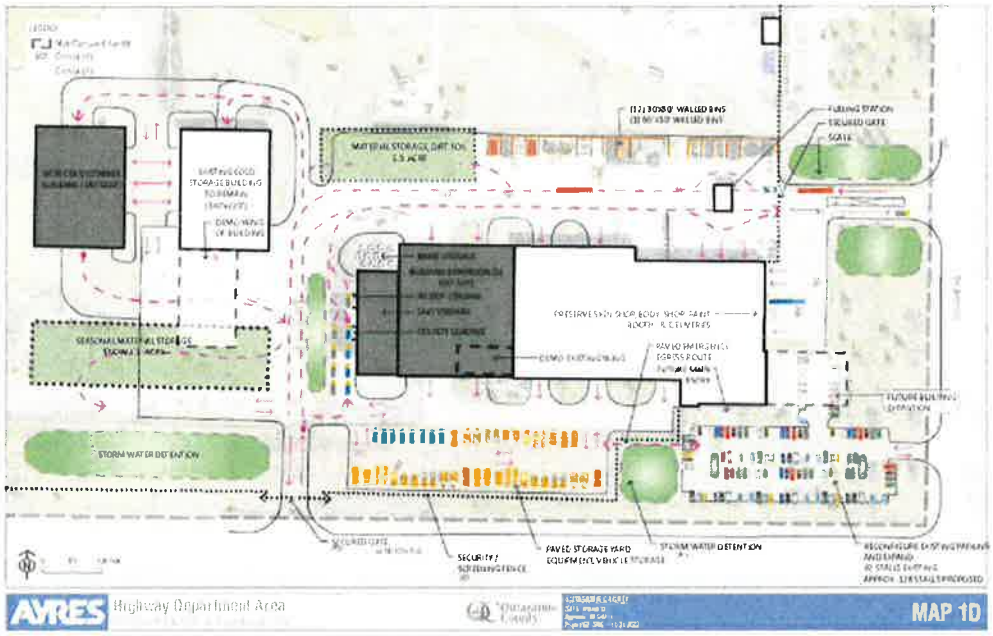

AYRES
Highway Department Area
Outagamie Facilities and Land Use Plan
Outagamie County
MAP 1C

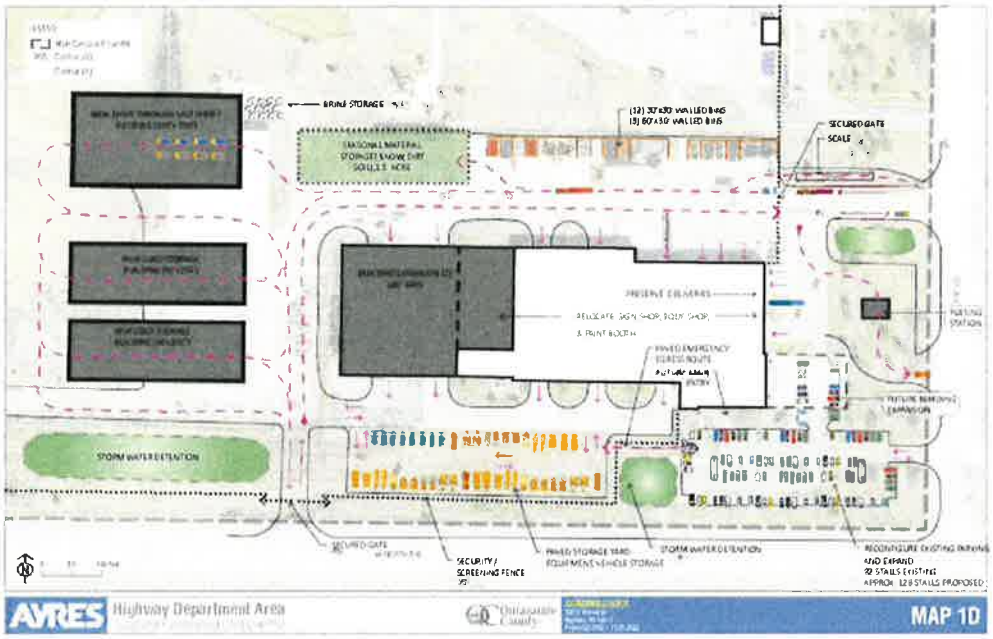

AYRES
Highway Department Area
Outagamie Facilities and Land Use Plan
Outagamie County
MAP 1C


AYRES
Highway Department Area
Outagamie Facilities and Land Use Plans
Outagamie County
MAP 1C

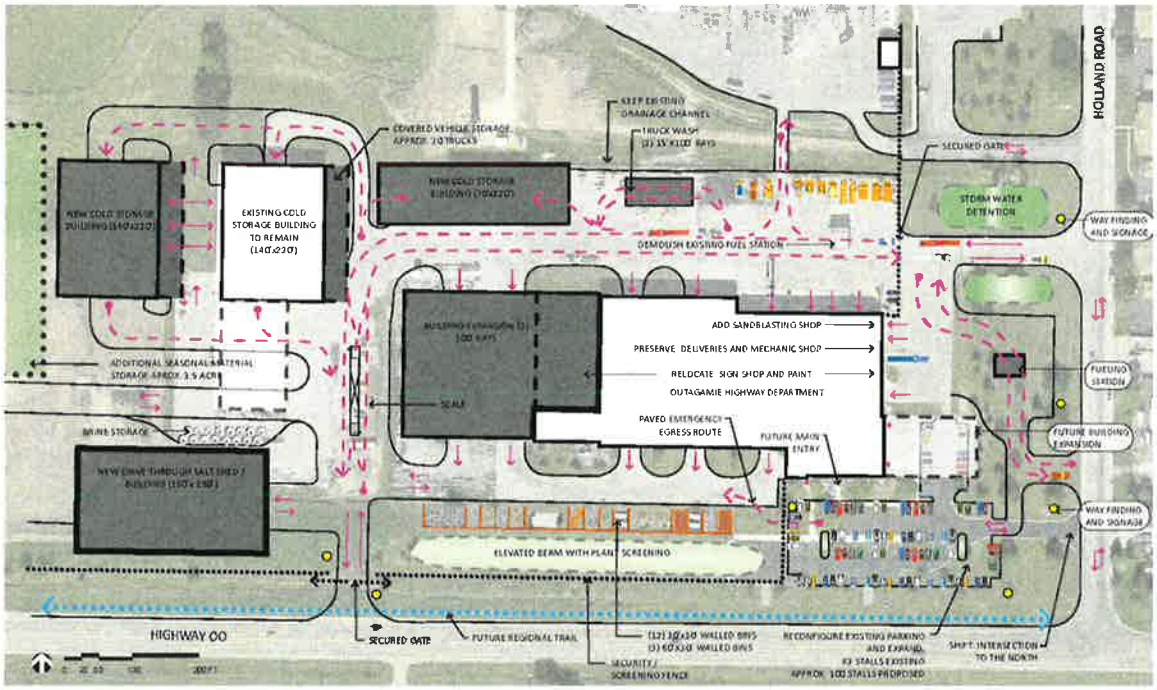

AYRES
Highway Department Area
Outagamie Facilities and Land Use Plan
Outagamie County
MAP 1C

After input from all three departments these concepts were refined into two concepts that were presented at a workshop session in November.





The two refined concepts were then narrowed down to a final concept, presented below:



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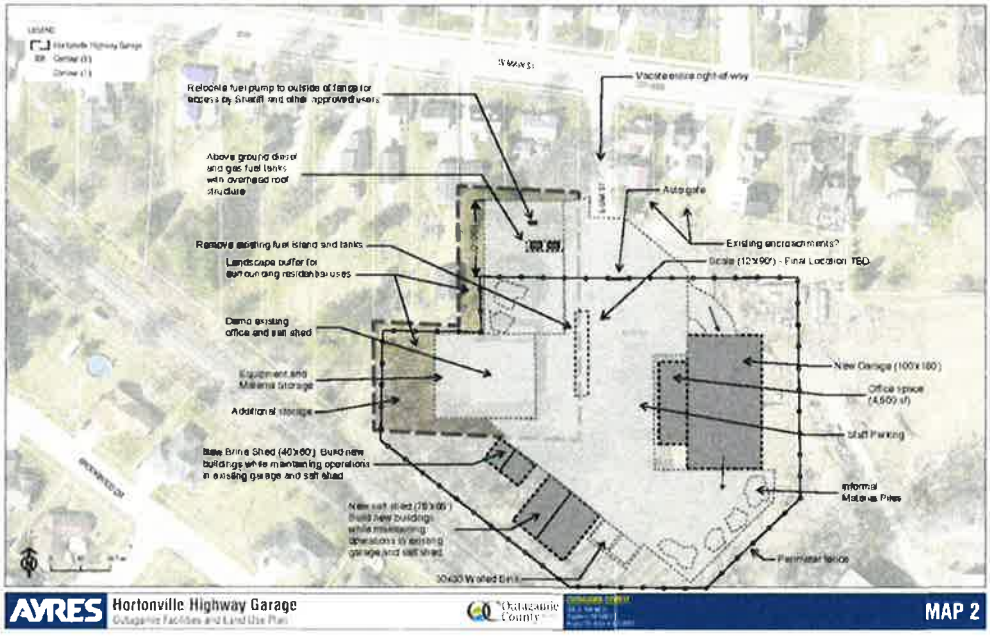
The final concept accomplishes the following goals:

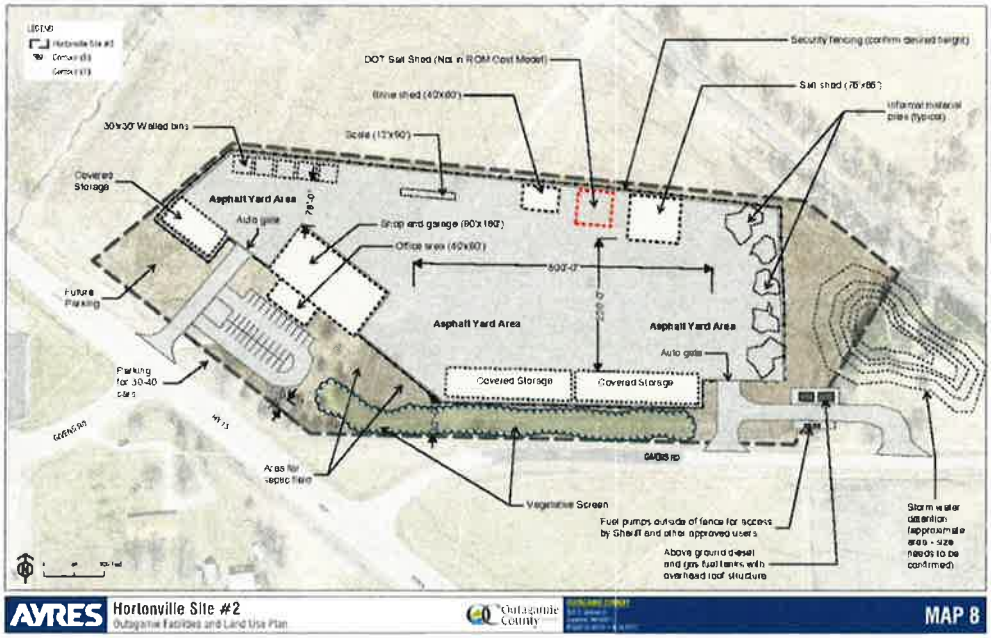
- Moves the fueling station to the exterior edge of the site where it can be used by the Highway Department, other departments and municipalities.
- Adds a truck wash station.
- Adds two new cold storage buildings while retaining part of the existing Zebra12 building.
- Plans for a second entrance/exit to CTH OO (North Ave.) for highway equipment.
- Adds a scale and a salt shed location.
- Provides for fencing around the site.

The associated cost and phasing of this plan is discussed in Chapter 6, Recommendations and Implementation.

5.3.2 Hortonville Site Plan

Concepts for redevelopment of the existing site and development of a new site were both developed. These evolved over time, and the final concepts are shown below.





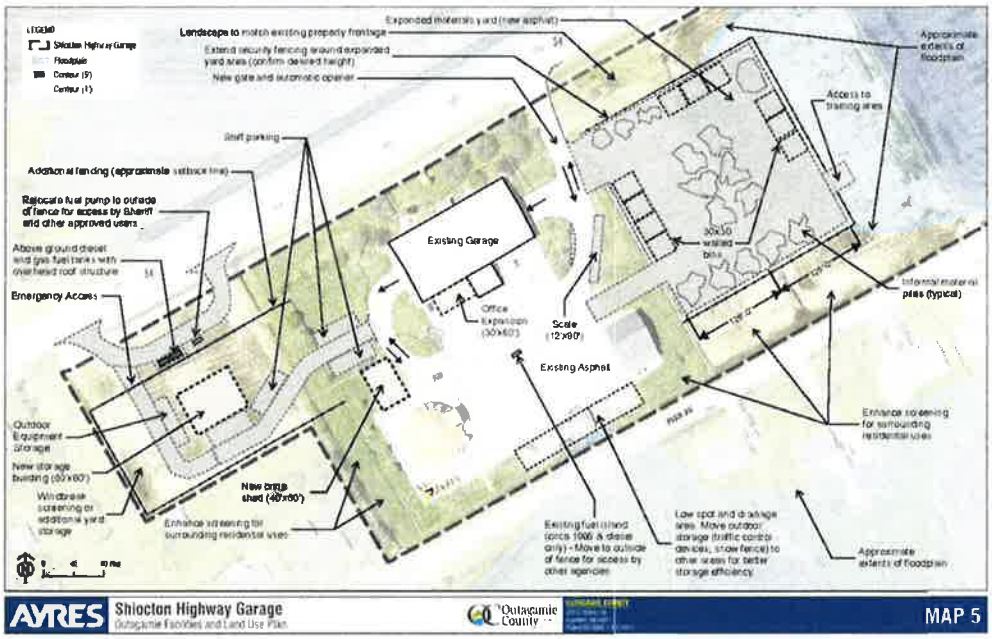
For the redevelopment of the existing site, approximately four acres would need to be purchased from the adjacent property owner and public right-of-way vacated. There is some flexibility in the amount of land that could be purchased from the DOT. The Hortonville Highway Garage concept shows approximately thirteen acres. While that much space is not needed for current functions, it would allow for other future uses or expansion. The pros and cons of these potential land purchases are discussed in Chapter 6.

Both concepts allow for storage of both State and County salt supplies. The site to the west would involve additional miles to be traveled by County crews. As discussed earlier, the western site would need approval from the Town of Hortonia.

5.3.3 Shiocton Site Plan

The Shicoton site is in good condition, but presents many opportunities for expanded functions since the site is large. The concept for Shiocton adds:

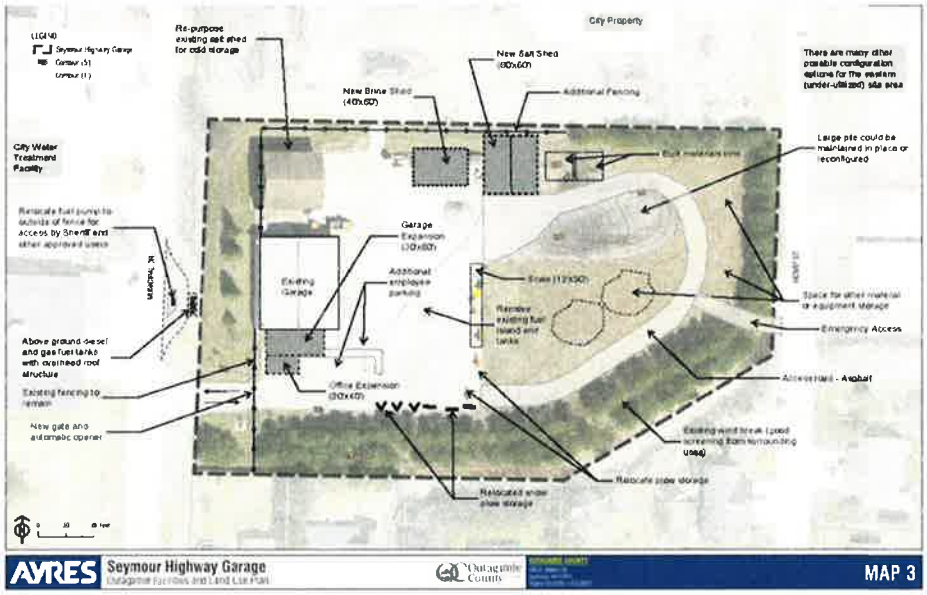
- Expanded materials storage.
- Building expansion.
- A scale.
- New fueling facilities that can be accessed from outside of the fenced-in area.
- Additional fencing.
- Space for an additional building.



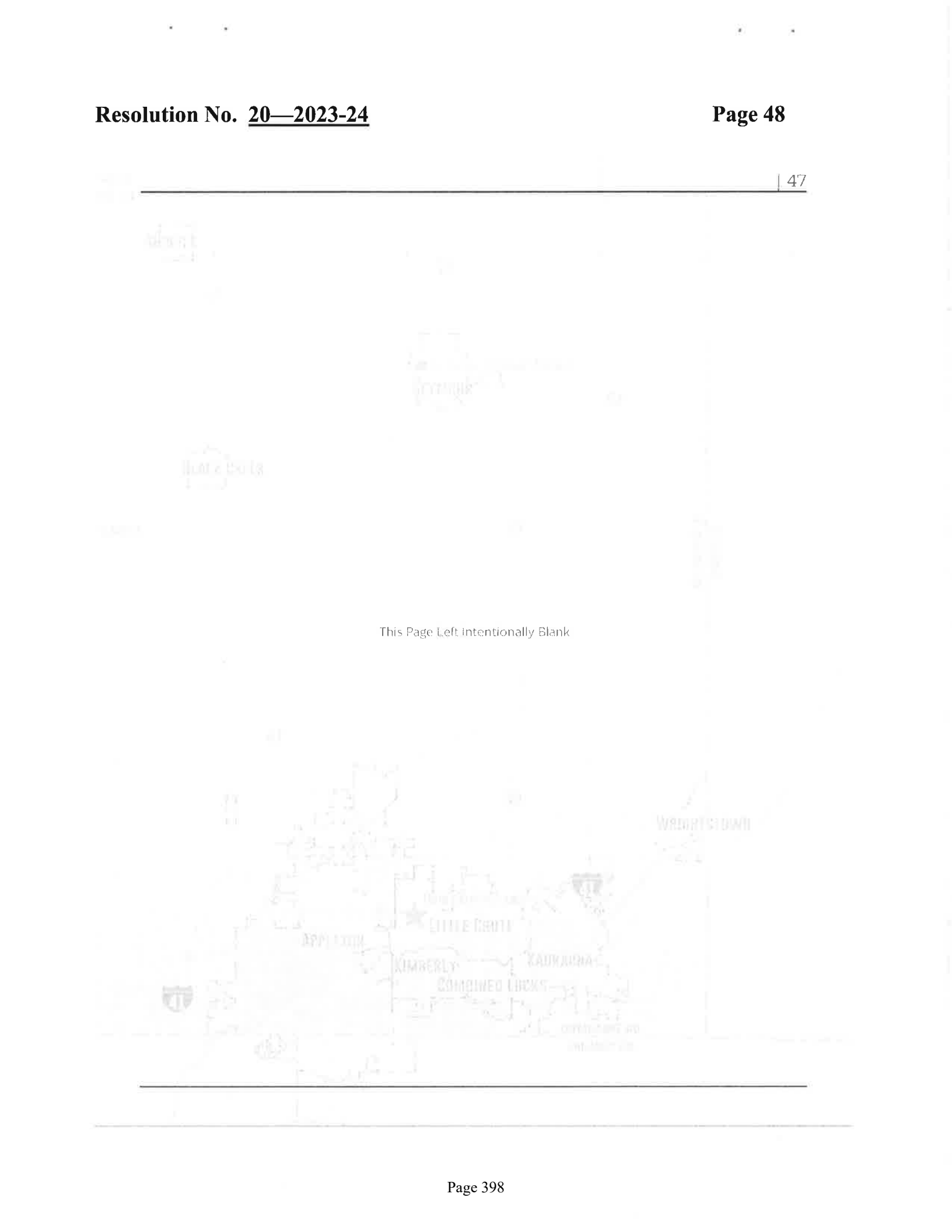
5.3.4 Seymour Site Plan

Like Shiocton, the Seymour site is functional, but for this site a new salt shed will be needed in addition to other improvements. The concept for Seymour involves:

- Building expansion.
- A new salt shed and brine enclosure.
- New fueling facilities that can be accessed from outside of the fenced-in area.
- Additional fencing.
- The re-purposing of the existing salt shed.



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6 Recommendations and Implementation

The previous chapters have outlined existing conditions, needs, opportunities and constraints, alternative sites, and concept plans for several facilities. This chapter focuses on recommendations, placing them in priority order, and outlining associated costs.

6.1 Recommendations in the Order of Priority

1. **Relocate the Sheriff's Office and Emergency Management storage to the facility at 3030 E. Goodland Drive:** Both the Sheriff's Office and Emergency Management Department have acknowledged that their stored materials currently in the Zebra 12 building on the Highway Department portion of the Appleton site, could be more efficiently placed in a different location. This study recommends that the Sheriff 's Office's evidence storage and the Emergency Management Department's supplies be moved to the Goodland site. This has been discussed with the Sheriff's Office; it is believed that their storage can be accommodated in the storage facility addition that is being considered as an option for the new 911 Center construction project.

   Issues/Next Steps:
   - Accommodating the storage may involve moving the planned dispatch center forward or more southerly, allowing for a larger footprint for a warehouse/storage facility to accommodate future space needs.
   - Details will be worked out during the architecture and engineering design process.

   Budget Placeholders: The cost for this will be part of the 911 Center construction projects.

   Timeline: 2023

2. **Relocate the dog park to the Highway Department controlled Brewster Street site:** In 2018 the County commissioned a study that examined two potential dog park sites, one on Casaloma Drive and the other on Brewster Street. The Casaloma Drive has subsequently been developed. The Brewster Street site is a reasonable alternative, and the concept plans that were prepared as part of that study should be further developed. As noted in previous sections of the report, the current dog park site has several challenges including a lack of utilities and parking issues. The site will function better as a hazardous waste drop-off site, as is planned by the Recycling and Solid Waste Department.

   Issues/Next Steps: Before moving forward with the relocation of the dog park, a plan for the storage of the materials that are currently on the Brewster Street site needs to be created. In addition, snow is stored on the site and a new location needs to be found for that. There is the potential to dispose of some of the materials and store some at the other Highway facilities. Snow storage is a larger challenge because it is an ongoing commitment and involves the cost of hauling annually. Initial conversations with the Appleton Airport revealed that there is the potential to store snow there. Approximately, five acres would be needed, and the Highway Department would need a commitment to be able to store snow for approximately ten years. Next steps include:

   - Discussion with the airport to finalize the location for the snow storage, screening, and road access, and cost arrangements. The Highway Department could potentially provide services to the airport rather than incurring on going leasing fees.
   - Monitor of the availability of another site that the Highway Department could purchase for long-term storage.
   - Prepare final design of the dog park

   Budget Placeholders: At the time that the Dog Park Strategic Plan was developed, costs for the development of a new facility were estimated at $884,000. This did not include final design, construction documents, or environmental analysis. Moreover, this cost estimate is now several years old, and there will be a cost to relocate the existing materials on the Brewster Street site and some ongoing costs for snow storage. For broad budget placeholders, this study recommends:

- Land Acquisition: $500,000 in case land would have to be purchased for the snow storage in the future. To avoid the cost of hauling long distances, this site would need to be centrally located, which increases the land costs.
- Design and Engineering: $150,000
- Construction: $1,000,000

Timeline: Efforts to relocate the materials and final design should be initiated in 2023.

3. **Purchase land from the DOT for a new highway shop and salt shed in the Town of Hortonia:** In Chapter 5, concept plans were presented for both the existing site and a potential future site on land owned by the Department of Transportation. The costs for the two options are similar with the expansion and redevelopment of the current site estimated at $10,096,170 and construction on the currently undeveloped site at $11,437,380 (detailed cost estimates can be found in Appendix B). The new site is recommended for the following reasons:

   - The newly purchased site would be larger (approximately 13 acres, versus an expanded plan for a four acre site), allowing for more flexibility and future expansion.
   - The purchase process is more predictable. It is unknown if the owner of the property adjacent to the current site is willing to sell.
   - All new construction will allow for more efficient and environmentally sound facilities.
   - The new site would allow for better coordination with the State DOT.
   - There is a potential for better land use on the current site. The current site is in a developed area. Ultimately, it could be redeveloped into housing, recreation, or even expanded commercial use.

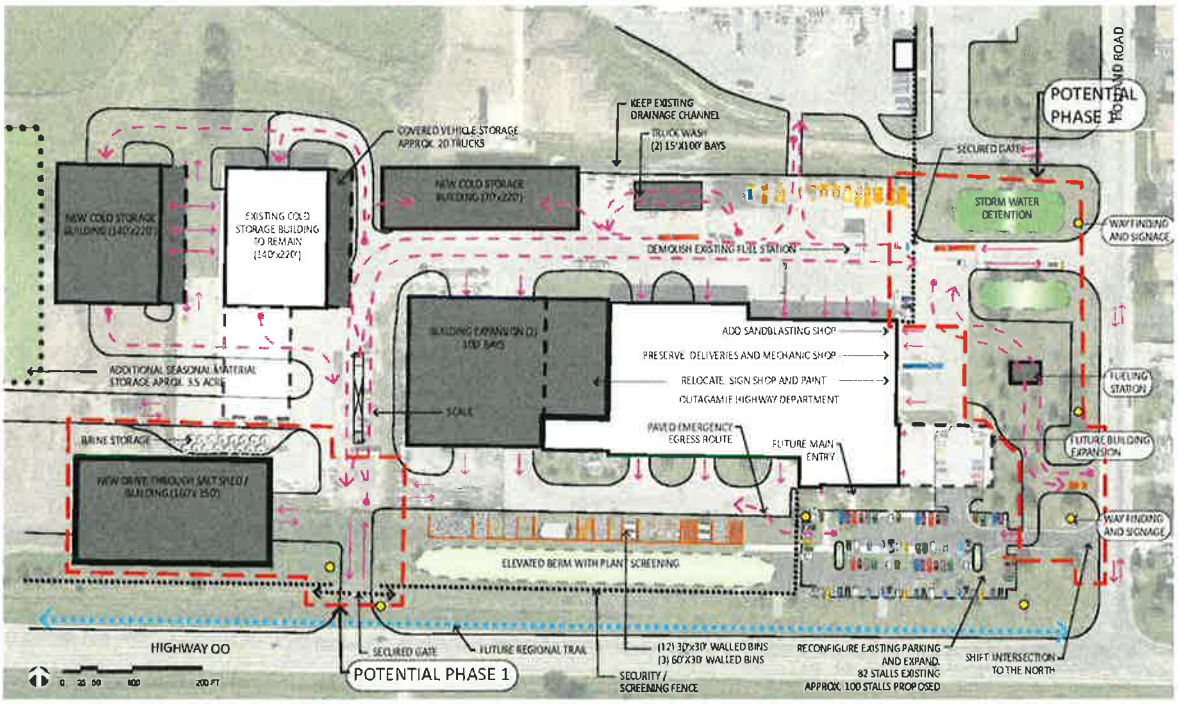
   Issues/Next Steps:
   - Negotiations with the DOT for the land purchase
   - Obtainment of land use approvals from the Town of Hortonia
   - More detailed site design
   - Coordination with the Village of Hortonville on the redevelopment of the existing site.

   Budget Placeholders:
   - Land Acquisition: $325,000
   - Design and Engineering: $420,000
   - Construction: $10,057,380

   Timeline: Land purchase should be initiated as soon as possible, followed by land use approvals and final design. Construction could occur in 2024.

4. **Final Design for Highway Department improvements on the Appleton site:** This plan puts forth a solid concept for improving the Highway facilities at Holland Road. Cost estimates can be found in the Appendices, but since these improvements are a major investment and must be coordinated with multiple other efforts, phasing is key.

   Issues/Next Steps:
   - Develop a "boundary agreement" between the Recycling and Solid Waste Department and the Highway Department
   - Initiate a discussion of the proposed entrance on County Road OO. This should be coordinated with plans for improvements at County Road OO and French Road and County Road OO and Holland Road
   - Initiate land use approvals with the Village of Little Chute
   - Coordinate with the State on salt storage



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Budget Placeholders:

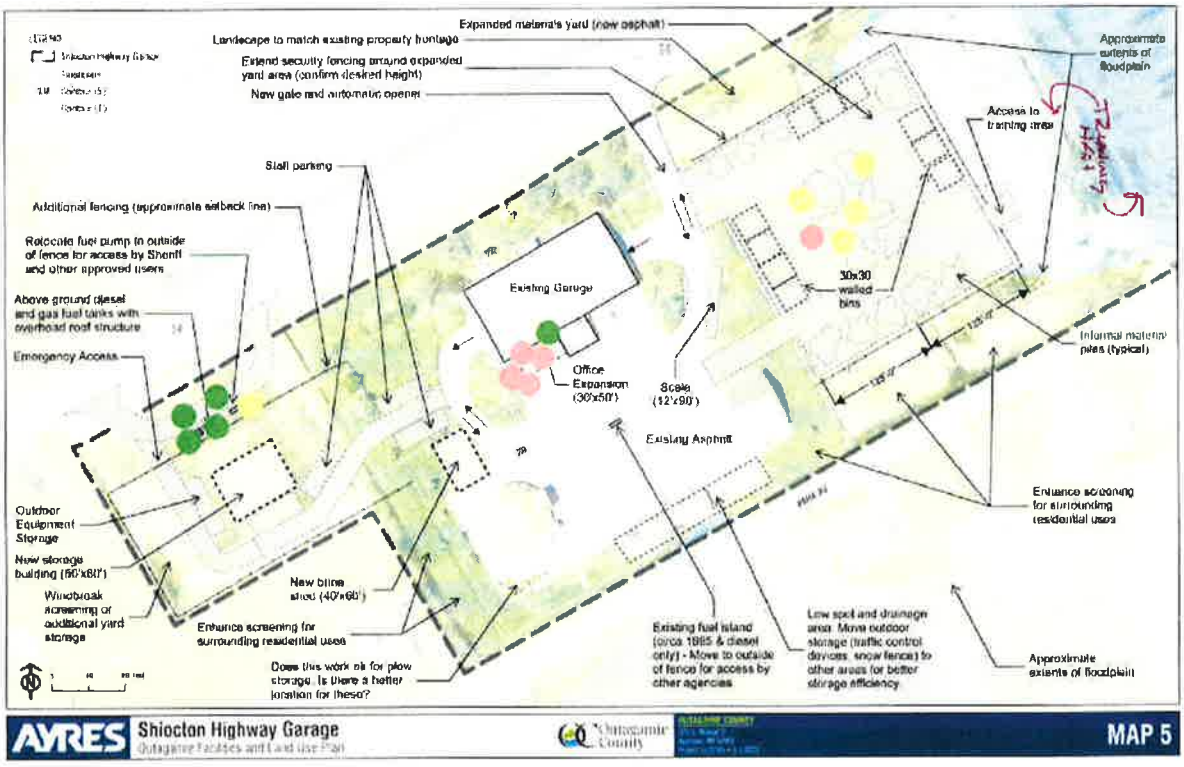
- Land Acquisition: An agreement will need to be drafted shifting some property from the Recycling and Solid Waste Department to the Highway Department. The two key locations are the site of the former co-generation facility and approximately four acres of land that would be needed to the west of Zebra12 to allow for modest expansion and circulation.
- Design and Engineering: $1,500,000.
- Construction: $ 35,863,3420

Timeline: A land agreement should be drafted in early 2023. The top priorities for the Highway Department are a new fueling station and a new salt shed. Design for these should be solicited in 2023. The new salt shed will necessitate the construction of an entrance/exit off of County Road OO.

5. **Improvements to Shiocton and Seymour sites:** Several similar improvements are recommended for the Shiocton and Seymour Highway facilities. Cost estimates can be found in the Appendices. The Shiocton improvements are broadly estimated at $2,915,400, and Seymour is expected to cost approximately $3,681,000. The primary difference in the cost is that a new salt shed is planned for Seymour, and not for Shiocton.

   Staff was asked to "sort" the recommended improvements and identify immediately needed improvements with green dots, mid-term needs with yellow dots, and longer term investment with red dots. For the Shiocton site, the top priority is a new fueling facility, followed by yard and storage expansion, and then building expansion.

   Conversely, at the Seymour site (image on following page), the top priority is building expansion, followed by the addition of a scale and new salt shed, and the repurposing of the existing salt shed.



Issues/Next Steps:

- Initiate detailed site design for the new fueling station at Shiocton. While this was not a primary priority at the other sites, there may be efficiencies in designing and bidding stations for Shiocton, Seymour, and Appleton at the same time.
- Initiate detailed design for building expansion at the Seymour site.
- Initiate detailed design for a new salt shed at the Seymour site.

Budget Placeholders:

- Land Acquisition: NA
- Design and Engineering: $255,000
- Construction for three fueling stations: $600,000
- Construction of the Seymour salt shed: $650,000
- Construction of Seymour building expansion: $435,000



Timeline: Brine storage and back up generators have already been programmed for funding in 2024. Beyond those investments, in order to focus on the more immediate needs of developing a new Hortonville site and retrofitting the Appleton site, it is recommended that the improvements at Shiocton and Seymour be programmed for 2026 and beyond.

Costs Summary*

Site	Land	Soft Costs [design, contingency,	Construction	Total
Zebra 12	Costs for relocation of storage is included in 911 Center construction.			
Dog Park	$500,000	$150,000	$1,000,000	$1,650,000
Appleton	Negotiated between depts.	$7,467,600	$37,363,350	$44,830,950
Hortonville [Highway 15]	$325,000	$2,192,500	$8,922,500	$11,440,000
Shiocton	NA	$726,000	$2,955,000	$3,681,000
Seymour	NA	$579,000	$2,336,000	$2,915,000

* Costs are placeholders for budgeting and subject to change with further design. Costs are rounded from detailed projections found in the appendices.

6.2 Operational Efficiency and Resiliency

The primary reason for improving any facility is to improve operational efficiency. This can result in savings of many forms including materials, personnel costs, and risk management. In highway operations these savings can be realized in the department, but they also can have an impact on the larger community. Public works related operations keep people safe, and when they run efficiently, they save money for the general public. Solid investment in highway facilities can make a community more resilient to impacts of natural threats such as storms. Efficient highway operations keep a community up and running. Below, some of the daily saving and other benefits of recommended capital improvements are outlined.

6.2.1 General Safety

Generators– The purchase of a generator is recommended for each site. Currently, the Appleton site is the only one with a generator. Generators are needed at each site to keep operations going during storms. In the smaller communities of Hortonville, Shiocton, and Seymour this is even more important because the County sites could be the only ones with generators in each community.

Broadband – Broadband access is needed at each site to ensure communications, training, operations and safety. Cameras that secure the sites require broadband access.

Fencing – Updated fencing is recommended for all sites. Currently they are not secure.

6.2.2 Salt and Brine Operations

New salt sheds – New salt sheds are recommended for Appleton, Hortonville and Seymour. Having more salt storage will allow the County to have supplies on hand and will eliminate the inefficiency of ordering more salt on an as needed basis. Having more salt on hand makes the county more secure in the face of increased demands and potential shortages.

Scales – New scales are recommended at each site. This will help monitor usage and create better tracking of supplies.

Brine – Currently the brine is transported from the Appleton site to the other locations. Having brine facilities at each site will create operational savings and deliver product to the roads more directly and cost effectively.

6.2.3 Fuel

New fuel islands accessible to others – At each site, the new plans call for fueling stations to be outside of the fenced area so they can be accessed by other agencies such as the Sheriff's Office, school districts, or local authorities. Creating these agreements will offset costs.

Supplies – Having others access the fuel will also keep fuel circulating. Currently the fuel becomes stagnant, resulting in a poor use of supplies.

More capacity – As with salt supplies, having new tanks will allow the County to purchase in bulk on its schedule resulting in potential savings.

Accidents – The current locations of the fuel islands are not ideal, and they sometime get run into in bad weather. Having a coordinated site plan with the appropriate location for fuel will result in better operations.

6.2.4 Equipment Storage

Indoor storage – The new plans call for more indoor storage of all types of equipment including more trucks and construction equipment. The current configuration of the shops is make parking and storing the vehicles difficult, but with expanded shops, trucks can be stored more efficiently and be kept out of the elements.

6.2.5 Environmental Management

Stormwater runoff – Currently there is no formal stormwater management at any of the highway sites. Stormwater management will be part of site improvements which will reduce the leaching of salt and other materials into the groundwater. In particular, a new shop in Hortonville will allow for a more environmentally sensitive design.

6.2.6 Personnel

One of the greatest resources of an organization is its people. Currently the outlying Highway Department facilities do not meet expected standards for workspace. There are no separate locker rooms for different genders, employees take breaks and eat lunch where tools and mechanical equipment are kept, and there is inadequate space for private, personnel management related meetings. For the County to be inclusionary and to attract and retain quality workers, improvements to these shops need to be made.

6.2.7 Summary

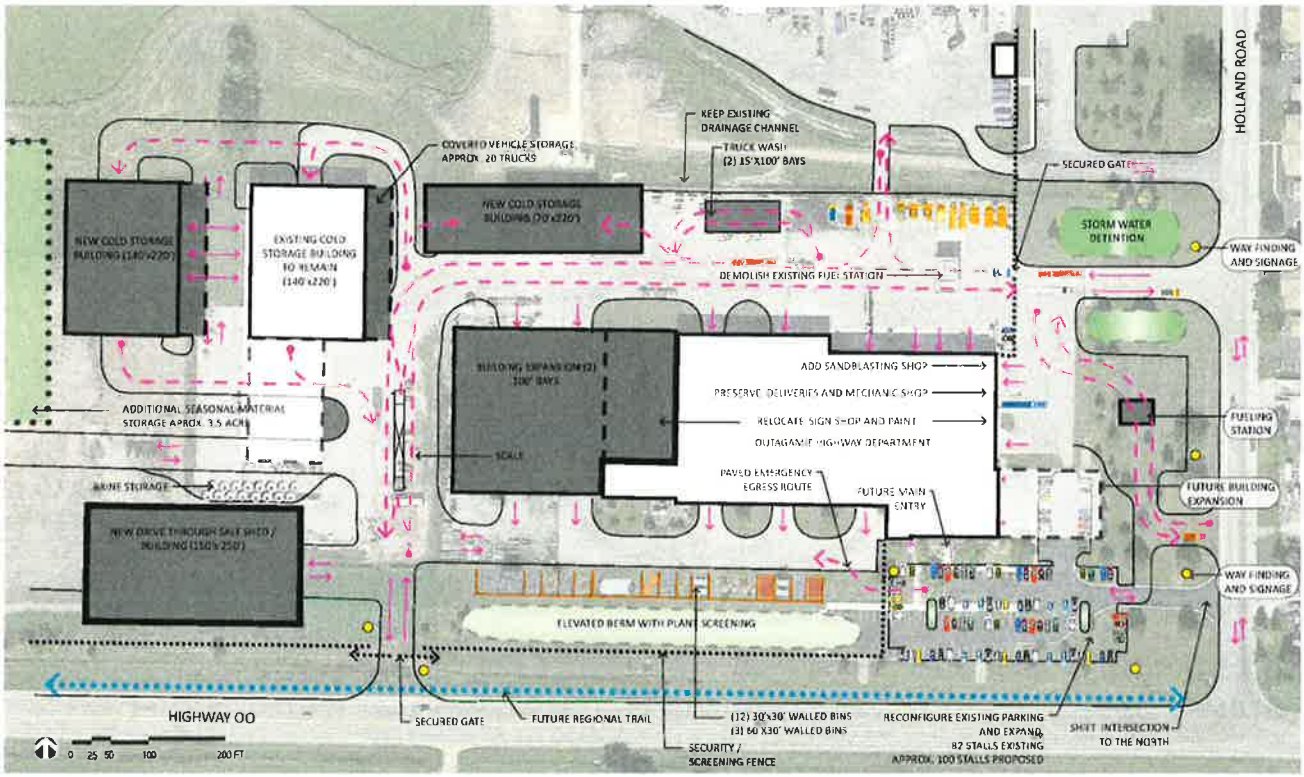
This plan has outlined the current situation of the Appleton site being crowded and lacking an overall site plan. In addition, the outdated highway sites in Hortonville, Shiocton, and Seymour were evaluated and design suggestions made. A plan that accommodates the planned expansion of the Recycling and Solid Waste Department in Appleton while reconfiguring and slightly expanding the Highway Department operations is a key feature of this study, along with concepts for the outlying sites. Costs for each and a series of decisions are presented, and ultimately the cost savings and safety impacts are summarized.

Priorities and costs have been reviewed with the County staff. The top priorities are to purchase land for a new Highway facility to the west of Hortonville and to begin work on the Appleton site to accommodate a new salt shed and other improvements. The Sheriff's Office and Emergency Management materials at Holland Road site in Appleton can be relocated soon, and plans can begin for the relocation of the dog park at the same time. Smaller improvements should be made to the Shicoton and Seymour sites, but major improvement for those sites can come in a few years.

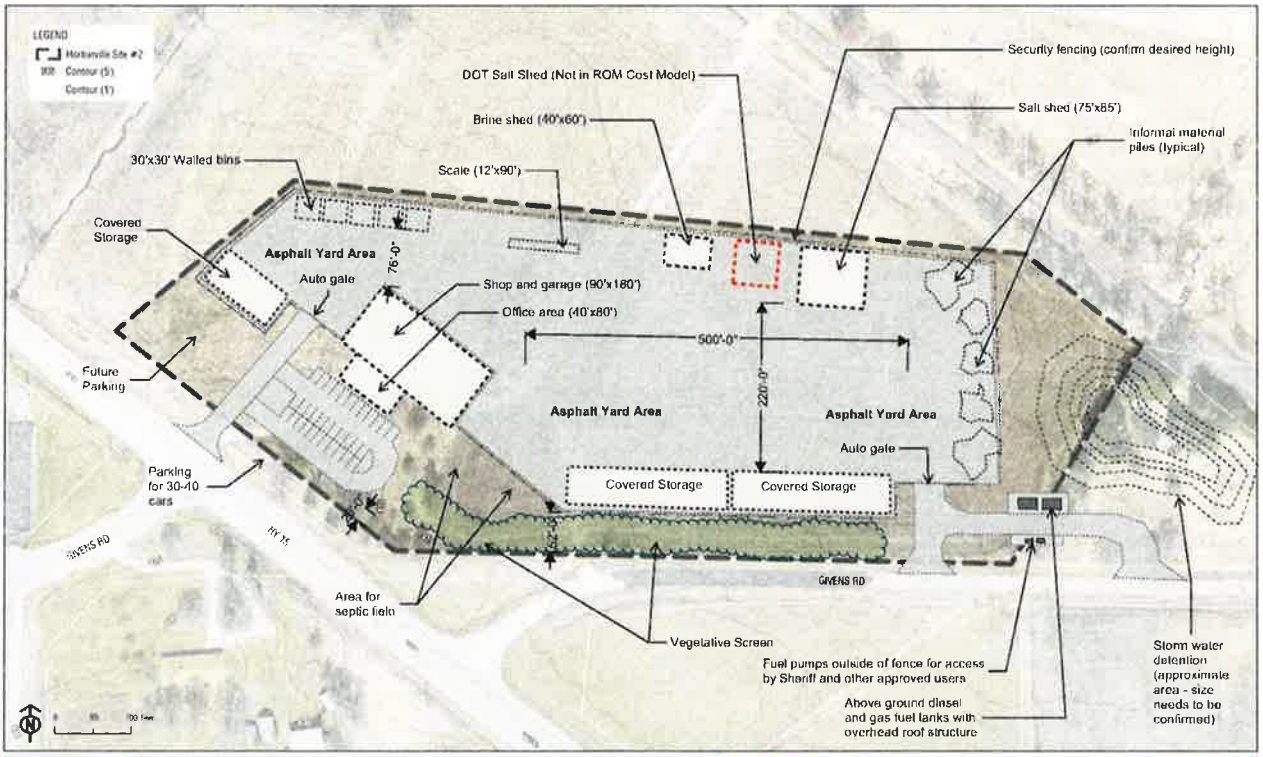
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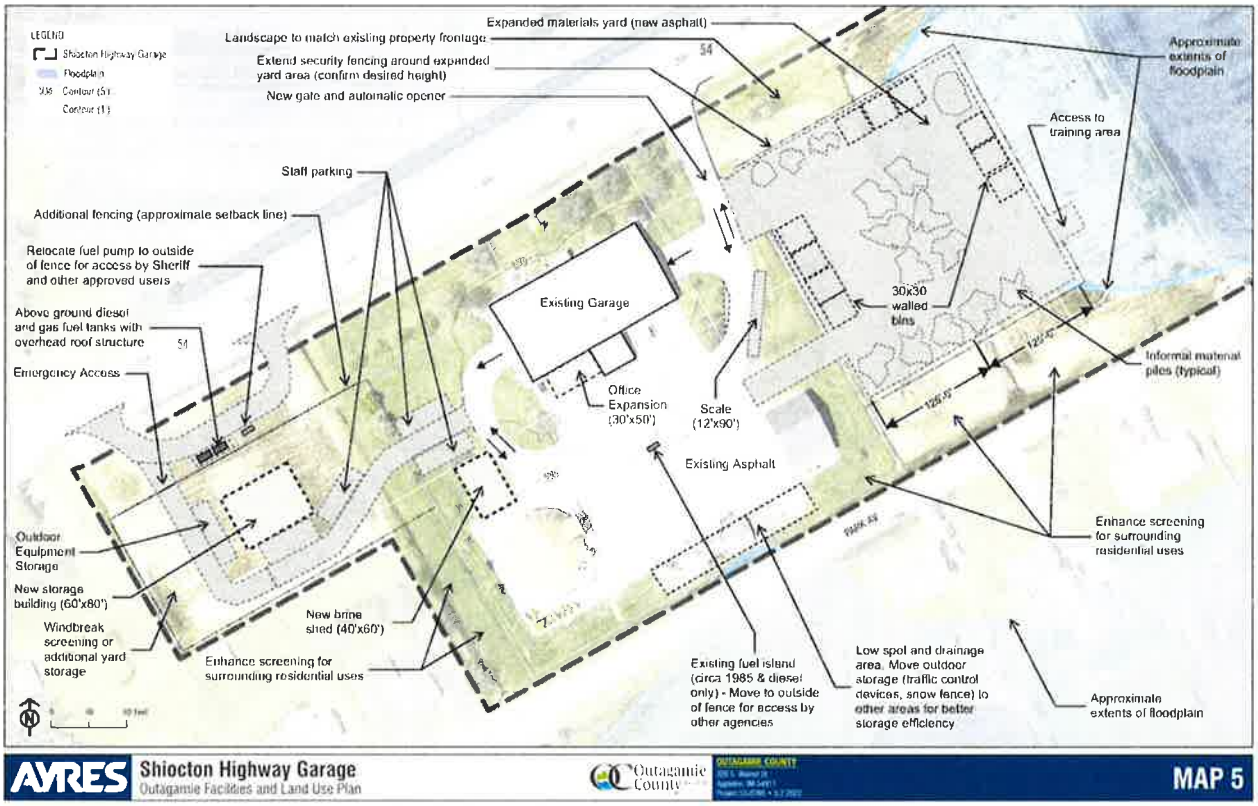
A Appendix A - Concept Plans

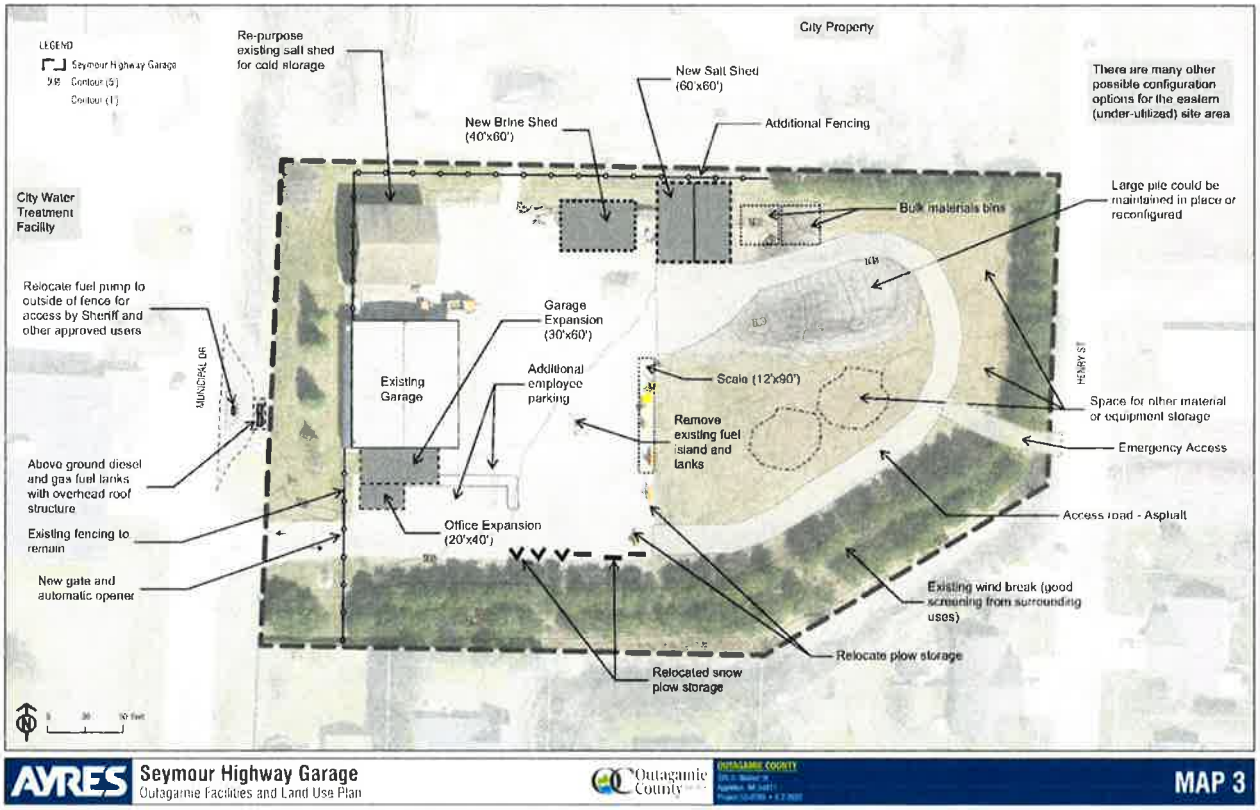


AYRES OUTAGAMIE FACILITIES AND LAND USE PLAN | HIGHWAY DEPT. PLAN



AYRES Hortonville Site #2 Outagamie Facilities and Land Use Plan — Outagamie County — MAP 8


LEGEND
Shiocton Highway Garage
Floodplain
Contour (5')
Contour (1')
Expanded materials yard (new asphalt)
Landscape to match existing property frontage
Extend security fencing around expanded yard area (confirm desired height)
New gate and automatic opener
Approximate extents of floodplain
Access to training area
Staff parking
Additional fencing (approximate setback line)
Relocate fuel pump to outside of fence for access by Sheriff and other approved users
Above ground diesel and gas fuel tanks with overhead roof structure
Existing Garage
30x30 walled bins
Informal material piles (typical)
Emergency Access
Office Expansion (30'x50')
Scale (12'x90')
Existing Asphalt
Outdoor Equipment Storage
New storage building (60'x80')
Windbreak screening or additional yard storage
New brine shed (40'x60')
Enhance screening for surrounding residential uses
Existing fuel island (circa 1985 & diesel only) - Move to outside of fence for access by other agencies
Low spot and drainage area. Move outdoor storage (traffic control devices, snow fence) to other areas for better storage efficiency
Enhance screening for surrounding residential uses
Approximate extents of floodplain
AYRES
Shiocton Highway Garage
Outagamie Facilities and Land Use Plan
Outagamie County
MAP 5


LEGEND
Seymour Highway Garage
Contour (5')
Contour (1')
City Property
Re-purpose existing salt shed for cold storage
New Salt Shed (60'x60')
There are many other possible configuration options for the eastern (under-utilized) site area
New Brine Shed (40'x60')
Additional Fencing
City Water Treatment Facility
Bulk materials bins
Large pile could be maintained in place or reconfigured
Relocate fuel pump to outside of fence for access by Sheriff and other approved users
Garage Expansion (30'x60')
MUNICIPAL DR
Existing Garage
Additional employee parking
Scale (12'x90')
HENRY ST
Space for other material or equipment storage
Remove existing fuel island and tanks
Emergency Access
Above ground diesel and gas fuel tanks with overhead roof structure
Access road - Asphalt
Existing fencing to remain
Office Expansion (20'x40')
New gate and automatic opener
Existing wind break (good screening from surrounding uses)
Relocate plow storage
Relocated snow plow storage
AYRES
Seymour Highway Garage
Outagamie Facilities and Land Use Plan
Outagamie County
MAP 3

B Appendix B - Costs

Hortonville Highway Garage (Existing In-Town Site)

Outagamie Facilities and Land Use Plan - Outagamie County, Appleton, Wisconsin — Date: November 7, 2022

Rough Order of Magnitude Cost Model *- Intended for Site Investment Evaluation Not Budget Establishment*
(Ayres recommends working with a local contractor to analyze numbers used for budgeting and grant pursuits)

Estimator: DL — **Total Estimate:** $10,896,170.00

	ITEM NO.	DESCRIPTION	UNITS	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE	Notes
BUILDING IMPROVEMENTS	1	Demolition - Demo and Haul off for Existing Office and Salt Shed	LS	1	$25,000.00	$ 25,000.00	
	2	Demolition - Site Clearing and Grubbing for New Office and Garage	LS	1	$3,000.00	$ 3,000.00	
	3	Demolition - Site Clearing and Grubbing for New Brine Shed	LS	1	$1,000.00	$ 1,000.00	
	4	Demolition - Site Clearing and Grubbing for New Salt Shed	LS	1	$1,000.00	$ 1,000.00	
	5	Utility Connections - Office and Garage (Water, Sewer, Gas, Electrical)	LS	1	$35,000.00	$ 35,000.00	
	6	Utility Connections - New Brine Shed (water and electrical)	LS	1	$8,200.00	$ 8,200.00	
	7	Utility Connections - New Salt Shed (electrical)	LS	1	$4,200.00	$ 4,200.00	
	8	Slab and/or Foundation - Garage	SF	18,000	$10.00	$ 180,000.00	
	9	Slab and/or Foundation - Office	SF	4,500	$10.00	$ 45,000.00	
	10	Slab and/or Foundation - New Brine Shed	SF	2,400	$10.00	$ 24,000.00	
	11	Slab and/or Foundation - New Salt Shed	SF	6,400	$10.00	$ 64,000.00	
	12	Metal Building Cost - Garage	SF	18,000	$200.00	$ 3,600,000.00	
	13	Metal Building Cost - Office	SF	4,500	$275.00	$ 1,237,500.00	
	14	Metal Building Cost - New Brine Shed	SF	2,400	$180.00	$ 432,000.00	
	15	Metal Building Cost - New Salt Shed	SF	6,400	$180.00	$ 1,152,000.00	
					Sub Total (Building Improvements)	**$ 6,811,900.00**	
SITE IMPROVEMENTS	16	Site Demolition - Yard Area	SF	110,000	$0.30	$ 33,000.00	
	17	Erosion Control and BMPs	SF	110,000	$0.05	$ 5,500.00	
	18	Earthwork and Grading	SF	110,000	$1.00	$ 110,000.00	
	19	Asphalt - Fueling and Yard Area	SF	115,000	$4.00	$ 460,000.00	
	20	Fencing	LF	1,800	$15.00	$ 27,000.00	
	21	Reseeding	SF	36,000	$0.50	$ 18,000.00	
	22	Brine Making Equipment	LS	1	$75,000.00	$ 75,000.00	
	23	New Material Bins	EA	4	$2,000.00	$ 8,000.00	
	24	New Fuel Island and Tanks	LS	1	$200,000.00	$ 200,000.00	
	25	Scale (12'x90')	LS	1	$90,000.00	$ 90,000.00	
	26	New yard gate and opener	EA	1	$50,000.00	$ 50,000.00	
					Sub Total (Site Improvements)	**$ 1,076,500.00**	
					Construction Total	**$ 7,888,400.00**	
SOFT COSTS & GENERAL CONTRACTOR COSTS		Land Cost	AC	5	$50,000	$ 250,000.00	
		Site Survey	LS	1	$3,800	$ 3,800.00	
		Geotechnical Report	LS	1	$3,400	$ 3,400.00	
	5%	Mobilization, Demobilization and Incidentals (Contractor General Conditions)	%			$ 394,420.00	
	3%	Performance and Payment Bonds	%			$ 236,652.00	
	2%	FFE (Furniture, Fixtures, and Equipment) - 2% of building construction cost	%			$ 136,236.00	
	5%	Design Fees	%			$ 394,420.00	
	10%	Bidding Contingency	%			$ 788,840.00	
					PROJECT TOTAL	**$ 10,096,170.00**	

COST MODEL ASSUMPTIONS:

1) Brine Making Equipment, Scale and Fuel Island Relocation are budget model place holders (County to review cost assumption and update based on pricing from any previous pump work - or consult a manufacturer/installer)

2) Design cost would cover site civil work like utilities, grading, drainage as well as foundation design (structural for the buildings assumed to be by manufacturer)

3) No concrete curb and gutter or sidewalks provided for asphalt drives and yard areas

4) Unit costs assigned to new metal buildings assumes inclusion of MEP, fire protection, doors, windows, finishes (County should review costs assumptions with local pre-fab building suppliers to confirm numbers)

5) Environmental engineering fees and remediation costs are not included in this cost model

Hortonville Highway Garage (New Site)

Outagamie Facilities and Land Use Plan - Outagamie County; Appleton, Wisconsin Date: November 7, 2022

Rough Order of Magnitude Cost Model - Intended for Site Investment Evaluation Not Budget Establishment
(Ayres recommends working with a local contractor to finalize numbers used for budgeting and grant pursuits)

Estimator: DL Total Estimate: $10,802,700.00

	ITEM NO.	DESCRIPTION	UNITS	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE	Notes
BUILDING IMPROVEMENTS	1	Demolition - Site Demo and Grubbing for New Salt Shed	LS	1	$1,000.00	$ 1,000.00	
	2	Demolition - Site Clearing and Grubbing for New Office and Garage	LS	1	$3,000.00	$ 3,000.00	
	3	Demolition - Site Clearing and Grubbing for New Brine Shed	LS	1	$1,000.00	$ 1,000.00	
	4	Utility Connections - Office and Garage (Well, Septic, Gas, Electrical)	LS	1	$100,000.00	$ 100,000.00	
	5	Utility Connections - Brine Shed (water and electrical)	LS	1	$8,200.00	$ 8,200.00	
	6	Utility Connections - Salt Shed (electrical)	LS	1	$4,200.00	$ 4,200.00	
	7	Utility Connections - Septic Field	LS	1	$30,000.00	$ 30,000.00	
	8	Utility Connections - Well	LS	1	$20,000.00	$ 20,000.00	
	9	Slab and/or Foundation - Garage	SF	18,000	$10.00	$ 180,000.00	
	10	Slab and/or Foundation - Office	SF	3,200	$10.00	$ 32,000.00	
	11	Slab and/or Foundation - New Brine Shed	SF	2,400	$10.00	$ 24,000.00	
	12	Slab and/or Foundation - New Salt Shed	SF	6,400	$10.00	$ 64,000.00	
	13	Metal Building Cost - Garage	SF	18,000	$200.00	$ 3,600,000.00	
	14	Metal Building Cost - Office	SF	3,200	$275.00	$ 880,000.00	
	15	Metal Building Cost - New Brine Shed	SF	2,400	$180.00	$ 432,000.00	
	16	Metal Building Cost - New Salt Shed	SF	6,400	$180.00	$ 1,152,000.00	
					Sub Total (Building Improvements)	$ 6,531,400.00	
SITE IMPROVEMENTS	17	Site Demolition - Complete Site	SF	400,000	$0.20	$ 80,000.00	
	18	Erosion Control and BMPs	SF	400,000	$0.05	$ 20,000.00	
	19	Earthwork and Grading	SF	400,000	$1.00	$ 400,000.00	
	20	Asphalt - Secondary Materials Yard Area	SF	70,000	$4.00	$ 280,000.00	
	21	Asphalt - Primary Yard Area (by buildings)	SF	100,000	$4.00	$ 400,000.00	
	22	Asphalt - Entry Drive	SF	32,000	$4.00	$ 128,000.00	
	23	Fencing	LF	2,800	$15.00	$ 42,000.00	
	24	Reseeding	SF	180,000	$0.50	$ 90,000.00	
	25	New Fuel Island and Tanks	LS	1	$200,000.00	$ 200,000.00	
	26	Brine Making Equipment	LS	1	$75,000.00	$ 75,000.00	
	27	Scale (12'x80')	LS	1	$80,000.00	$ 80,000.00	
	28	New Material Bins	EA	10	$2,000.00	$ 20,000.00	
	29	New yard gate and opener	EA	1	$50,000.00	$ 50,000.00	
					Sub Total (Site Improvements)	$ 1,875,000.00	
					Construction Total	$ 8,406,400.00	
SOFT COSTS & GENERAL CONTRACTOR COSTS		Land Cost	AC	13	$25,000	$ 325,000.00	
		Site Survey	LS	1	$3,800	$ 3,800.00	
		Geotechnical Report	LS	1	$3,400	$ 3,400.00	
	5%	Mobilization, Demobilization and Incidentals (Contractor General Conditions)	%			$ 420,320.00	
	3%	Performance and Payment Bonds	%			$ 252,192.00	
	2%	FFE (Furniture, Fixtures, and Equipment) - 2% of building construction cost	%			$ 130,628.00	
	5%	Design Fees	%			$ 420,320.00	
	10%	Bidding Contingency	%			$ 840,640.00	
					PROJECT TOTAL	$ 10,802,700.00	

COST MODEL ASSUMPTIONS:

1) Brine Making Equipment, Scale and Fuel Island Relocation are budget model place holders (County to review cost assumption and update based on pricing from any previous pump work - or consult a manufacturer/installer)

2) Design cost would cover site civil work like utilities, grading, drainage as well as foundation design (structural for the buildings assumed to be by manufacturer)

3) No concrete curb and gutter or sidewalks provided for asphalt drives and yard areas

4) Unit costs assigned to new metal buildings assumes inclusion of MEP, fire protection, doors, windows, finishes (County should review costs assumptions with local pre-fab building suppliers to confirm numbers)

5) Environmental engineering fees and remediation costs are not included in this cost model.

Shiocton Highway Garage

Outagamie Facilities and Land Use Plan - Outagamie County; Appleton, Wisconsin — Date: November 7, 2022

Rough Order of Magnitude Cost Model - Intended for Site Investment Evaluation Not Budget Establishment
(Ayres recommends working with a local contractor to finalize numbers used for budgeting and grant pursuits)

Estimator: DL — Total Estimate: $3,680,958.75

	ITEM NO.	DESCRIPTION	UNITS	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE	Notes
BUILDING IMPROVEMENTS	1	Demolition - Building Expansion	LS	1	$3,000.00	$ 3,000.00	
	2	Demolition - Site Clearing and Grubbing for New Storage Building	LS	1	$2,000.00	$ 2,000.00	
	3	Demolition - Site Clearing and Grubbing for New Brine Shed	LS	1	$1,500.00	$ 1,500.00	
	4	Utility Connections - Building Expansion	LS	1	$6,000.00	$ 6,000.00	
	5	Utility Connections - New Storage Building (electrical)	LS	1	$4,800.00	$ 4,800.00	
	6	Utility Connections - New Brine Shed (water and electrical)	LS	1	$8,200.00	$ 8,200.00	
	7	Slab and/or Foundation - Office Expansion	SF	1,500	$10.00	$ 15,000.00	
	8	Slab and/or Foundation - New Storage Building	SF	4,800	$10.00	$ 48,000.00	
	9	Slab and/or Foundation - New Brine Shed	SF	2,400	$10.00	$ 24,000.00	
	10	Metal Building Cost - Office Expansion	SF	1,500	$275.00	$ 412,500.00	
	11	Metal Building Cost - New Storage Building	SF	4,800	$200.00	$ 960,000.00	
	12	Metal Building Cost - New Brine Shed	SF	2,400	$180.00	$ 432,000.00	
					Sub Total (Building Improvements)	$ 1,917,069.00	
SITE IMPROVEMENTS	13	Remove Existing Fence Fabric and Posts	LF	600	$5.00	$ 3,000.00	
	14	Site Demolition - Expanded Materials Yard	SF	72,000	$0.30	$ 21,600.00	
	16	Site Demolition - New Storage Building, New Fueling Area and Staff Parking	SF	30,000	$0.50	$ 15,000.00	
	17	Erosion Control and BMPs - Expanded Materials Yard	SF	72,000	$0.05	$ 3,600.00	
	18	Erosion Control and BMPs - New Storage Building, New Fueling Area and Staff Parking	SF	30,000	$0.05	$ 1,500.00	
	20	Earthwork and Grading - Expanded Materials Yard	SF	72,000	$1.00	$ 72,000.00	
	22	Earthwork and Grading - New Storage Building, New Fueling Area and Staff Parking	SF	44,000	$1.00	$ 44,000.00	
	23	Asphalt - Expanded Materials Yard	SF	75,000	$4.00	$ 300,000.00	
	25	Asphalt - New Storage Building, New Fueling Area and Staff Parking	SF	25,000	$4.00	$ 100,000.00	
	26	Fencing - Expanded Materials Yard	LF	820	$15.00	$ 12,300.00	
	27	Fencing - New Storage Building and Staff Parking	LF	775	$15.00	$ 11,625.00	
	28	Reseeding - Expanded Materials Yard	SF	16,000	$0.50	$ 8,000.00	
	29	Reseeding - New Site Entry	SF	4,000	$0.50	$ 2,000.00	
	30	Reseeding - New Storage Building, New Fueling Area and Staff Parking	SF	18,000	$0.50	$ 9,000.00	
	31	New Fuel Island and Tanks	LS	1	$200,000.00	$ 200,000.00	
	32	Brine Making Equipment	LS	1	$75,000.00	$ 75,000.00	
	33	Scale (12'x90')	LS	1	$80,000.00	$ 80,000.00	
	34	New Material Bins	EA	10	$2,000.00	$ 20,000.00	
	35	New yard gate and opener	EA	1	$50,000.00	$ 50,000.00	
					Sub Total (Site Improvements)	$ 1,038,625.00	
					Construction Total	$ 2,955,625.00	
SOFT COSTS & GENERAL CONSTRACTOR COSTS		Site Survey	LS	1	$3,800	$ 3,800.00	
		Geotechnical Report	LS	1	$3,400	$ 3,400.00	
	5%	Mobilization, Demobilization and Incidentals (Contractor General Conditions)	%			$ 147,781.25	
	3%	Performance and Payment Bonds	%			$ 88,668.75	
	2%	FFE (Furniture, Fixtures, and Equipment) - 2% of building construction cost	%			$ 38,340.00	
	5%	Design Fees	%			$ 147,781.25	
	10%	Bidding Contingency	%			$ 295,562.50	
					PROJECT TOTAL	$ 3,680,958.75	

COST MODEL ASSUMPTIONS:

1) Brine Making Equipment, Scale and Fuel Island Relocation are budget model place holders (County to review cost assumption & update based on pricing from previous pump work - or consult a manufacturer)

2) Design cost would cover site civil work like utilities, grading, drainage as well as foundation design (structural for the buildings assumed to be by manufacturer).

3) No concrete curb and gutter or sidewalks provided for asphalt drives and yard areas

4) Unit costs assigned to new metal buildings assumes inclusion of MEP, fire protection, doors, windows, finishes (County should review costs assumptions with local pre-fab building suppliers to confirm numbers)

5) Environmental engineering fees and remediation costs are not included in this cost model.

Seymour Highway Garage

Outagamie Facilities and Land Use Plan - Outagamie County; Appleton, Wisconsin

Date: November 7, 2022

Rough Order of Magnitude Cost Model *- Intended for Site Investement Evaluation Not Budget Establishment*
(Ayres recommends working with a local contractor to finalize numbers used for budgeting and grant pursuits)

Estimator: DL

Total Estimate: $2,915,376.50

	ITEM NO.	DESCRIPTION	UNITS	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE	Notes
BUILDING IMPROVEMENTS	1	Demolition - Site area for New Brine Shed and New Salt Shed	LS	1	$3,000.00	$ 3,000.00	
	3	Demolition - Garage Expansion Expansion	LS	1	$2,500.00	$ 2,500.00	
	4	Demolition - Office Expansion	LS	1	$2,000.00	$ 2,000.00	
	5	Utility Connections - New Brine and Salt Sheds (Water, Electrical)	LS	1	$6,000.00	$ 6,000.00	
	6	Utility Connections - Garage Expansion	LS	1	$5,000.00	$ 5,000.00	
	7	Utility Connections - Office Expansion	LS	1	$8,000.00	$ 8,000.00	
	8	Slab and/or Foundation - New Brine Shed	SF	2,400	$10.00	$ 24,000.00	
	9	Slab and/or Foundation - New Salt Shed	SF	3,600	$10.00	$ 36,000.00	
	10	Slab and/or Foundation - Garage Expansion	SF	1,600	$10.00	$ 16,000.00	
	11	Slab and/or Foundation - Office Expansion	SF	800	$10.00	$ 8,000.00	
	12	Metal Building Cost - New Brine Shed	SF	2,400	$180.00	$ 432,000.00	
	13	Metal Building Cost - New Salt Shed	SF	3,600	$180.00	$ 648,000.00	
	14	Metal Building Cost - Garage Expansion	SF	1,600	$200.00	$ 360,000.00	
	15	Metal Building Cost - Office Expansion	SF	800	$275.00	$ 220,000.00	
					Sub Total (Building Improvements)	$ 1,772,500.00	
SITE IMPROVEMENTS	17	Site Demolition - East Yard Access Road	SF	20,000	$0.50	$ 10,000.00	
	18	Erosion Control and BMPs	SF	26,000	$0.05	$ 1,300.00	
	19	Earthwork and Grading	SF	26,000	$1.00	$ 26,000.00	
	21	Asphalt - East Yard Access Road	SF	20,000	$4.00	$ 80,000.00	
	22	Asphalt - New Fueling Area	SF	2,200	$4.00	$ 8,800.00	
	23	Fencing	LF	430	$15.00	$ 6,450.00	
	24	Reseeding	SF	15,000	$0.50	$ 7,500.00	
	25	Brine Making Equipment	LS	1	$75,000.00	$ 75,000.00	
	26	Scale (12'x90')	LS	1	$90,000.00	$ 90,000.00	
	27	New Material Bins	EA	4	$2,000.00	$ 8,000.00	
	28	New Fuel Island and Tanks	LS	1	$200,000.00	$ 200,000.00	
	29	New yard gate and opener	EA	1	$60,000.00	$ 60,000.00	
						$ -	
					Sub Total (Site Improvements)	$ 583,050.00	
					Construction Total	$ 2,355,550.00	
SOFT COSTS & GENERAL CONSTRUCTOR COSTS		Site Survey	LS	1	$3,800	$ 3,800.00	
		Geotechnical Report	LS	1	$3,400	$ 3,400.00	
	5%	Mobilization, Demobilization and Incidentals (Contractor General Conditions)	%			$ 116,777.50	
	3%	Performance and Payment Bonds	%			$ 70,066.50	
	2%	FFE (Furniture, Fixtures, and Equipment) - 2% of building construction cost	%			$ 35,450.00	
	5%	Design Fees	%			$ 116,777.50	
	10%	Bidding Contingency	%			$ 233,555.00	
					PROJECT TOTAL	$ 2,915,376.50	

COST MODEL ASSUMPTIONS:

1) Brine Making Equipment, Scale and Fuel Island Relocation are budget model place holders (County to review cost assumption & update based on pricing from any previous pump work - or consult a manufacturer)

2) Design cost would cover site civil work like utilities, grading, drainage as well as foundation design (structural for the buildings assumed to be by manufacturer)

3) No concrete curb and gutter or sidewalks provided for asphalt drives and yard areas

4) Unit costs assigned to new metal buildings assumes inclusion of MEP, fire protection, doors, windows, finishes (County should review costs assumptions with local pre-fab building suppliers to confirm numbers)

5) Environmental engineering fees and remediation costs are not included in this cost model.

Appleton Highway Facility

Outagamie Facilities and Land Use Plan - Outagamie County; Appleton, Wisconsin

Date: January 7, 2023

Rough Order of Magnitude Cost Model - *Intended for Site Investement Evaluation Not Budget Establishment* *(Ayres recommends working with a local contractor to*

Estimator: CS

Total Estimate: $37,363,342.50

	ITEM NO.	DESCRIPTION	UNITS	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
BUILDING IMPROVEMENTS	1	Demolition - Site area for Fuel Station and Salt / Brine Shed	LS	1	$3,000.00	$ 3,000.00
	3	Demolition - Existing Fuel Station	LS	1	$2,500.00	$ 2,500.00
	4	Demolition - Salt and Brine Shed	LS	1	$2,000.00	$ 2,000.00
	4	Demolition - Zebra 12	LS	1	$2,000.00	$ 2,000.00
	5	Utility Connections - New Brine and Salt Sheds (Water, Electrical)	LS	1	$6,000.00	$ 6,000.00
	6	Utility Connections - Building Expansion	LS	1	$5,000.00	$ 5,000.00
	7	Utility Connections - Truck Wash	LS	1	$8,000.00	$ 8,000.00
	8	Slab and/or Foundation - New Brine / Salt Shed	SF	40,000	$10.00	$ 400,000.00
	9	Slab and/or Foundation - Cold Storage 1	SF	15,500	$10.00	$ 155,000.00
	10	Slab and/or Foundation - Cold Storage 2	SF	30,800	$10.00	$ 308,000.00
	11	Slab and/or Foundation - Building Expansion Expansion	SF	45,000	$10.00	$ 450,000.00
	11	Slab and/or Foundation - Truck Wash	SF	3,000	$10.00	$ 30,000.00
	15	Structure Cost - Fuel Station	LS	1	$1,000,000.00	$ 1,000,000.00
	15	Structure Cost - Cover Vehicle Storage	SF	4,400	$45.00	$ 198,000.00
	12	Metal Building Cost - New Brine / Salt Shed	SF	40,000	$180.00	$ 7,200,000.00
	13	Metal Building Cost - Cold Storage 1	SF	15,500	$180.00	$ 2,790,000.00
	13	Metal Building Cost - Cold Storage 2	SF	30,800	$180.00	$ 5,544,000.00
	14	Building Cost - Building Expansion	SF	45,000	$235.00	$ 10,575,000.00
	15	Metal Building Cost - Truck Wash	SF	3,000	$180.00	$ 540,000.00
					Sub Total (Building Improvements)	$ 29,218,500.00
SITE IMPROVEMENTS	17	Site Demolition	SF	40,000	$0.50	$ 20,000.00
	18	Erosion Control and BMPs	SF	65,000	$0.05	$ 3,250.00
	19	Earthwork and Grading	SF	65,000	$1.00	$ 65,000.00
	21	Asphalt - West Access Road	SF	20,000	$4.00	$ 80,000.00
	22	Asphalt - New Fueling Area	SF	35,000	$4.00	$ 140,000.00
	28	Asphalt - Reconfigured Parking lot	SF	20,000	$4.00	$ 80,000.00
	23	Fencing	LF	1,500	$15.00	$ 22,500.00
	24	Reseeding	SF	35,000	$0.50	$ 17,500.00
	26	Scale (12'x90')	LS	1	$90,000.00	$ 90,000.00
	27	New Material Bins	EA	25	$2,000.00	$ 50,000.00
	28	Wayfinding and Signage	EA	6	$1,500.00	$ 9,000.00
	29	New yard gate and opener	EA	2	$50,000.00	$ 100,000.00
						$ -
					Sub Total (Site Improvements)	$ 677,250.00
					Construction Total	$ 29,895,750.00
SOFT COSTS & GENERAL CONTRACTOR COSTS		Site Survey	LS	1	$3,800	$ 3,800.00
		Geotechnical Report	LS	1	$3,400	$ 3,400.00
	5%	Moblization, Demoblization and Incidentals (Contractor General Conditions)	%			$ 1,494,787.50
	3%	Performance and Payment Bonds	%			$ 896,872.50
	2%	FFE (Furniture, Fixtures, and Equipment) - 2% of building construction cost	%			$ 584,370.00
	5%	Design Fees	%			$ 1,494,787.50
	10%	Bidding Contingency	%			$ 2,989,575.00
					PROJECT TOTAL	$ 37,363,342.50

COST MODEL ASSUMPTIONS:

1) Brine Making Equipment, Scale and Fuel Island Relocation are budget model place holders (County to review cost assumption & update based on pricing from any previous pump work - or consult a manufacturer)

2) Design cost would cover site civil work like utilities, grading, drainage as well as foundation design (structural for the buildings assumed to be by manufacturer)

3) No concrete curb and gutter or sidewalks provided for asphalt drives and yard areas

4) Unit costs assigned to new metal buildings assumes inclusion of MEP, fire protection, doors, windows, finishes (County should review costs assumptions with local pre-fab building suppliers to confirm numbers)

5) Environmental engineering fees and remediation costs are not included in this cost model

Resolution No. 21—2023-24 – Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee. Approve the attached Administrative Rule 2023-03 which amends the Outagamie County Public Works Project Administration for Projects under $1,500,000, and this rule shall be numbered 2023-03 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office.

Supervisor Culbertson moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 21—2023-24 IS ADOPTED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Resolution No. 21—2023-24

Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resou **Passed By Majority Vote**
Administrative Rule 2023-03 which amends the Outagamie County Public Works Project Administration for Projects under $1,500,000, and this rule shall be numbered 2023-03 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office.

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 08:54:02 PM**
May 23, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 21—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Rule 9 of the Outagamie County Board Rules, Sec. 2-52 Administrative Rule Review of the Outagamie County Code of Ordinances, establishes a procedure for the review of Administrative Rules. The County Board may approve of the rule or refer it back to administration for revision and resubmission. Such a set of rules regarding Outagamie County's Public Works Project Administration for Projects under $1,500,000, has been submitted for review.

This resolution approves Administrative Rule 2023-03.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the attached Administrative Rule 2023-03 which amends the Outagamie County Public Works Project Administration for Projects under $1,500,000, which by reference is made a part hereof, and

BE IT STILL FURTHER RESOLVED, that this rule shall be numbered 2023-03 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive, who, in accordance with Sec. 59.03 Wis. Stats., shall be charged with the duty of distributing said rule to affected departments for compliance.

Dated this 23rd day of May 2023.

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE
AND
LEGISLATIVE/AUDIT AND HUMAN RESOURCES
COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: May 23, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 5.24.23

Vetoed: _____

Signed: _____
County Executive

PUBLIC WORKS PROJECT ADMINISTRATION

FOR PROJECTS OF $1,500,000 OR LESS

Subject: Public Works Project Administration For Projects of $1,500,000 or Less
Number: AR ~~21~~23-0302
Effective Date: ~~11/01/2021~~ TBD
Replaces: AR ~~15-03~~21-02
References: Wisconsin Statutes 59.52(29) and 66.0901
Outagamie County Code of Ordinances Chapter 50
Adopted: TBD

PROCEDURES

All public work projects with an estimated value in excess of $5,000 but not exceeding $50,000 shall include a provision which allows the County to pay the Prime/General Contractors with payments made payable to the Prime Contractor and to one or more subcontractors.

Public Works bidding will be done in accordance with Sections 59.52(29) and 66.0901, Wisconsin Statutes.

~~Public work projects with an estimated value in excess of $5,000 but less than $50,000 shall be advertised with a Class I notice under Chapter 985, Wisconsin Statutes, or shall contract with an entity qualified under Section 66.0901 Wisconsin Statutes.~~

Public work projects with an actual contract value of less than $50,000 may be commenced by a purchase order. Said purchase order shall have standard contract language protecting the County (see next section, Purchase Order Standard Contract Language).

~~Public work projects with an estimated value greater than $50,000 must be let by contract to the lowest responsible bidder under the requirements of Sections 59.52(29)(a) and 66.0901, Wisconsin Statutes.~~

Public work projects with an estimated value greater than $50,000 will be commenced by AIA A101 Owner & Contractor Agreement and associated AIA A201 General Conditions of Contract (both as revised by Owner).

The bidding requirements of Section 66.0901and 59.52(29)(b), Wisconsin Statutes, for public work projects in excess of $25,000 are not mandatory for the repair or reconstruction of public facilities when damage or threatened damage thereto creates an emergency as declared in writing by the County Executive in which the public health or welfare of the County is endangered (see Section 850.41(c), Outagamie County Code of Ordinances).

The bidding requirements of Section 66.0901, Wisconsin Statutes, for public work projects in excess of $25,000 are not mandatory if the County Board of Supervisors, by 3/4s vote of all members entitled to a seat, provide that the public work or any part thereof may be done directly by the County, pursuant to Section 50.41(a), Outagamie County Municipal Code.

PURCHASE ORDER STANDARD CONTRACT LANGUAGE

Public work projects with an anticipated value of less than $50,000 may be commenced by a purchase order. Said purchase order shall incorporate the following standard contract language protecting the county (usually through incorporation of the County's RFB documents):

Contractor/Vendor agrees to the specifications set forth on the Purchase Order, or on the attached specification sheet (if applicable). Any deviation from said specifications must be approved in writing by a representative of Outagamie County.

County agrees to pay Contractor/Vendor the amount set forth in the Purchase Order as consideration for services provided by Contractor/Vendor.

OWNER'S RIGHT TO STOP WORK

If the contractor fails to correct Work which is not in accordance with the requirements of the Contract Documents or fails to carry out Work in accordance with the Contract Documents, the Owner may issue a written order to the Contractor to stop the Work, or any portion thereof, until the cause for such order has been eliminated; however, the right of the Owner to stop Work shall not give rise to a duty on the part of the Owner to exercise this right for the benefit of the Contractor or any other person or entity.

OWNER'S RIGHT TO CARRY OUT WORK

If the Contractor defaults or fails or neglects to carry out the Work in accordance with the Contract Documents, or fails to perform a provision of the Contract, the Owner, after 10 days' written notice to the Contractor and without prejudice to any other remedy the Owner may have, may make good such deficiencies and may deduct the reasonable cost thereof. Including Owner's expenses and compensation for the Architect's services made necessary thereby, from the payment then or thereafter due the Contractor.

LABOR AND MATERIALS

Unless otherwise provided in the Contract Documents, the Contractor shall provide and pay for labor, materials, equipment, tools, construction equipment and machinery, water, heat, utilities, transportation, and other facilities and services necessary for proper execution and completion of the Work, whether temporary or permanent and whether or not incorporated or to be incorporated in the Work.

The Contractor shall enforce strict discipline and good order among the Contractor's employees and other persons carrying out the Contract. The Contractor shall not permit employment of unfit persons or persons not skilled in tasks assigned to them.

The Contractor shall deliver, handle, store and install materials in accordance with manufacturer's instructions.

WARRANTY

The Contractor warrants to the Owner and Architect that materials and equipment furnished under the Contract will be of good quality and new unless otherwise required or permitted by the Contract Documents, that the Work will be free from defects and that the Work will conform with the requirements of the Contract Documents. Work not conforming to these requirements, including substitutions not properly approved and authorized, may be considered defective. The Contractor's warranty excludes remedy for damage of defect caused by abuse, modifications not executed by the Contractor, improper or insufficient maintenance, improper operation, or normal wear and tear under normal usage.

PERMITS, FEES AND NOTICES

Unless otherwise provided in the Contract Documents, the Contractor shall secure and pay for the building permit and other permits and governmental fees, licenses and inspections necessary for proper execution and completion of the Work.

INDEMNIFICATION AND INSURANCE

The County's standard indemnification form and insurance with requirements project specific will be attached to the Purchase Order by reference.

ASSIGNMENT OF CONTRACT

Neither party to the Contract shall assign the contract without written consent of the other.

GOVERNING LAW

The Contract shall be governed by the laws of the State of Wisconsin. Any lawsuits arising out of disputes under this Contract shall be considered and tried in Outagamie County, Wisconsin.

TERMINATION BY THE OWNER

The Owner may terminate the Contract if the Contractor:

1. Persistently or repeatedly refuses or fails to supply enough properly skilled workers or proper materials;

2. Fails to make payment to subcontractors for materials or labor in accordance with the respective agreements between the contractor and the Subcontractors;

3. Persistently disregards laws, ordinances, or rules, regulations or orders of a public authority having jurisdiction; or

4. Otherwise is guilty of substantial breach of a provision of this agreement.

Resolution No. 22—2023-24 – Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee. Approve the attached Administrative Rule 2023-04 which amends the Outagamie County Public Works Project Administration for Projects over $1,500,000, and this rule shall be numbered 2023-04 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office.

Supervisor Spears moved, seconded by Supervisor Santonato, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 22—2023-24 IS ADOPTED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Resolution No. 22—2023-24

Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resou **Passed By Majority Vote**
Administrative Rule 2023-04 which amends the Outagamie County Public Works Project Administration for Projects over $1,500,000, and this rule shall be numbered 2023-04 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office.

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
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9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 08:54:42 PM**
May 23, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 22—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Rule 9 of the Outagamie County Board Rules, Sec. 2-52 Administrative Rule Review of the Outagamie County Code of Ordinances, establishes a procedure for the review of Administrative Rules. The County Board may approve of the rule or refer it back to administration for revision and resubmission. Such a set of rules regarding Outagamie County's Public Works Project Administration for Projects over $1,500,000, has been submitted for review.

This resolution approves Administrative Rule 2023-04.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the attached Administrative Rule 2023-04 which amends the Outagamie County Public Works Project Administration for Projects over $1,500,000, which by reference is made a part hereof, and

BE IT STILL FURTHER RESOLVED, that this rule shall be numbered 2023-04 and will be on file in a manual entitled "Outagamie County Administrative Rules" in the Outagamie County Clerk's Office, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive, who, in accordance with Sec. 59.03 Wis. Stats., shall be charged with the duty of distributing said rule to affected departments for compliance.

Dated this 23rd day of May 2023.

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE
AND
LEGISLATIVE/AUDIT AND HUMAN RESOURCES COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: May 23, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 5.24.23

Vetoed: _____

Signed: _____
County Executive

PUBLIC WORKS PROJECT ADMINISTRATION
FOR PROJECTS OVER $1,500,000
Subject: Public Works Project Administration for Projects Over ~~$500,000~~ 1,500,000
Number: AR 23-~~040221-01~~
Effective Date: ~~11/01/2021~~TBD
Replaces: AR 21-~~0116-02~~
References: Wisconsin Statutes 59.52(29) and 66.0901
Outagamie County Code of Ordinances Chapter 50
Adopted: TBD

PROCEDURES

Public Works Projects with an estimated value in excess of ~~$500,000~~1,500,000 shall be subject to Chapter 50 of the Outagamie County Code of Ordinances. Chapter 50 requires that the project be supervised by a Project Oversight Committee and that no work on such project commence until a contract is fully executed and all applicable bonds and insurance certificates are filed.

Initial Discussions
To determine need, funding source, timeline, construction management, or other means, discussions are required by:

- County Executive with affected Department Head(s), Finance Director, Facilities Engineer or Maintenance Department Head, and Purchasing Coordinator;
- Committee(s) of jurisdiction;
- Property/Airport committee,

The Project must be included in appropriate department/capital budget(s), and be incorporated in the County's Capital Improvement Program (CIP) plan for required year(s).

Appropriating Resolution
The property/airport committee and the committee(s) of jurisdiction submit a resolution including the following elements:

- Scope recommendations;
- Approval to solicit an architect/engineer (A/E) and/or Construction Manager (CM) to prepare plans and specifications;
- Approval of funding source(s).

The resolution shall be submitted to the County Board of Supervisors for approval.
The project shall be administered in accordance with established administrative rules.

Establish Project Oversight Committee

Voting members of the project oversight committee, established under Section 50.87 of the Outagamie County Code of Ordinances, include:

- County Executive, or representative;
- Property/Airport committee member;

- Finance committee member;
- Affected Department Head;
- Facilities Engineer or Maintenance Department Head;
- Finance Director, or representative;
- County Board Chairperson, or representative;
- Jurisdictional committee member.

In the event a project affects multiple departments/jurisdictional committees, Sec. 50.87 shall be interpreted to require the appointment of multiple affected department heads and jurisdictional committee members subject to the following conditions: (1) The number of Board and Administrative voting representatives on the committee shall be equal; (2) The committee membership shall not exceed 10 members. The project director – A/E or CM – is a non-voting member of the oversight committee. The county board chairperson appoints a county board member of the committee to chair the oversight committee.

Develop Request for Qualifications and/or Proposals

A Request for Qualification (RFQ) or Request for Proposal (RFP) is developed to select an architect/engineer and/or construction manager (if applicable). The RFQ/RFP will:

- Describe services to be performed;
- Describe requirements for service provider;
- Describe evaluation criteria;
- Include copies of AIA B101, Owner and Architect Agreement, AIA A201, General Conditions for Construction, and AIA A101, Owner and Contractor Agreement – all as revised by Owner.

The RFQ/RFP will be prepared by the affected Department Head(s) and the Procurement Coordinator with review and consultation by the Facilities Engineer or Maintenance Department Head.

Issue RFQ/RFP

The Procurement Coordinator will facilitate the issuance of the RFQ/RFP.

Receive Proposals

Responses to the RFQ/RFP will be opened and recorded by the Procurement Coordinator. Copies of the responses will be distributed to the Facilities Engineer or Maintenance Department Head and appropriate Department Head(s).

Responses are reviewed and evaluated based on stated evaluation criteria. Inquiries are made to references contained in the response/proposal, and a final A/E or CM recommendation is prepared.

Oversight Committee Review

The project oversight committee is advised of the recommended A/E or CM and provided with rationale for such recommendation. The oversight committee acts on accepting the project architect and/or construction manager.

Negotiate Contract

- Resolving details regarding use of Agreement AIA B101 (as revised by Owner);
- Resolving any impact resulting from use of General Conditions AIA A201 (as revised by Owner);

- Determining scope of any additional services to be provided by the architect or construction manager;
- Resolving final fee.

Authorize A/E or CM to Proceed with Project Design

AIA B101 (as revised by Owner) is approved as to form by Corporation Counsel and signed by the County Executive.

Schematic Design Phase

- A/E reviews program as furnished by Owner;
- A/E provides evaluation of program, schedule, and budget;
- A/E reviews alternates to design and construction;
- A/E provides schematic design documents for approval by Owner;
- A/E provides preliminary construction cost estimate based on schematic design.

Oversight Committee Review

- Review schematic design with the project oversight committee;
- Obtain oversight committee approval of the schematic design.

Design Development Phase

- A/E prepares design development documents which describe the character of the project as to architectural, structural, mechanical, electrical, voice-data systems, and materials to be used;
- A/E advises Owner as to any budget estimate changes from the original estimate.

Oversight Committee Review

- Review design development documents with the project oversight committee;
- Obtain oversight committee approval of the design development documents;
- Owner approves A/E proceeding to next phase.

Construction Document Phase I

Based on approved design development documents, A/E prepares the construction documents (CDs) setting forth the detail requirements for the construction of the project.

Oversight Committee Review

- Review Construction Documents with project oversight committee;
- Obtain oversight committee approval of construction documents.

Construction Document Phase II

- A/E finalizes CDs based on outcome of project oversight committee review, in preparation for bidding;
- A/E technical bid specifications.
- A/E advises Owner of any changes to previous construction cost estimates;
- A/E submits, on behalf of Owner, various State plan approvals and any other documents required by governmental authorities;
- Regarding Owner direct purchases, the architect reviews to establish the general categories of material and equipment which will be appropriate for the Owner to purchase for the project;

Bidding Phase

- Procurement Coordinator provides all bid documentation with the exception of the technical specifications as referenced above
- Procurement Coordinator submits the applicable legal notice and posts RFB on the County's website;
- The bids are opened in the County Clerk's office, with each bid electronically sent to the Procurement Coordinator;
- A/E reviews bids and bid alternatives; if applicable;
- A/E recommends general contractor, if applicable.

Oversight Committee Review

- Affected Department Head makes general contractor recommendation to the project oversight committee;
- Affected Department Head makes recommendation regarding bid alternatives to be selected, based on bid results and available budget;
- Project Oversight Committee approves general contractor and bid alternates to be included in the project.

Contract Phase

- General contractor, A/E and the Procurement Coordinator finalize the list of items to be purchased directly by the Owner (if applicable);
- Procurement Coordinator prepares the contract document (AIA A101 Owner Contractor Agreement and AIA A201 General Conditions of Contract, both as revised by Owner);
- Contract is approved as to form by Corporation Counsel and signed by the County Executive, County Board Chair and the County Clerk;
- Fully executed contract is on-file with County Clerk.

Construction Phase

- A/E provides Basic Services, as defined in the Agreement, from contract award until project close out;
- A/E makes regular site visits, as defined by the contract, to review general contractor progress;
- A/E attends regular General Contractor progress meetings and project oversight committee meetings (upon request);
- A/E reviews and approves General Contractor pay applications, forwarding them to Owner for payment;
- A/E reviews all General Contractor change order requests to determine equitable costs to the project;
- A/E processes all change orders, after approval by the authorized Owner's representative and/or the project oversight committee;
- A/E coordinates all punch list inspections with the General Contractor and the Owner, and is responsible for assuring timely corrective action by the General Contractor;

Resolution No. 23—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve of renaming the "Small Shelter" at Plamann Park the "Roblee Shelter" in honor of Greg Roblee, a team member who has made a difference in Outagamie County.

Supervisor Culbertson moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 23—2023-24 IS ADOPTED.

VOTE RESULTS — 30 YES | 0 NO | 0 ABSTAIN | 6 ABSENT

Resolution No. 23—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve of renaming the "Small Shelte of Greg Roblee, a team member who has made a difference in Outagamie County.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP ABSENT	35 KOURY YES
12 McCABE ABSENT	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — **5-23-23 County Board Meeting - May 23 2023 08:55:19 PM**

May 23, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 23—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Greg Roblee began working for the Outagamie County Parks Department in 1984 and has been an invaluable team member. Greg's passion for all things parks, specifically the Children's Farm, has left a lasting imprint on Plamann Park for generations to come. Greg's pleasant demeanor and willingness to greet park users whenever given the opportunity has made him a beloved member of the community. He has selflessly served Outagamie County for 39 years and the time has come for him to start a new chapter in his life. Due to his impact on the Outagamie County Parks and county residents, it would be an honor to rename the "Small Shelter" at Plamann Park the "Roblee Shelter." The Small Shelter building was constructed in 2006 and has carried its current name from the time it was constructed.

This resolution approves renaming the "Small Shelter" at Plamann Park the "Roblee Shelter" in honor of Greg Roblee, a team member who has made a difference in Outagamie County.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of renaming the "Small Shelter" at Plamann Park the "Roblee Shelter" in honor of Greg Roblee, a team member who has made a difference in Outagamie County, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Parks Director and the Outagamie County Executive.

Dated this 23rd day of May 2023.

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: May 23, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 5-24-23 Vetoed: _____

Signed: _____
County Executive

Ordinance No. A—2023-24 – Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee. Amend Chapter 22 of the County Code of Ordinances, Finance and Taxation, as pertains to Public Works Projects, as noted on the Ordinance.

Supervisor Konetzke moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 30 yes, 6 absent. ORDINANCE NO. A—2023-24 IS ADOPTED.



VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Ordinance No. A—2023-24

Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resou

County Code of Ordinances, Finance and Taxation, as pertains to Public Works Projects, as noted on the Ordinance.

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	ABSENT	35 KOURY	YES
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **5-23-23 County Board Meeting - May 23 2023 09:00:25 PM**

May 23, 2023 County Board Meeting

OpenMeeting

ORDINANCE NO.: A—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee are requesting to amend the County Code of Ordinances as pertains to Chapter 22, Finance and Taxation, as listed below.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee and Legislative/Audit and Human Resources Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does amend Chapter 22, Finance and Taxation, of the Outagamie County Code of Ordinances to read as follows (additions are in red and underlined; deletions are in red an struck through):

Sec. 50-41. Scope.

(a) *Contracts, bids.* All public work undertaken by the county or any agency thereof, including contracts for the construction, repair, remodeling or improvement of any public work, building or furnishing of supplies or materials of any kind shall follow the procedures as set forth in Sections 59.52(29) and 66.0901, Wisconsin Statutes and the current Administrative Rules for Public Works Projects of $1,500,000 or Less and Public Works Projects Over $1,500,000.~~where estimated cost of such work will exceed $50,000.00, shall be let by contract to the lowest responsible bidder. Any public work, the estimated cost of which does not exceed $50,000.00, once the funds have been provided by the County Board by either the budgetary or transfer process, shall be completed in accordance with procedures established as administrative rules which have been created by the county procurement coordinator and reviewed by the County Board without further action of the County Board. If the estimated cost of any public work is between $5,000.00 and $50,000.00, a class 1 notice under Wis. Stats. ch. 985, shall be given before any department or agency of the county contracts for the work or shall contract with a person qualified as a bidder under Wis. Stats. § 66.0901(2), or any amendments thereto. A public works project, the estimated cost of which exceeds $25,000.00, shall be let and awarded under Wis. Stats. §66.0901(2), except that the County Board may by a three-fourths vote of all the members entitled to a seat provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids.~~

Sec. 50-44. Policy statement.

(a) It shall be the policy of the county to act in accordance with chapter 22, pertaining to finance and taxation, and to publicly announce all requirements for architectural, engineering services and construction management to negotiate contracts for such services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices and at cost determined to be in the best interests of the taxpayers of the county.

(b) Public works projects with a contract sum greater than ~~$500,000.00~~$1,500,000.00 shall not commence until an agreement has been executed between the contractor and the county and all required contractor insurance certificates, performance bonds, and payment bonds have been received by the county. This provision shall not be mandatory for the repair or reconstruction of a county facility or facilities when such must be repaired or reconstructed on an emergency basis to protect the structural integrity of the improvement or the contents therein from further damage. For public works projects valued less than ~~$500,000.00~~$1,500,000.00, refer to administrative rules which shall be reviewed by the County Board in accordance with section 2-52.

Sec. 50-87. Committee to oversee project.

(a) Upon passage of an appropriating resolution for any public works project whose total cost exceeds $1,500,000.00, the Project Oversight Committee shall from that point forward have the total responsibility for overseeing all phases of the project to ensure that the project is proceeding in the best interests of the county. The Project Oversight Committee shall consist of:

(1) The County Executive or his representative.

(2) One member of the Standing Property, Airport, Recreation and Economic Development Committee.

(3) Finance Committee member.

(~~3~~4) The affected department head or, in the case of multiple departments, a representative.

(~~4~~5) The Facilities Engineer.

(6) Finance Director, or representative.

(5) The County Board Chair or his representative.

(6) One member of the standing committee of jurisdiction.

(b) The County Board Chair shall appoint one of the County Board Supervisors assigned to the Project Oversight Committee as Chair of the Project Oversight Committee.

BE IT FURTHER ORDAINED, that this ordinance shall be in effect upon completion of publication in accordance with Wisconsin State Statutes, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Corporation Counsel and Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 23rd day of May 2023.

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE
AND
LEGISLATIVE/AUDIT AND HUMAN RESOURCES COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: May 23, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 5/24/23

Vetoed: _____

Signed: _____
County Executive

Chapter 50 STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY[1]

ARTICLE I. IN GENERAL

Secs. 50-1—50-18. Reserved.

ARTICLE II. PUBLIC PROPERTY

DIVISION 1. GENERALLY

Secs. 50-19—50-39. Reserved.

DIVISION 2. PUBLIC WORKS PROJECTS[2]

Subdivision I. In General

Sec. 50-40. Purpose.

The purposes of this section are as follows:

(1) To provide a uniform process for the handling of county public works projects from the earliest stages of the project through its completion

(2) To designate the areas of responsibility through the various stages of the project.

(Code 1992, § 8.01(4); Ord. No. B-2006-2007, § 8.01(4), 6-27-2006)

Sec. 50-41. Scope.

(a) *Contracts, bids.* All public work undertaken by the county or any agency thereof, including contracts for the construction, repair, remodeling or improvement of any public work, building or furnishing of supplies or materials of any kind shall follow the procedures as set forth in Sections 59.52(29) and 66.0901, Wisconsin Statutes and the current Administrative Rules for Public Works Projects of $1,500,000 or Less and Public Works Projects Over $1,500,000, ~~where estimated cost of such work will exceed $50,000.00, shall be let by contract to the lowest responsible bidder. Any public work, the estimated cost of which does~~

[1]State law reference(s)—County highways, Wis. Stats. § 83.001 et seq.

[2]State law reference(s)—Public works contracts and bids, Wis. Stats. § 66.0901.

~~not exceed $50,000.00, once the funds have been provided by the County Board by either the budgetary or transfer process, shall be completed in accordance with procedures established as administrative rules which have been created by the county procurement coordinator and reviewed by the County Board without further action of the County Board. If the estimated cost of any public work is between $5,000.00 and $50,000.00, a class 1 notice under Wis. Stats. ch. 985, shall be given before any department or agency of the county contracts for the work or shall contract with a person qualified as a bidder under Wis. Stats. § 66.0901(2), or any amendments thereto. A public works project, the estimated cost of which exceeds $25,000.00, shall be let and awarded under Wis. Stats. §66.0901(2), except that the County Board may by a three-fourths vote of all the members entitled to a seat provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids.~~

(b) *Exceptions.* Except as otherwise provided by law, the provisions of this chapter are not mandatory for projects involving the county and any federal, state or other governmental entity where such noncounty entity is the lead or directing entity for the project. In addition, this chapter is not mandatory for highway contracts which the county highway commissioner is authorized by law to let or make. This article does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers.

(c) *Emergency provision.* The provisions of this article are not mandatory for the repair or reconstruction of public facilities when damage or threatened damage thereto creates an emergency as declared in writing by the county executive in which the public health or welfare of the county is endangered. For purposes of this subsection, an emergency shall mean any situation that exists immediate and substantial danger to the health. Life or property of any person or any situation where there exists potential for increased damage to county property if the situation is not immediately remedied. Within 24 hours of declaring an emergency, the county executive shall notify the County Board Chair. Whenever the County Board by majority vote at a regular or special meeting determines that an emergency no longer exists, this subsection no longer applies.

(d) *Turnkey methods.* In those construction projects where the Wisconsin Statutes permit the use of turnkey methods, the provisions of this article shall not be mandatory. In those projects, the county executive, the jurisdictional committees and the property, airport, recreation and economic development committee shall develop appropriate requests for bids and shall present their recommendation to the County Board for the awarding of the constructional contract.

(Code 1992, § 8.01(2)(a)—(d); Ord. No. K-2001-2002, § 8.01(2), 9-25-2001; Ord. No. B-2006-2007, § 8.01(2)(a)—(d), 6-27-2006)

State law reference(s)—Public work, Wis. Stats. § 59.52(29).

Sec. 50-42. Prevailing wage rate.

On any project subject to the prevailing wage rate, as defined and determined under Wis. Stats. § 66.0903 and Wisconsin Admin. Code, § DWD 290.01(17).the county shall apply to the department of workforce development for a prevailing wage rate determination. Applicability and exemptions shall be in accordance with definitions and project cost determinations of Wis. Stats. § 66.0903 and Wis. Admin. Code, § DWD 290.01(17).

(Ord. No. B-2006-2007, § 8.01(2)(e), 6-27-2006)

Sec. 50-43. Release of funds and retained percentages

Payment and retainage shall be in accordance with Wis. Stats. § 66.0901(9)(b).

(Ord. No. B-2006-2007, § 8.01(2)(f), 6-27-2006)

State law reference(s)—Bidder's proof of responsibility required, Wis. Stats. § 66.0901(2).

Sec. 50-44. Policy statement.

(a) It shall be the policy of the county to act in accordance with chapter 22, pertaining to finance and taxation, and to publicly announce all requirements for architectural, engineering services and construction management to negotiate contracts for such services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices and at cost determined to be in the best interests of the taxpayers of the county.

(b) Public works projects with a contract sum greater than ~~$500,000.00~~$1,500,000.00 shall not commence until an agreement has been executed between the contractor and the county and all required contractor insurance certificates, performance bonds, and payment bonds have been received by the county. This provision shall not be mandatory for the repair or reconstruction of a county facility or facilities when such must be repaired or reconstructed on an emergency basis to protect the structural integrity of the improvement or the contents therein from further damage. For public works projects valued less than ~~$500,000.00~~$1,500,000.00, refer to administrative rules which shall be reviewed by the County Board in accordance with section 2-52.

(Code 1992, § 8.05; Ord. of 8-11-1998, § 8.05)

Secs. 50-45—50-61. Reserved.

Subdivision II. Stages of Public Works Projects

Sec. 50-62. Stages.

Every county public works project shall proceed through the stages in this subdivision.

(Code 1992, § 8.02; Ord. No. B-2006-2007, § 8.02, 6-27-2006)

Sec. 50-63. Initial discussions.

To determine the need for the project, an initial discussion concerning such proposed project shall be conducted by the County Board committees of jurisdiction, the standing property, airport, recreation and economic development committee and the county executive.

(Code 1992, § 8.02(1); Ord. No. B-2006-2007, § 8.02(1), 6-27-2006)

Sec. 50-64. Appropriating resolution.

(a) The standing property, airport, recreation and economic development committee, together with the committees of jurisdiction, shall submit a resolution describing any proposed public works project whose

estimated cost exceeds $1,500,000.00 for consideration by the County Board which shall include recommendations for the scope of a particular project; approval to engage the services of a construction manager, if one is desired, and an architect/engineer for the project; authorization to proceed with having plans and specifications prepared; authorization to advertise for bids; and making provisions for funding the project. The projects shall be administered in accordance with administrative rules prepared by the county purchasing agent and reviewed by the County Board.

(b) Projects whose estimated cost is less than $1,500,000.00 and for which funding has been budgeted shall be considered approved by the County Board upon the passage of such project's budget and at the levels so authorized by the Board. Financing sources, outside of the county property tax levy, shall first be approved of by separate action of the County Board before any work or contract for work shall be entered into for such projects. The projects shall be administered in accordance with written administrative rules prepared by the County Procurement Coordinator and approved by the County Board which rules are incorporated herein by reference.

(Code 1992, § 8.02(2); Ord. No. B-2006-2007, § 8.02(2), 6-27-2006)

Secs. 50-65—50-86. Reserved.

Subdivision III. Public Works Project Oversight

Sec. 50-87. Committee to oversee project.

(a) Upon passage of an appropriating resolution for any public works project whose total cost exceeds $1,500,000.00, the Project Oversight Committee shall from that point forward have the total responsibility for overseeing all phases of the project to ensure that the project is proceeding in the best interests of the county. The Project Oversight Committee shall consist of:

(1) The County Executive or his representative.

(2) One member of the Standing Property, Airport, Recreation and Economic Development Committee.

(3) Finance committee member.

(34) The affected department head or, in the case of multiple departments, a representative.

(45) The Facilities Engineer.

(6) Finance Director, or representative.

(5) The County Board Chair or his representative.

(6) One member of the standing committee of jurisdiction.

(b) The County Board Chair shall appoint one of the County Board Supervisors assigned to the Project Oversight Committee as Chair of the Project Oversight Committee.

(Code 1992, § 8.03(1), (2); Ord. No. L-1995-1996, § 8.03(1), 9-26-1995; Ord. of 1-23-1996; Ord. of 9-7-1999, § 8.03(1), (2); Ord. No. B-2006-2007, § § 8.03(1), (2), 6-27-2006)

Sec. 50-88. Funds to be authorized by County Board.

No funds may be spent, nor costs incurred on a project beyond appropriations authorized by the County Board. Where insufficient project funds exist, supplemental appropriations shall only be authorized by the County Board.

(Code 1992, § 8.03(3); Ord. No. L-1995-1996, §8.03(2), 9-26-1995; Ord. of 9-7-1999(1), § 8.03(3); Ord. No. B-2006-2007, § 8.03(3), 6-27-2006)

Sec. 50-89. County Board may decline creation of committee.

If the public works project, meeting the threshold to institute an oversight committee, is deemed, because of its merits, not to require an oversight committee, the County Board may through resolution decline the creation of the oversight committee for the project. The following solid waste projects will be exempt from the requirement to form an oversight committee: Landfill earthwork and liner installation for cell or final cover construction and gas collection piping or well system construction.

(Ord. No. B-2006-2007, § 8.03(4), 6-27-2006; Ord. No. A-2011-12, 4-19-2011)

Sec. 50-90. Updates required.

At six-month intervals of the public works project, a written update as to the progress of the project and the financial aspects of the project shall be brought before the Property, Airport, Recreation and Economic Development Committee and the Committee of Jurisdiction.

(Ord. No. F-2003-2004, § 8.03(4), 12-9-2003; Ord. No. N-2003-2004, § 8.03(4), 3-23-2004; Ord. No. B-2006-2007, § 8.03(4), 6-27-2006)

Sec. 50-91. Report due at project completion.

At the completion of a public works project, the Facilities Engineer shall submit a written finish-out report to ensure all functional criteria of the project have been met, and the Finance Director shall submit a financial close out report which shall summarize the accounting for the dispersion of funds throughout the project and show a final project balance, to the Property, Airport, Recreation and Economic Development Committee and the Committee of Jurisdiction. The County Board of Supervisors shall then receive this report from the Committees of Jurisdiction.

(Ord. No. F-2003-2004, § 8.03(4), 12-9-2003; Ord. No. N-2003-2004, § 8.03(5), 3-23-2004; Ord. No. B-2006-2007, § 8.03(5), 6-27-2006)

Sec. 50-92. Progress reports; contracts; invoices and payments; Committee of Jurisdiction.

(a) The County Executive or designee shall prepare and submit progress reports on the various public works projects to the County Board from time to time.

(b) The County Board Chair, County Clerk and County Executive shall execute all contracts requiring County Board approval on behalf of the county.

(c) The County Executive or designee shall prepare invoices and authorize payments to be made on any project pursuant to the County Board authorizing resolution.

(d) The Standing Property, Airport, Recreation and Economic Development Committee shall be the Committee of Jurisdiction for all county remodeling, reconstruction, refurbishing, repair or new construction projects with jurisdiction for the acquisition or disposal of any land as may be required.

(Code 1992, § 8.04; Ord. No. G-1995-1996, 6-13-1995)

Secs. 50-93—50-112. Reserved.

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the May 23, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on May 23, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 23rd day of May, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: June 16, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD SPECIAL MEETING * *

Office of the County Clerk, June 6, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

On May 30, 2023, the Outagamie County Clerk received a written notice from a majority of the Supervisors, to hold a Special Meeting on Tuesday, June 6, 2023, at 7:00 p.m., pursuant to Sec. 2-20(d) of the County Board Rules and Sec. 59.11(2), Wis. Stats., to consider censure of Supervisor Hermes for comments made at the May 9, 2023, Outagamie County Board meeting.

ROLL CALL: 30 present, 6 absent. Members present: Thompson, Miller, Patience, Gabrielson, Konetzke, Lawrence, Krueger, Ferguson, McCabe, Wegand, Hermes, MacDonald, Schroeder, Croatt, Cooke, Santonato, Cuff, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Rettler, Koury, and Lautenschlager. Members Absent: Smith, Hammen, Lamers, Spears, Hagen, Thyssen.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Smith, Hammen, Lamers, Spears, and Hagen. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE MAY 23, 2023 COUNTY BOARD MEETING
Supervisor Konetzke moved, seconded by Supervisor Patience, to approve the minutes of the May 23, 2023, County Board meeting.

ROLL CALL: 26 yes, 4 abstain (Wegand, Klemp, Monfils, VanderHeiden), 6 absent. MINUTES OF THE MAY 23, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY –
Chairperson Nooyen reported the appointment to Land Information Council will be held in committee.

Chairperson Nooyen reported the request to have Resolution No. 25—2023-24 locked in at the meeting, if it is approved.

COMMUNICATIONS - Communication Referral List (included in the packet).
Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.
- Nine supervisors have to complete the May IT training sessions. Supervisors can contact Legislative Services if they need to have the links emailed to them.
- The June 13th County Board meeting will be cancelled. The June 27th County Board meeting will be held virtually.

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY) –

Mary Hufford, 1344 W. Roselawn Dr., Appleton WI - spoke against Resolution No. 25—2023-24.

Jonnie Urban, 711 E. Boldt Way, Lawrence University, Appleton WI - spoke in favor of Resolution No. 25—2023-24.

Matthew Trewhella, 3177 Hwy 167, Richfield WI - spoke against Resolution No. 25—2023-24.

Melissa Hrdlicka, 426 Ransom St. Apt. B, Ripon WI – representing Hate-Free Outagamie - spoke in favor of Resolution No. 25—2023-24.

Ed Perkins, 4486 N. White Hawk Dr., Appleton WI – spoke against Resolution No. 25—2023-24.

Rocky Rodriguez, 416 E. Capitol Dr., Appleton WI - spoke against Resolution No. 25—2023-24.

Ronna Swift, 230 W. Seymour St., Appleton WI – spoke in favor of Resolution No. 25—2023-24.

Peter Hofacker, N3618 State Rd. 47, Center WI - spoke against Resolution No. 25—2023-24.

Logan Robinson, 1913 W. Russet Ct., Appleton WI – spoke in favor of Resolution No. 25—2023-24.

Marcus Schroeder, 900 Michigan Ave., Waukesha WI - spoke against Resolution No. 25—2023-24.

Lee Hendricks-Richman, E. Boldt Way, Lawrence University, Appleton WI - spoke in favor of Resolution No. 25—2023-24.

Cindy Conradt, W6290 Klika Rd., Shiocton WI - spoke against Resolution No. 25—2023-24.

Reiko Ramos, 400 N. Richmond St., Appleton WI - spoke in favor of Resolution No. 25—2023-24.

Ruth Elmer, 427 Hidden Ridges Way, Combined Locks WI - spoke against Resolution No. 25—2023-24.

Janice Quinlan, 322 Smith Ct., Appleton WI – representing LWV Appleton Fox Cities - spoke in favor of Resolution No. 25—2023-24.

Chairperson Nooyen asked for unanimous consent to extend Public Participation an additional fifteen minutes.

Angie Peterson, 833 E. Capitol Dr., Appleton WI - spoke against Resolution No. 25—2023-24.

Sommer Loar, 1303 Manitowoc Rd., Menasha WI - spoke in favor of Resolution No. 25—2023-24.

Dean Neubert, W7808 Cty Rd. MM, Hortonville WI – representing Republican Party of Outagamie - spoke against Resolution No. 25—2023-24.

Nate Wolff, 1801 W. Pershing St. Apt 612, Appleton WI – representing District 12 Appleton - spoke in favor of Resolution No. 25—2023-24.

Laurel Zempel, 1035 W. Harris St., Appleton WI - spoke against Resolution No. 25—2023-24.

Vered Meltzer, 424 E. Atlantic St., Appleton WI – representing District 2 Appleton - spoke in favor of Resolution No. 25—2023-24.

Wanda Winterfeldt, W7846 Cty Rd. MM, Hortonville WI - spoke against Resolution No. 25—2023-24.

Gary Crevier, 37 Ramlen Ct., Appleton WI – representing ESTHER – spoke in favor of Resolution No. 25—2023-24.

Chairperson Nooyen asked for unanimous consent to extend Public Participation an additional fifteen minutes.

Elvin Blair, 2300 Palisades Dr., Appleton WI - spoke against Resolution No. 25—2023-24.

Beth Destasio, 3408 N. Morrison St., Appleton WI – spoke in favor of Resolution No. 25—2023-24.

Robert Kramer, W6461 Summer Wind Ln., Greenville WI - spoke against Resolution No. 25—2023-24.

Rich Krake, 1144 E. Northwood Dr., Appleton WI - spoke against Resolution No. 25—2023-24.

Michelle Schaefer, 413 S. Joseph St., Appleton WI - spoke against Resolution No. 25—2023-24.

Helen Boyd, 324 E. Franklin St., Appleton WI - spoke in favor of Resolution No. 25—2023-24.

Regan Koepke, N8114 Town Hall Rd., Eldorado WI – spoke against Resolution No. 25—2023-24.

Jonathan Storms, 955 County C, Grafton WI – spoke against Resolution No. 25—2023-24.

Rose Lorier, 401 Misty Meadows Blvd., Hartford WI – spoke against Resolution No. 25—2023-24.

Dawsen Seibel, W9554 Olden Rd., Eldorado WI – spoke against Resolution No. 25—2023-24.

Priscilla Truela, 3177 Hwy 167, Richfield WI - spoke against Resolution No. 25—2023-24.

Jack Garen, W323 S4224 Grace Ct., Waukesha WI - spoke against Resolution No. 25—2023-24.

APPOINTMENTS— being held in committee.

County Board Chair Nooyen nomination for appointment of Rick Lautenschlager to the Land Information Council; said term expiring April 2024.

In accord to County Board Rules, the Board took a recess and then reconvened.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. 25—2023-24 – Various Supervisors. Approve of requesting the Chairperson of the Board verbally censure Supervisor Timothy Hermes for his conduct at the May 9th, 2023 Board Meeting in Appleton and finds the conduct of Supervisor Hermes to be damaging to the good reputation of Outagamie County, to be disrespectful and insensitive to members of our community, and to be inconsistent with the mission of Outagamie County, its employees, officers and the majority of the County Board of Supervisors.

Supervisor Thiede moved, seconded by Supervisor Santonato, for adoption.

Supervisor Patience moved to amend Resolution 25—2023-24 to read as 'Approve of requesting the Chairperson of the Board verbally censure Supervisor Timothy Hermes for his conduct at the May 9th, 2023 Board Meeting in Appleton and finds the conduct of Supervisor Hermes to be damaging to the good reputation of Outagamie County, to be disrespectful and insensitive to members of our community, and to be inconsistent with the mission, vision, and core values of Outagamie County, its employees, officers and the majority of the County Board of Supervisors.', seconded by Supervisor Thiede, for amendment.

ROLL CALL: 27 yes, 2 no (Krueger, Rettler), 1 abstain (Klemp), 6 absent. RESOLUTION NO. 25—2023-24 IS AMENDED.

ROLL CALL: 21 yes, 8 no (Krueger, Cooke, Klemp, Weinberg, Winterfeldt, Nejedlo, Clegg, Rettler), 6 absent. RESOLUTION NO. 25—2023-24 IS ADOPTED AS AMENDED.

RECONSIDERATION OF RESOLUTION NO. 25—2023-24.

Supervisor Santonato moved, seconded by Supervisor MacDonald, to reconsider the above listed resolution.

Vote for reconsideration. ROLL CALL: 25 yes, 4 no (Cooke, Klemp, Weinberg, Winterfeldt), 1 abstain (Hermes), 6 absent. RESOLUTION NO. 25 —2023-24 IS RECONSIDERED.

Vote for lock in. ROLL CALL: 23 yes, 6 no (Krueger, Cooke, Klemp, Weinberg, Winterfeldt, Nejedlo), 1 abstain (Hermes), 6 absent. RESOLUTION NO. 25—2023-24 IS ADOPTED & LOCKED IN.

Chairperson Nooyen conducted the following verbal censure to Supervisor Timothy Hermes:

- Based on the Vote of the Count Board I hereby censure you for your conduct we all witnessed at the May 9th, 2023 County Board Meeting.
- While you are free to hold whatever opinions you may have on issues relating to transgendered individuals, and are also free to comment on your opinions, your position as an elected official and member of this body require you to make those comments in a manner which does not tarnish the reputation, integrity, and respect that we owe all of our constituents. Your duties as a public official for this body require you to act with civility, and respect, not with name calling and verbal attacks. The manner in which you expressed your opinion was not an example of civil discourse, they were offensive and disrespectful to many people.

- Additionally, your comments brought up an issue which wasn't even in front of this board to act on and made the County Board a stage for national debate. The purpose of this board is to carry out the important duties of the County on issues that come before it, not to create such a stage. This has caused significant issues for our Board, for our staff, and for members of this community.
- This board has voted to censure you for the lack of civil discourse in the exercise of your duties, for tarnishing our reputation, and for ultimately precluding us from undertaking our mission as a County Board. Going forward, for you, and for any other member of the County board, do your job as an elected official. Do it respectfully, with dignity and appreciation for all members of our community regardless of their age, class, race, gender identity, sexual orientation, national origin, color or creed.

REPORTS – none.

ADJOURNMENT
Supervisor Patience moved, seconded by Supervisor Wegand to adjourn until June 27, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

LOCK IN & ADOPTION OF RESOLUTION NO. 25—2023-24.

Vote for lock in. ROLL CALL: 23 yes, 6 no (Krueger, Cooke, Klemp, Weinberg, Winterfeldt, Nejedlo), 1 abstain (Hermes), 6 absent. RESOLUTION NO. 25—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 23 YES 6 NO 1 ABSTAIN 6 ABSENT

Lock In of Resolution No. 25—2023-24

Lock In of Resolution No. 25—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSTAIN	26 WEINBERG	NO
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	NO
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	NO
7 HAMMEN	ABSENT	19 COOKE	NO	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	NO	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	ABSENT	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	NO	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

6-6-23 County Board Meeting - June 6 2023 09:35:13 PM

June 6, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NO. 25—2023-24.

Supervisor Santonato moved, seconded by Supervisor MacDonald, to reconsider the above listed resolution.

Vote for reconsideration. ROLL CALL: 25 yes, 4 no (Cooke, Klemp, Weinberg, Winterfeldt), 1 abstain (Hermes), 6 absent. RESOLUTION NO. 25—2023-24 ARE RECONSIDERED.

VOTE RESULTS 25 YES 4 NO 1 ABSTAIN 6 ABSENT

Reconsideration of Resolution No. 25—2023-24

Reconsideration of Resolution No. 25—2023-24

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSTAIN	26 WEINBERG NO
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT NO
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN ABSENT	19 COOKE NO	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS ABSENT	22 HAGEN ABSENT	34 RETTLER YES
11 FERGUSON YES	23 KLEMP NO	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County

6-6-23 County Board Meeting - June 6 2023 09:35:01 PM

June 6, 2023 County Board Meeting

OpenMeeting

Resolution No. 25—2023-24 – Various Supervisors. Approve of requesting the Chairperson of the Board verbally censure Supervisor Timothy Hermes for his conduct at the May 9th, 2023 Board Meeting in Appleton and finds the conduct of Supervisor Hermes to be damaging to the good reputation of Outagamie County, to be disrespectful and insensitive to members of our community, and to be inconsistent with the mission, vision, and core values of Outagamie County, its employees, officers and the majority of the County Board of Supervisors.

Supervisor Thiede moved, seconded by Supervisor Santonato, to approve Resolution No. 25—2023-24 as amended.

ROLL CALL: 21 yes, 8 no (Krueger, Cooke, Klemp, Weinberg, Winterfeldt, Nejedlo, Clegg, Rettler), 6 absent. RESOLUTION NO. 25—2023-24 IS ADOPTED AS AMENDED.



VOTE RESULTS — 21 YES | 8 NO | 0 ABSTAIN | 6 ABSENT | 1 DID NOT VOTE

Resolution No. 25—2023-24 As Amended

Approve Resolution No. 25—2023-24 As Amended.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	Not Voting	26 WEINBERG	NO
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	NO
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	NO
7 HAMMEN	ABSENT	19 COOKE	NO	31 CLEGG	NO
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	NO	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	ABSENT	34 RETTLER	NO
11 FERGUSON	YES	23 KLEMP	NO	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — 6-6-23 County Board Meeting - June 6 2023 09:34:21 PM

June 6, 2023 County Board Meeting

OpenMeeting

Resolution No. 25—2023-24 – Various Supervisors. To amend requesting the Chairperson of the Board verbally censure Supervisor Timothy Hermes for his conduct at the May 9th, 2023 Board Meeting in Appleton and finds the conduct of Supervisor Hermes to be damaging to the good reputation of Outagamie County, to be disrespectful and insensitive to members of our community, and to be inconsistent with the mission of Outagamie County, its employees, officers and the majority of the County Board of Supervisors.

Supervisor Patience moved, seconded by Supervisor Thiede, to amend Resolution No. 25—2023-24.

ROLL CALL: 27 yes, 2 no (Krueger, Rettler), 1 abstain (Klemp) RESOLUTION NO. 25—2023-24 IS AMENDED.

VOTE RESULTS 27 YES 2 NO 1 ABSTAIN 6 ABSENT

To Amend Resolution No. 25—2023-24

To Amend Resolution No. 25—2023-24.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	ABSENT	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	NO	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	ABSENT	34 RETTLER	NO
11 FERGUSON	YES	23 KLEMP	ABSTAIN	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **6-6-23 County Board Meeting - June 6 2023 08:46:23 PM**

June 6, 2023 County Board Meeting

OpenMeeting

Amended
RESOLUTION NO.: 25—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Outagamie County Board of Supervisors (the Board) is the elected Governing Body of Outagamie County representing districts as determined by Wis. Stat. §59.10 and Outagamie County Ordinance Sec. 2-19. As the legislative body for Outagamie County, the Board reviews resolutions and ordinances which are considered for adoption. It is through these ordinances and resolutions that the County undertakes the duties conferred to it by the legislature through the Wisconsin Constitution as set forth in Wis. Stat. §§59.01, 59.04, Article IV §22 of the Wisconsin Constitution, and Outagamie County Ordinance Sec. 2-51.

On May 9th, 2023, Supervisor Timothy Hermes uttered comments during a presentation by Equity, Diversity, and Inclusion Officer Major Cooper which were expressed in a manner that many members of the Board and community found to be offensive. A transcript of the comments at issue are attached and incorporated by reference herein as Attachment A.

The Board recognizes that each individual board member has a right under the First Amendment to freely express their own personal ideals and beliefs so long as those ideals are expressed in an appropriate time, place, and manner. The Board believes that members must conduct themselves in a civil manner while addressing the issues that affect our community as failing to do so damages the good name, reputation, and relationship with our constituents as a whole. While Supervisor Hermes has his right to utter protected speech under the First Amendment, the Board has its own right to collectively make a statement establishing their opinion on the comments and behavior of its members. *See*, *Houston Community College System v. Wilson*, 142 S. Ct. 1253; 212 L. ED. 2d 303, (2022).

NOW THEREFORE, the undersigned members of the Outagamie County Board of Supervisors recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors approves of requesting the Chairperson of the Board verbally censure Supervisor Timothy Hermes for his conduct at the May 9th, 2023 Board Meeting in Appleton Wisconsin, and

BE IT FURTHER RESOLVED, that the Outagamie County Board finds the conduct of Supervisor Hermes to be damaging to the good reputation of Outagamie County, to be disrespectful and insensitive to members of our community, and to be inconsistent with the mission, vision, and core values of Outagamie County, its employees, officers and the majority of the County Board of Supervisors, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive, Outagamie County Corporation Counsel, and Outagamie County Board Chairperson

Dated this 6th day of June 2023.

Respectfully Submitted,
VARIOUS SUPERVISORS

Duly and officially adopted by the County Board on: June 6, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: June 8, 2023

Vetoed: _____

Signed: _____ County Executive

ATTACHMENT A

Transcript of May 9th, 2023 Outagamie County Board Meeting EDI Presentation Q & A

Chair Nooyen: Supervisor Hermes

Supervisor Hermes: Yeah, I got a question and a comment. I know women had to fight for their own sports, and their own bathrooms, and the way I look at things is, you know, if you have any man that decides he wants to be a woman, is kind of reverting a woman to a feeling like any grandmother, mother, sister, daughter, any man can just be that. Now to me, a man putting on a dress, and putting on a woman's face, is the same as the black face in the 1920's. Now how do you justify that, you know, people who accept that, reverting a woman to a feeling, that any man can be a woman. I just totally disagree with that.

Mr. Cooper: I think it's really about, um, showing everyone dignity, and respect, and so how a person identifies, we have to respect that. And I think also, we have to not only respect it, but we have to acknowledge it, and make sure that they're operating in a safe space. And so, I definitely can understand where for some people, it may seem, I'm not even going to acknowledge it as odd, but it may be a new idea and a new way of thinking or approaching people. I think if you operate with a dignity lens, first and foremost and see that person as an actual person, no matter what they identify as their gender, there are certain rights that they should deserve.

Supervisor Hermes: But don't you think women have the right to their own bathrooms, and not a man pretending to be a woman going in to that bathroom? I mean that puts a lot of concerns for fathers, you have a man in a dress with a woman's face on going into a bathroom by a little girl, trying to change in their dressing rooms, I find that disgusting.

Mr. Cooper: Well I think what we are moving to now, again this is all about changing the culture and I think what we are looking at now is that as we provide a safe space for all, that we have these places and spaces where we have a family restroom. Where if there is a situation where a father, that has a young daughter, may feel uncomfortable with sending their young daughter into a women's only restroom or a female identifying restroom, they can take them into that single stall family restroom, and then lock the door and its just them two without any type of disruption. And that's where I think we are moving the culture to make sure that we are showing respect to all, and dignity to all. And I understand where you may have a fear in that, or you may have feelings of disgust, and I acknowledge that, but I also want to push back at you and say, what happens then when it is your daughter who grows older and says, you know what, father I feel as if I may need to transition because now I feel and want to identify as a male. You would want that same safe space for them as they travel and as they are really trying to just exist in this county. And so, that's where I think we really need to push the culture is that we have to not only be an ally and recognize that there are people who are different from us but then also try to put ourselves in their shoes, and what if it was our family member, we would want the same rights for them as well.

Supervisor Hermes: I would have to go get counseling. Is what I would do.

RESOLUTION NO.: 25—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

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The Board recognizes that each individual board member has a right under the First Amendment to freely express their own personal ideals and beliefs so long as those ideals are expressed in an appropriate time, place, and manner. The Board believes that members must conduct themselves in a civil manner while addressing the issues that affect our community as failing to do so damages the good name, reputation, and relationship with our constituents as a whole. While Supervisor Hermes has his right to utter protected speech under the First Amendment, the Board has its own right to collectively make a statement establishing their opinion on the comments and behavior of its members. *See*, *Houston Community College System v. Wilson*, 142 S. Ct. 1253; 212 L. ED. 2d 303, (2022).

NOW THEREFORE, the undersigned members of the Outagamie County Board of Supervisors recommend adoption of the following resolution.

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BE IT FURTHER RESOLVED, that the Outagamie County Board finds the conduct of Supervisor Hermes to be damaging to the good reputation of Outagamie County, to be disrespectful and insensitive to members of our community, and to be inconsistent with the mission of Outagamie County, its employees, officers and the majority of the County Board of Supervisors, and

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the June 6, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on June 6, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 6th day of June, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: July 7, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, June 27, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. by teleconference.

ROLL CALL: 33 present, 3 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Lamers, Ferguson, Wegand, Hermes, MacDonald, Schroeder, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Rettler, Koury, and Lautenschlager. Members Absent: Krueger, McCabe, and Thyssen.

The Board Chairperson requested the Board's confirmation to excuse Supervisor McCabe and Supervisor Thyssen. No objections; so ordered.

MINUTES OF THE JUNE 6, 2023 COUNTY BOARD MEETING
Supervisor Thiede moved, seconded by Supervisor Hagen, to approve the minutes of the June 6, 2023, County Board meeting.

VOICE VOTE CARRIED UNANIMOUSLY. MINUTES OF THE JUNE 6, 2023, COUNTY BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS –

Kevin Englebert, County Development and Land Services Director and Rebecca Speckhard, Quarles & Brady LLP, will provide background on the final resolution regarding Unconditional County Guaranty of Its Pro Rata Share, Intergovernmental Agreement and Taxable Revenue Bond Financing for Bug Tussel 1, LLC Project

County Development and Land Services Director, Kevin Englebert introduced Rebecca Speckhard, Quarles & Brady LLP, to discuss entering into the Bug Tussel transaction to create a middle mile network throughout Outagamie County and Resolution 29—2023-24 that is being brought before the County Board.

Rebecca Speckhard, Quarles & Brady LLP gave an overview of the transaction and bond issue.

- The bond issue is being issued by Fond du Lac County as a conduit financing for the benefit of Bug Tussel. Fond du Lac County is lending their name to the transaction, but Bug Tussel is the entity responsible for the repayment of the bonds.
- Each County that is participating and having their projects financed in the transaction, is being asked to provide a full faith agreement, unconditional guarantee of the portion of the bonds that is financing projects within their jurisdiction.
- Outagamie County’s maximum exposure: The amount that Outagamie County is being asked to guarantee is $24 million plus the interest that would accrue over the life of the 30-year bonds. Additionally, if there was a bond insurer that was part of the transaction and had to step in to make payments on behalf of Outagamie County, there could be compound interest on those payments made by the bond insurer.

- It is not intended that the guarantee would be drawn upon. The documents are set up that Bug Tussel is obligated to hold the bond payments throughout the course of the bond issue. The bonds are being marketed with the additional security feature of the guarantee for the benefit of investors.
- All of the Counties are reserving debt capacity in the amount of their portion and interest. The final resolution will offer the issuance of general obligation promissory notes to fund the guarantee (approved by a ¾ vote).
- The intent is that Bug Tussel will make all principal and interest payments.
- At the time the bonds are issued (projected to be end of July) a portion of the bonds equal to one year's debt service is set aside in a reserve account with the trustee. If Bug Tussel ever failed to make a principal and interest payment, the trustee would use the reserve account to make the payment and notify the County they had to use the reserve account to make the payment.
- The County would then have 150 days to replenish the reserve account so that the reserve account would be fully funded by the next debt service payment date.
- The interest rate will be fixed at the time of issue.
- In exchange for providing the guarantee, Outagamie County will receive expansion of rural route access through fiber network and towers. The County will also have free access to fiber and towers for life of the bond issue. Bug Tussel will pay each county .4% in fees annually for the amount of outstanding bonds being guaranteed.
- From a legal perspective, the County is responsible for making payment regardless of any performance of Bug Tussel.
- If Bug Tussel does not make a payment, the County would get 150 days to replenish the reserve account. In addition, as soon as the County makes the payment, there is a guarantee agreement provided by Hilbert Communications on obligating Hilbert Communications to stand behind Bug Tussel's obligation to reimburse the County.
- There is also a first lien mortgage on every real estate asset or tower constructed with bond proceeds that Outagamie County would receive if Hilbert Communications does not stand behind the obligation, as well as a UCC filing made on all fiber on public right of way. This would provide the County the ability to foreclose on those assets, providing a level of security in the assets.
- Another security feature is that all the counties in the agreement could take over Bug Tussel 1 if there was a failure to make payments.
- All documents have been provided and have been reviewed. If the county wishes to participate in this financing, the documents are in appropriate legal format for County Board to approve.
- Bond Counsel is provided by Bug Tussel. Quarles and Brady, LLC are representing the County and have reviewed the documents from that perspective.

Supervisor Questions/Comments followed.

<u>Lisa Lux, County Human Resources Director and Malayna Halvorson Maes, McGrath Human Resources Group, will give an update on the Total Rewards Project, next steps, and timing</u>

Human Resources Director Lisa Lux provided an update on the total rewards compensation study.

- Director Lux introduced Malayna Halvorson Maes, McGrath Human Resources Group, who the County has partnered with on the Total Rewards Project to form a new compensation structure.
- What will be covered in the presentation:
    - Review of the project scope
    - Overview of the methodology and processes used
    - Overview of findings and recommendations

    - Insight into condensing to one wage schedule
    - Implementation and timeframe
- What will not be covered in the presentation, as it is not yet available
    - Details to specific positions and employees
    - Specifics related to the funding of the project
    - There will not be a specific resolution being brought forward, just an update.

Malayna Halvorson Maes, McGrath Human Resources Group, spoke about the project scope that McGrath has followed:

- The Scope of Services included in the Total Rewards Compensation Study include:
    - Taking a look at what the County's current needs are within the organization in regards to not only total rewards, compensation, and benefits, but also the well-being of the organization, opportunities for professional development and recognition.
    - McGrath was tasked to not only evaluate for market competitiveness, but to also help reduce the number of classifications or job titles that are being supported.
- Methodology:
    - Meet with Administration, Human Resources, Department Heads, and Management Teams to help get an understanding of the programs, operations, and services that are provided at each department level.
    - McGrath then reviewed the current compensation system, organizational charts, job descriptions, and compensation policies.
    - Solicited compensation data from a list of 27 comparable organizations (public sector – cities or counties). Collected from minimum, midpoint, maximum and incumbent salary data points and aligned these with as many of the County's positions as possible.
    - Collected compensation data from local private employers in the region.
    - While Outagamie County currently has nearly 400 job titles, there will be some opportunities to make some adjustments to job titles and classifications to put the County in line with the industry.
- Market summary findings:
    - A graph was presented that compared Outagamie County's step 5 against the other organizations that were used to find the going market rate.
    - At this specific data point, 22% of the positions aligned to average market midpoint.
    - 19% of positions have a comp ratio of 45-49% and may be falling short of competitiveness within the market.
    - 60% of positions were found to be below average market midpoint. This was a common finding amongst different data points.
- Summary of recommendations:
    - Two salary schedules are recommended to be combined into one salary schedule.
        - Goal is to have equity in salary adjustments.
        - Structure will be similar with a step model that is built into each salary range. What will be unique is that all steps will be the same percentage between steps (3% increase with each move to the next step).
        - Twenty pay grades which includes both exempt and non-exempt roles.
        - Increase to 7-10% between each pay grade.
        - This keeps compression in line and as employees promote to higher grade levels, the promotion is greater and more meaningful.
        - Nearly 400 classifications (job titles) will be reduced to 250 classifications (job titles).
    - McGrath provided two examples of pay grades to model how salaries will step with adequate performance on anniversary steps.

- New Structure and Implementation Process:
    - McGrath has built the model and all positions have been evaluated and placed on salary grades. The minimum implementation cost has been identified for the County.
    - All changes will occur at one time and it will be built into the 2024 budget, with salary adjustments made during the first pay period in January 2024.
    - All employees will receive some sort of a wage increase to transition to the new wage schedule.
    - The County will need to identify $3 million to implement.
    - There will be flexibility for departments to hire new employees through step 5 without additional approval from HR.
- Next steps:
    - Meet with each Department Head to review and finalize position placements. July 12-14, 2023
    - Finalize recommendations and final report from McGrath – July 24, 2023
    - Presentation to County Board – August 2023
    - Presentation to Employees – Following County Board presentation in August 2023 with the caveat of 2024 budget approval
    - Setup of new wage schedules and testing in Tyler Munis – August through October 2023
    - Budget approval – November 2023
    - Changes made in system for each employee – November/December 2023
    - New salaries in effect first pay period – January 2024
    - Benefit review and enhancement recommendations - 2024

Supervisor Questions/Comments followed.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have all Appointments and Resolutions that are on the agenda locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

June 27, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	04/20/2023	Winnebago County	Resolution No.: 220-042023 Urge Wisconsin Legislature to Provide $18.7 million in Stable, Core Funding Support for County Conservation Department Staffing	Resolution No.: 12-2021-22
2	05/16/2023	Washburn County	Letter of Support to Wisconsin Counties Association Improve the safety of ATV/UTV riders and those using our public highways for transportation.	Public Safety Committee
3	05/16/2023	Lafayette County	Resolution 10-23 Requesting the State To Revise Solar Energy System Law	Zoning Committee
4	05/16/2023	Price County	Resolution 19-23 Request State of Wisconsin to Address Concerns of Act 216, Relating to Distributing Proceeds from the Sale of Tax Delinquent Property to the Former Owner	Finance Committee
5	05/16/2023	Portage County	Resolution #110-2022-24 Resolution to Request the State Revise the Current Real Estate Transfer Fees Revenue Sharing Formula	Resolution No.: 14-2022-23
6	05/16/2023	Lafayette County	Resolution 11-23 Requesting to Better Protect the State Agricultural Land by Reviewing and Revising its Policy on Foreign Ownership of Farmland	Resolution No.: 147-2022-23
7	06/13/2023	Walworth County	Resolution No. 19-06/23 Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders	Resolution No.: 137-2022-23
8	06/15/2023	Douglas County	Resolution #35-23 Resolution Regarding Foreign Ownership of Farmland	Resolution No.: 147-2022-23

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.
- Four supervisors have yet to complete the May IT training. A reminder email was sent out to these individuals from the Legislative Services office.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS

County Executive Nelson nomination for appointment of Isaac Uitenbroek as Outagamie County Land Use Supervisor/Zoning Administrator, effective immediately.

Supervisor VanderHeiden moved, seconded by Supervisor Weinberg for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. ISAAC UITENBROEK IS APPOINTED AS OUTAGAMIE COUNTY LAND USE SUPERVISOR/ZONING ADMINISTRATOR.

County Executive Nelson nomination for reappointment of George Fickau to the Board of Adjustment Zoning Ordinance; said term expiring June 30, 2026.

Supervisor Santonato moved, seconded by Supervisor Lautenschlager for confirmation of the above-listed reappointment.

VOICE VOTE CARRIED UNANIMOUSLY. GEORGE FICKAU IS REAPPOINTED TO THE BOARD OF ADJUSTMENT ZONING ORDINANCE.

County Executive Nelson nomination for reappointments of Thomas Nelson, Katrin Patience, Kevin Pullen, Gary Schmidt, and Paula Van De Leygraaf to the Local Emergency Planning Committee; said terms expiring June 30, 2026.

Supervisor Smith moved, seconded by Supervisor Cooke for confirmation of the above-listed reappointments.

VOICE VOTE CARRIED UNANIMOUSLY. THOMAS NELSON, KATRIN PATIENCE, KEVIN PULLEN, GARY SCHMIDT, AND PAULA VAN DE LEYGRAAF ARE REAPPOINTED TO THE LOCAL EMERGENCY PLANNING COMMITTEE.

County Board Chair Nooyen nomination for appointment of Rick Lautenschlager to the Land Information Council; said term expiring April 2024.

Supervisor Spears moved, seconded by Supervisor Konetzke for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. RICK LAUTENSCHLAGER IS APPOINTED TO THE LAND INFORMATION COUNCIL.

UNFINISHED BUSINESS– None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. 26—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to grant We Energies an easement for parcel numbers 111090900 and 111122700 in the Village of Greenville, as noted on the resolution and attachments.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 26—2023-24 IS ADOPTED.

Resolution No. 27—2023-24 – Public Safety Committee. Approve the County Sheriff's Office to apply for, accept and expend the 2023 Public Safety Answering Point grant funds issued by the Wisconsin Department of Military Affairs/Office of Emergency Communications, with a required 20% County match, to provide funding for equipment upgrades and advanced training necessary for Next Generation 9-1-1, and increase the line items for the 2023 Capital Projects Revenue, Intergovernmental – DMA Next Gen and the Sheriff – E911 Hardware/Software, Capital Outlay by $388,624 each, as noted on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Lamers, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 27—2023-24 IS ADOPTED.

Resolution No. 28—2023-24 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the request to transfer the following line items of $43,700 from the Small Department Vacation/Sick Leave Payout Fund to the Zoning Administration Salaries for $32,775 and Fringe Benefits for $10,925, and increase the General Funds Applied, Fund Balance Applied by $43,700, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts by $43,700, and increase the General Fund, Fund Balance Unassigned by $43,700, to fill the vacated

Zoning Administrator/Land Use Supervisor position in the Development and Land Services Department, as noted on the attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Koury, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 28—2023-24 IS ADOPTED.

Resolution No. 29—2023-24 – Finance Committee. Approve the Final Resolution regarding Unconditional County Guaranty of Its Pro Rata Share, Intergovernmental Agreement and Taxable Revenue Bond Financing for Bug Tussel 1, LLC Project, as noted of the resolution and attachments.

Supervisor Miller moved, seconded by Supervisor Croatt, for adoption.

VOICE VOTE CARRIED WITH THIRTY-ONE (31) YES, ONE (1) NO (HERMES), AND ONE (1) ABSTENTION (KONETZKE). RESOLUTION NO. 29—2023-24 IS ADOPTED.

RECONSIDERATION OF LAND USE SUPERVISOR/ZONING ADMINISTRATOR APPOINTMENT, BOARD OF ADJUSTMENT ZONING ORDINANCE REAPPOINTMENT, LOCAL EMERGENCY PLANNING COMMITTEE REAPPOINTMENTS, LAND INFORMATION COUNCIL APPOINTMENT AND RESOLUTION NOS. 26, 27, 28 AND 29—2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Cuff, to reconsider the above listed appointments and resolutions.

Vote for reconsideration. LAND USE SUPERVISOR/ZONING ADMINISTRATOR APPOINTMENT, BOARD OF ADJUSTMENT ZONING ORDINANCE REAPPOINTMENT, LOCAL EMERGENCY PLANNING COMMITTEE REAPPOINTMENTS, LAND INFORMATION COUNCIL APPOINTMENT AND RESOLUTION NOS. 26, 27, 28 AND 29—2023-24 ARE RECONSIDERED.

Vote for lock in. VOICE VOTE CARRIED WITH THIRTY-TWO (32) YES AND ONE (1) ABSTENTION (KONETZKE). LAND USE SUPERVISOR/ZONING ADMINISTRATOR APPOINTMENT, BOARD OF ADJUSTMENT ZONING ORDINANCE REAPPOINTMENT, LOCAL EMERGENCY PLANNING COMMITTEE REAPPOINTMENTS, LAND INFORMATION COUNCIL APPOINTMENT AND RESOLUTION NOS. 26, 27, 28 AND 29—2023-24 ARE ADOPTED & LOCKED IN.

REPORTS –
Official Communication from Administration -- ATW Roof Top Unit Out of Service

ADJOURNMENT
Supervisor Croatt moved, seconded by Supervisor Lawrence to adjourn until July 11, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 8:26 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

APPOINTMENTS: Zoning Administrator, Board of Adjustments, Local Emergency Planning Committee, Land Information Council

DATE: June 27, 2023

RESOLUTION #: 26, 27, 28, 29--2023-24

ADOPT & LOCK IN Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MOTION: ADOPT & LOCK IN Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke			x	
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeld	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHei	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschl	x			

AYE	32	APPROVED x
NAY	0	DEFEATED
ABSTAIN	1	
ABSENT	3	
TOTAL	36	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

APPOINTMENTS: Zoning Administrator, Board of Adjustments, Local Emergency Planning Committee, Land Information Council

DATE: June 27, 2023

RESOLUTION #: 26, 27, 28, 29--2023-24

Reconsideration of Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MOTION: Reconsideration of Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MADE BY: Gabrielson

SECONDED BY: Cuff

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeld	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHei	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschl	x			

AYE	33
NAY	0
ABSTAIN	0
ABSENT	3
TOTAL	36

APPROVED: x

DEFEATED:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE June 27, 2023 RESOLUTION # 26--2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to grant We Energies an easement for parcel numbers 111090900 and 111122700 in the Village of Greenville, as noted on the resolution and attachments.

MOTION: Approve to grant We Energies an easement for parcel numbers 111090900 and 111122700 in the Village of Greenville, as noted on the resolution and attachments.

MADE BY: Culbertson SECONDED BY: Hammen

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	33
NAY	0
ABSTAIN	0
ABSENT	3
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 26—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wisconsin Electric Power Company, doing business as We Energies (Grantee) is requesting an easement in order to construct, operate, maintain repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground, as well as pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of electric energy, signals, television and telecommunications services; natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

NOW THEREFORE, the following resolution is presented by the Property, Airport, Recreation and Economic Development Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize granting We Energies an easement for the area described as strips of land twelve (12) feet in width being a portion of Grantor's land, being a part of the Southeast ¼ of the Southwest ¼ of Section 25, and the Northeast ¼ of the Northwest ¼ of Section 36, Township 21 North, Range 16 East, Village of Greenville, Outagamie County, Wisconsin; said land is shown on the attached Distribution Easement Electric and Gas and Temporary Exhibit A – Gas and Temporary Exhibit A – Electric which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Appleton International Airport Director and We Energies, Property Rights & Information Group, 231 W. Michigan Street, Room P277, P.O. Box 2046, Milwaukee, WI 53201-2046.

Dated this 27th day of June 2023.

Duly and officially adopted by the County Board on: June 27, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 6.29.23 Vetoed: _____

Signed: _____
County Executive

DISTRIBUTION EASEMENT
ELECTRIC AND GAS

Document Number

WR NO. **4799155, 4864200** IO NO. **CR1023, MRL215020519**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **OUTAGAMIE COUNTY**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as **strips of land Twelve (12) feet in width**, being a portion of Grantor's land, being a part of the **Southeast 1/4 of the Southwest 1/4 of Section 25, and the Northeast 1/4 of the Northwest 1/4 of Section 36, Township 21 North, Range 16 East**, Village of Greenville, Outagamie County, Wisconsin; said land being more particularly described in a **Warranty Deed** recorded July 15, 1963 in the Office of the Register of Deeds in and for Outagamie County in Volume 634, pages 415-416, as **Document No. 559206**, and in a **Warranty Deed** recorded June 22, 1964 in the Office of the Register of Deeds in and for Outagamie County in Volume 663, page 336, as **Document No. 569652**.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM P277
PO BOX 2046
MILWAUKEE, WI 53201-2046

111090900, 111122700
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground, as well as pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of electric energy, signals, television and telecommunications services; natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.

3. **Buildings or Other Structures**: Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.

4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

6. **Exercise of Rights**: It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.

7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

8. **Easement Review**: Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

Grantor:

OUTAGAMIE COUNTY

By: _____

(Print name and title): _____

By _____

(Print name and title): _____

Personally came before me in _____ County, Wisconsin on _____, _____,

the above named _____, the _____

and _____, the _____

of OUTAGAMIE COUNTY pursuant to a Resolution adopted by the County Board on _____

as Resolution No. _____.

_____

Notary Public Signature, State of Wisconsin

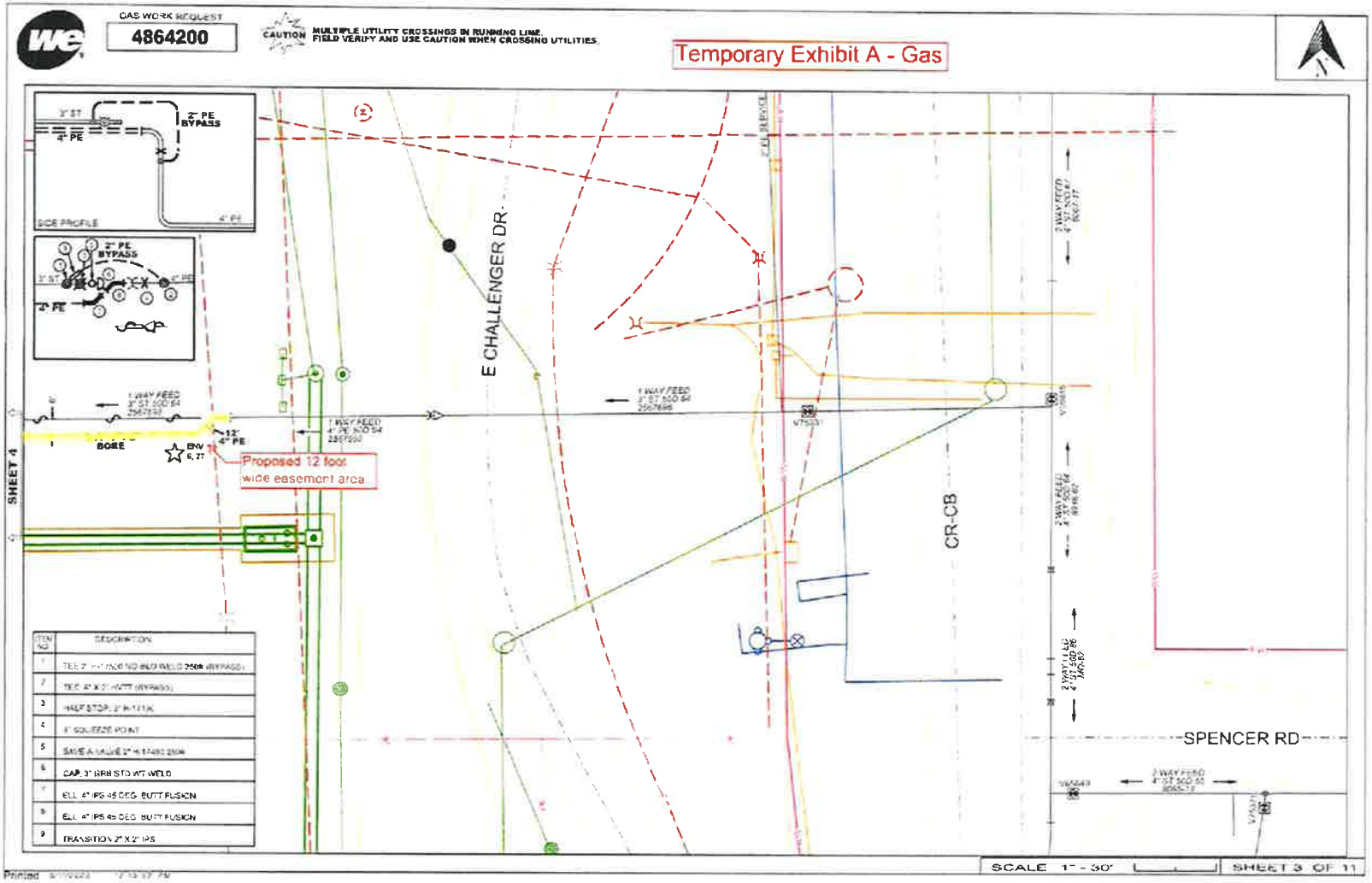
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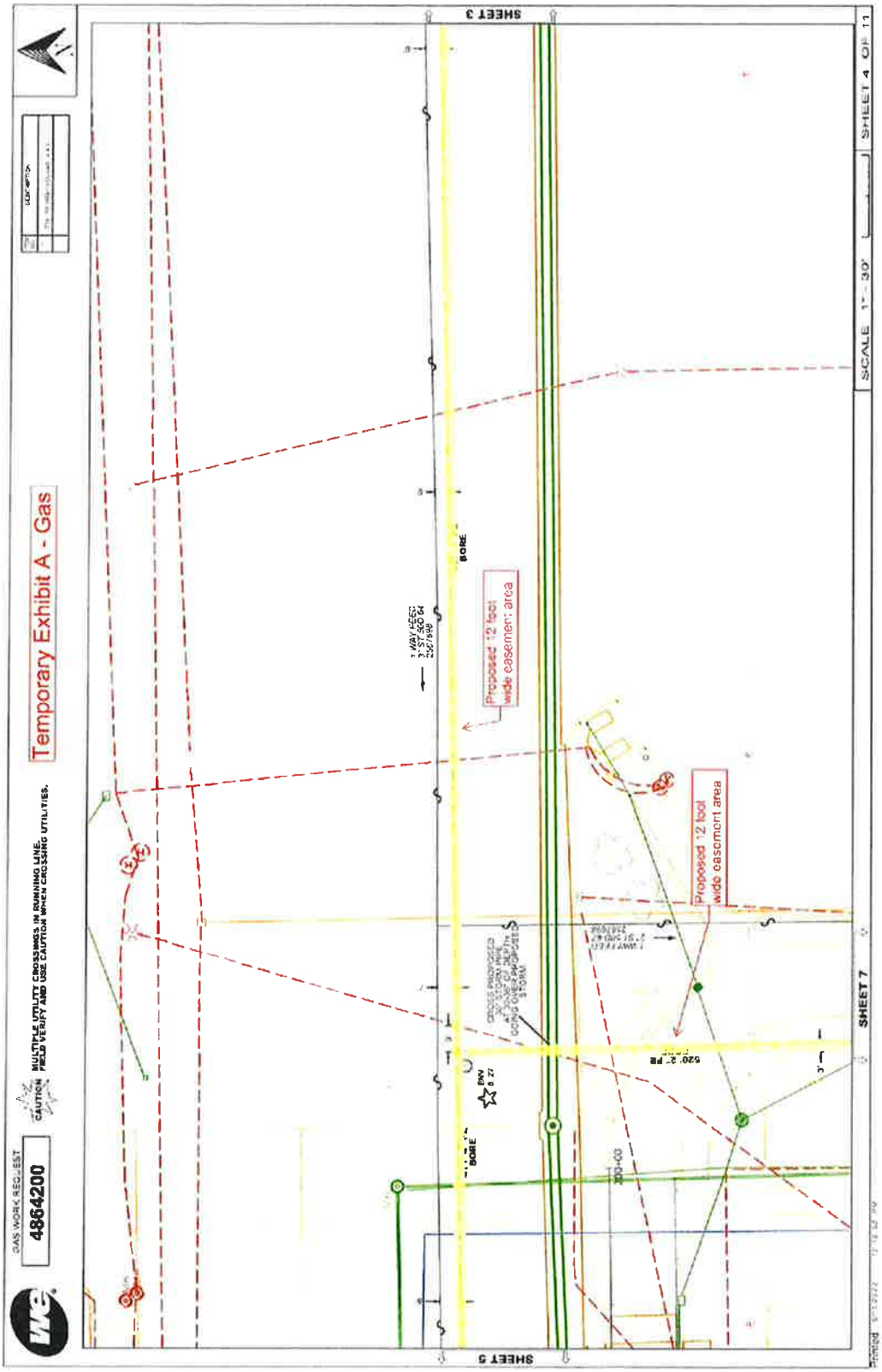
Notary Public Name (Typed or Printed)

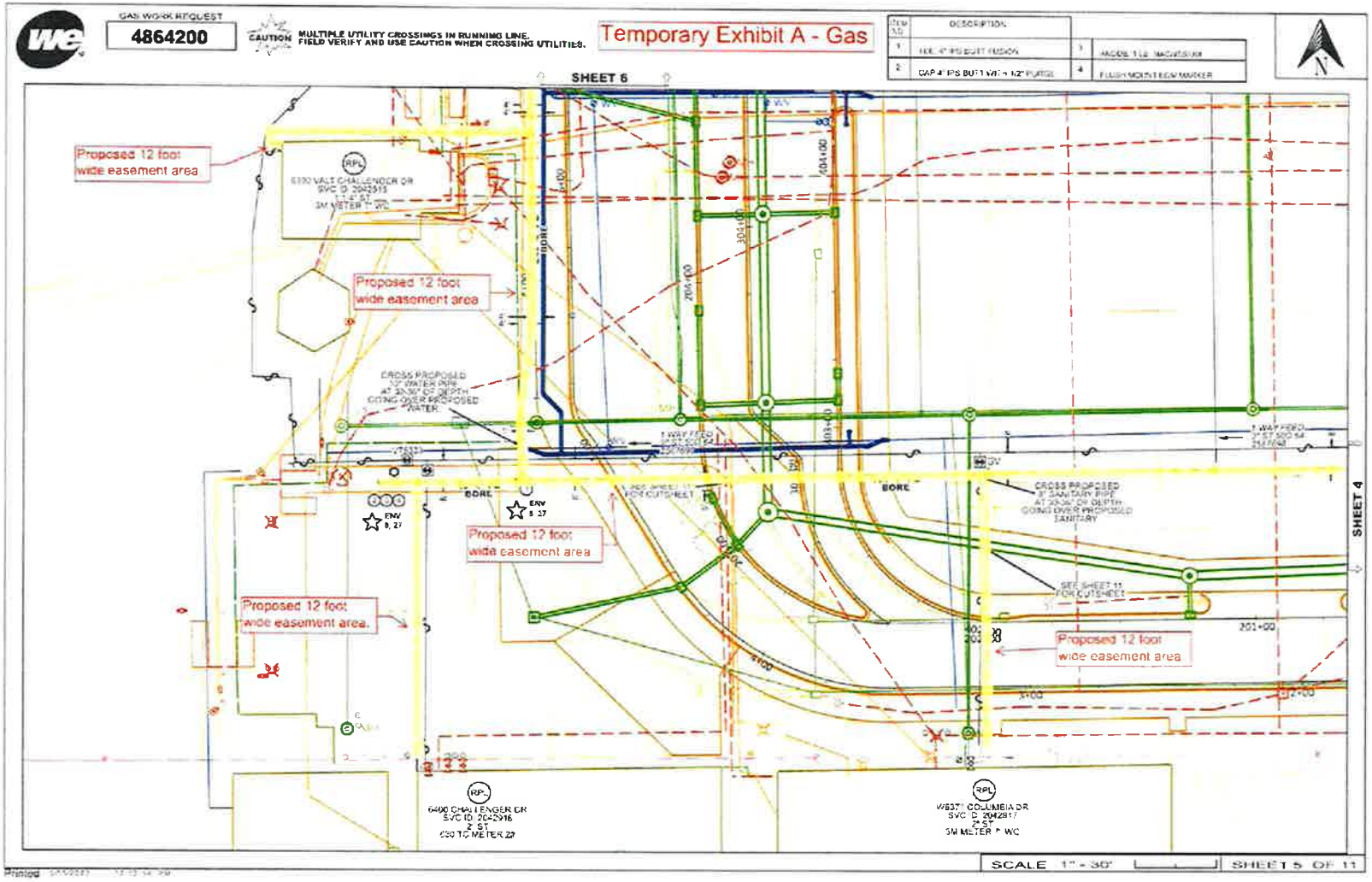
(NOTARY STAMP/SEAL)

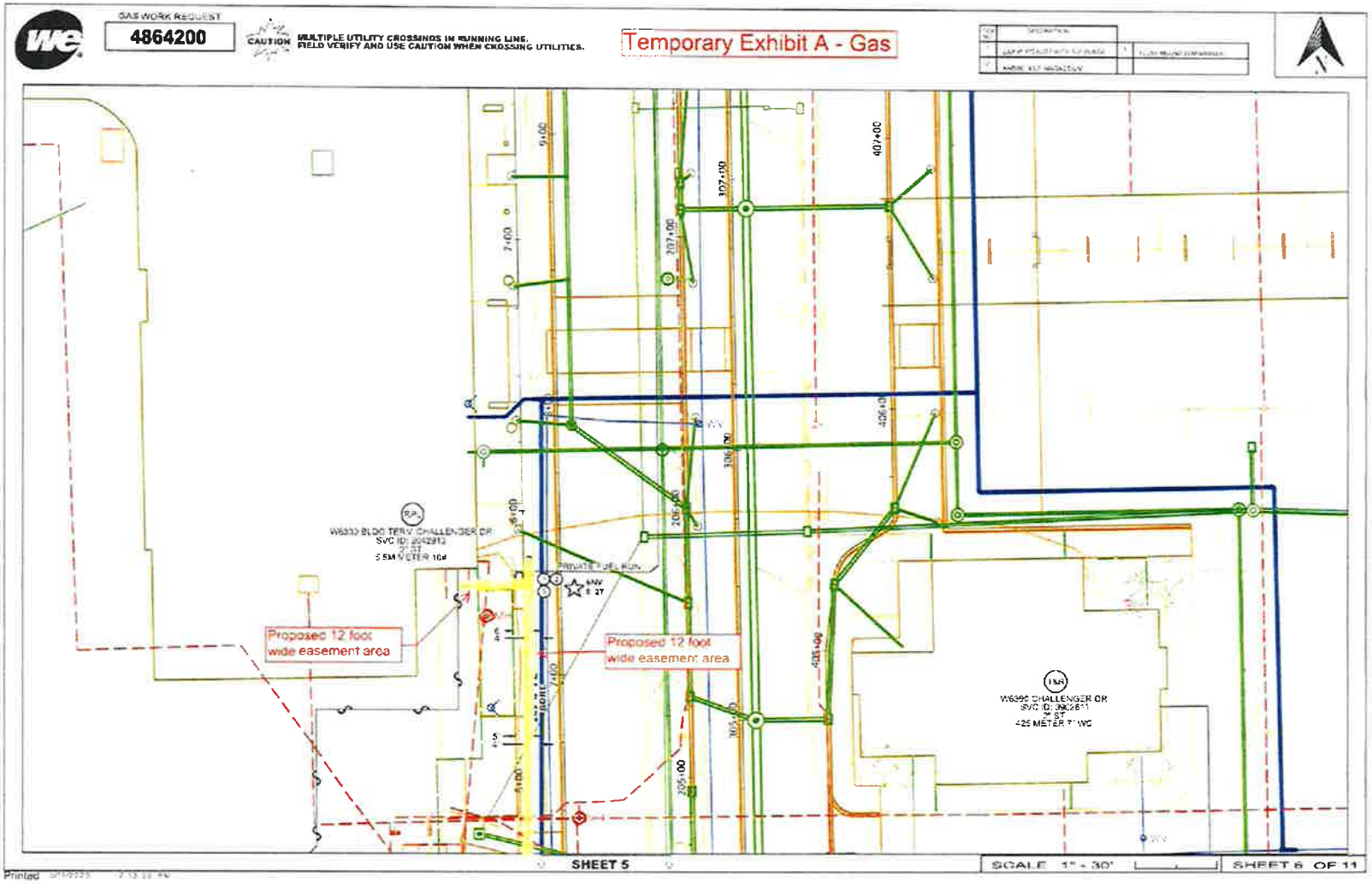
My commission expires _____

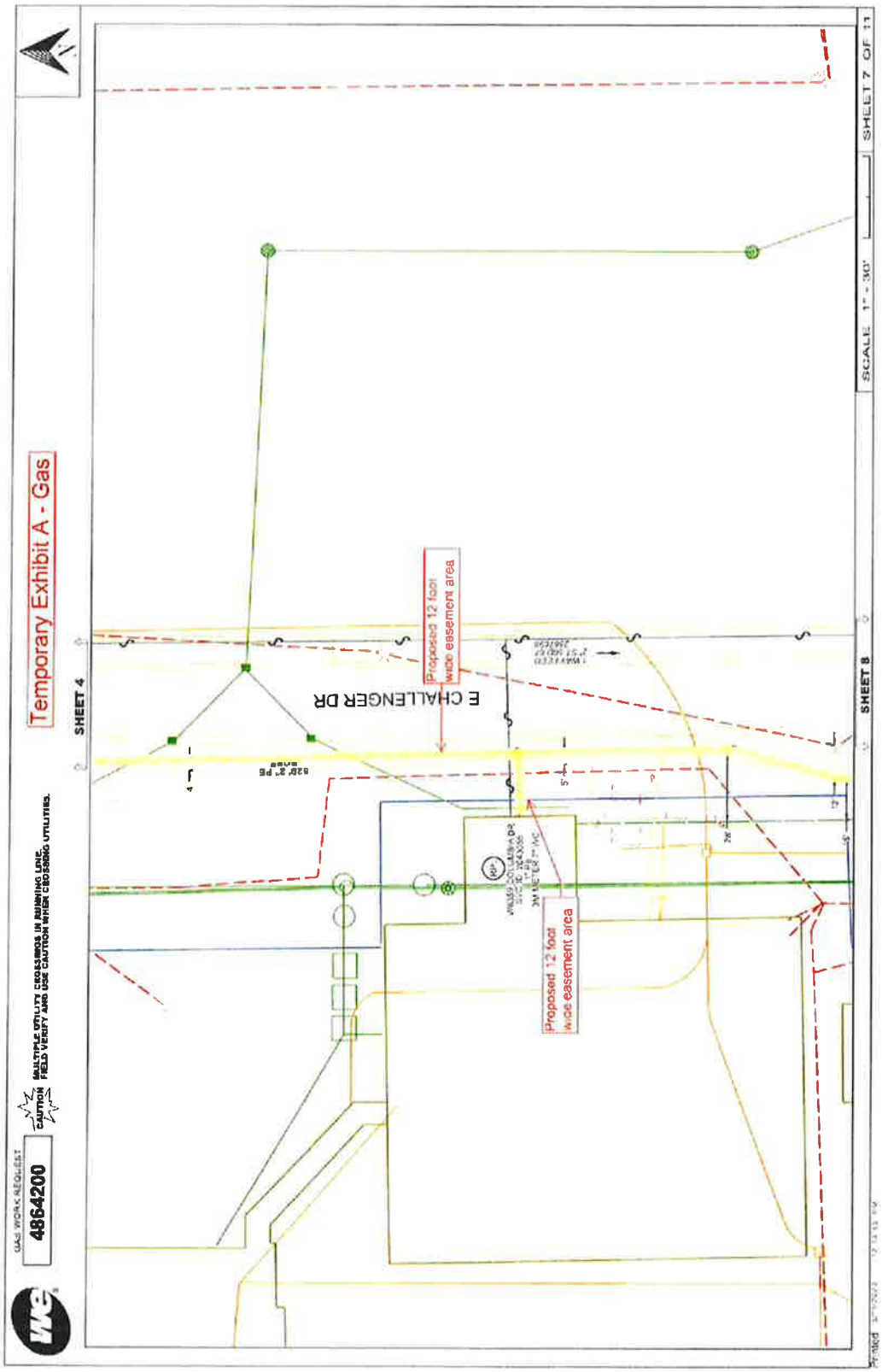
This instrument was drafted by Steve Betz on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

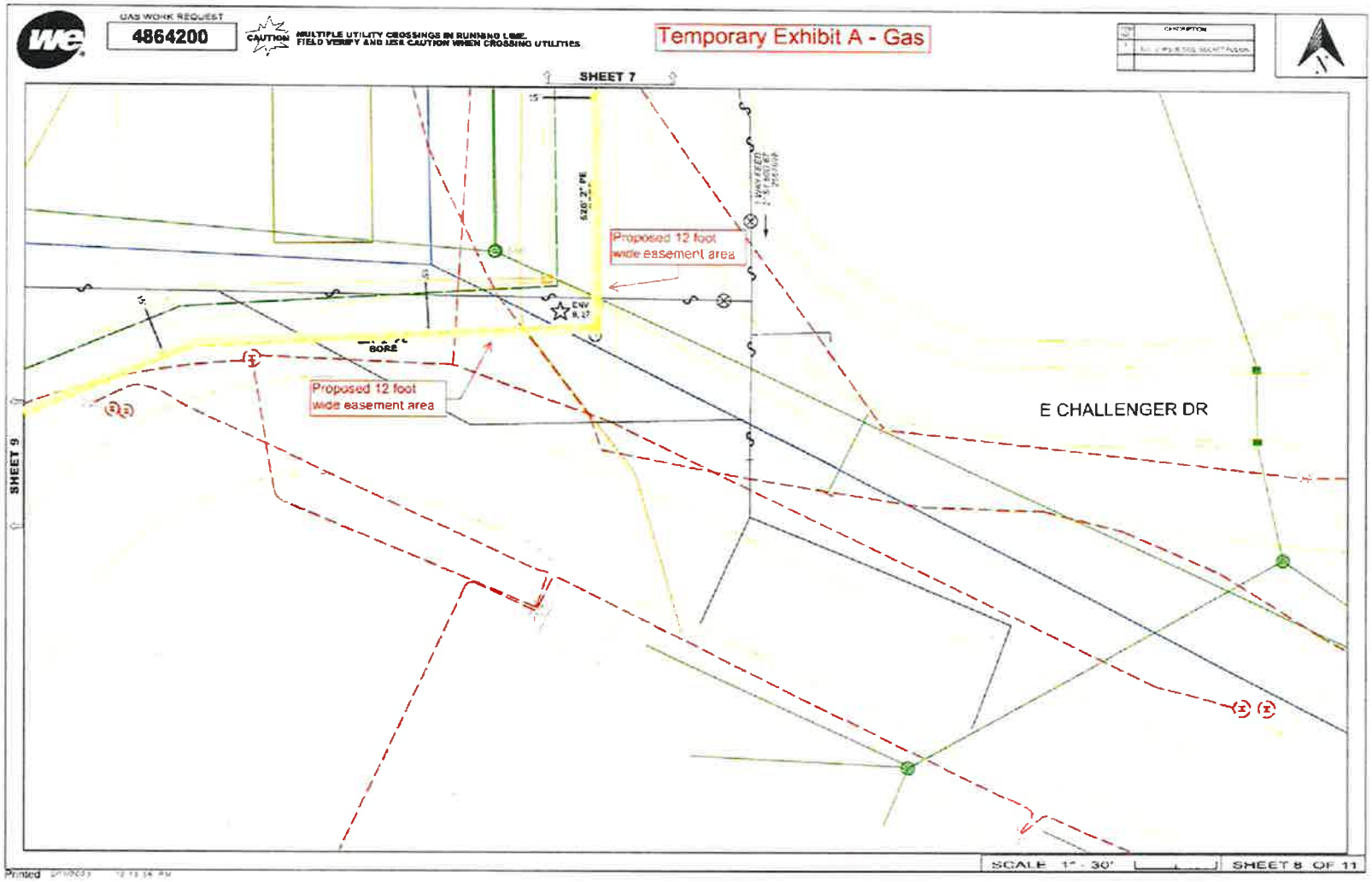

GAS WORK REQUEST
4864200
CAUTION
MULTIPLE UTILITY CROSSINGS IN RUNNING LINE.
FIELD VERIFY AND USE CAUTION WHEN CROSSING UTILITIES.
Temporary Exhibit A - Gas
E CHALLENGER DR
CR-CB
SPENCER RD
Proposed 12 foot wide easement area
SHEET 4
SCALE 1" = 30'
SHEET 3 OF 11

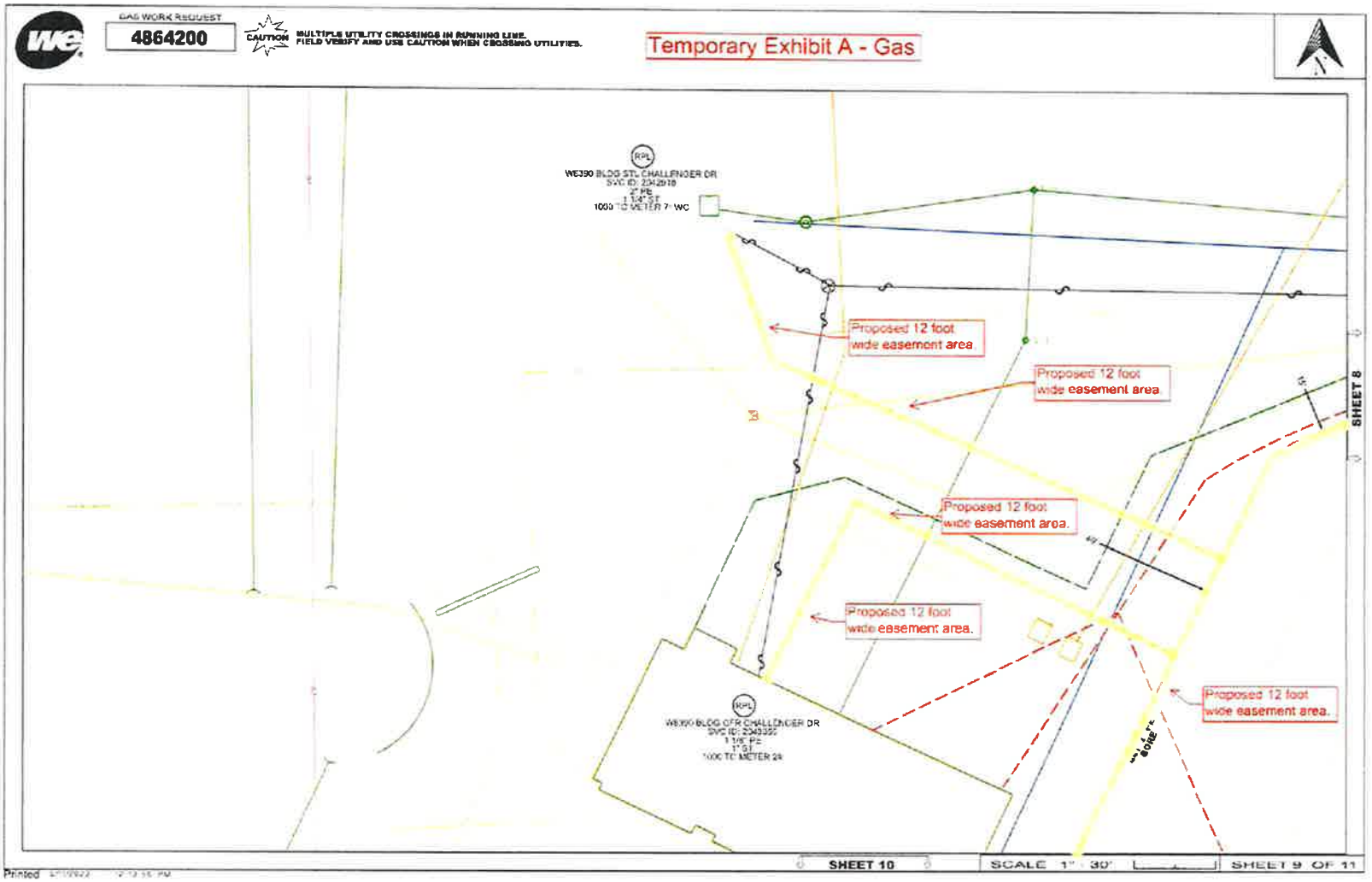

Temporary Exhibit A - Gas
GAS WORK REQUEST
4864200
CAUTION
MULTIPLE UTILITY CROSSINGS IN RUNNING LINE.
FIELD VERIFY AND USE CAUTION WHEN CROSSING UTILITIES.
SHEET 3
SHEET 4 OF 11
SCALE 1" = 30'
SHEET 7
SHEET 5
BORE
BORE
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area
CROSS PROPOSED 24" STORM PIPE CONC CVRD DROP INLET 3 STORM
520.2' PE
200+00

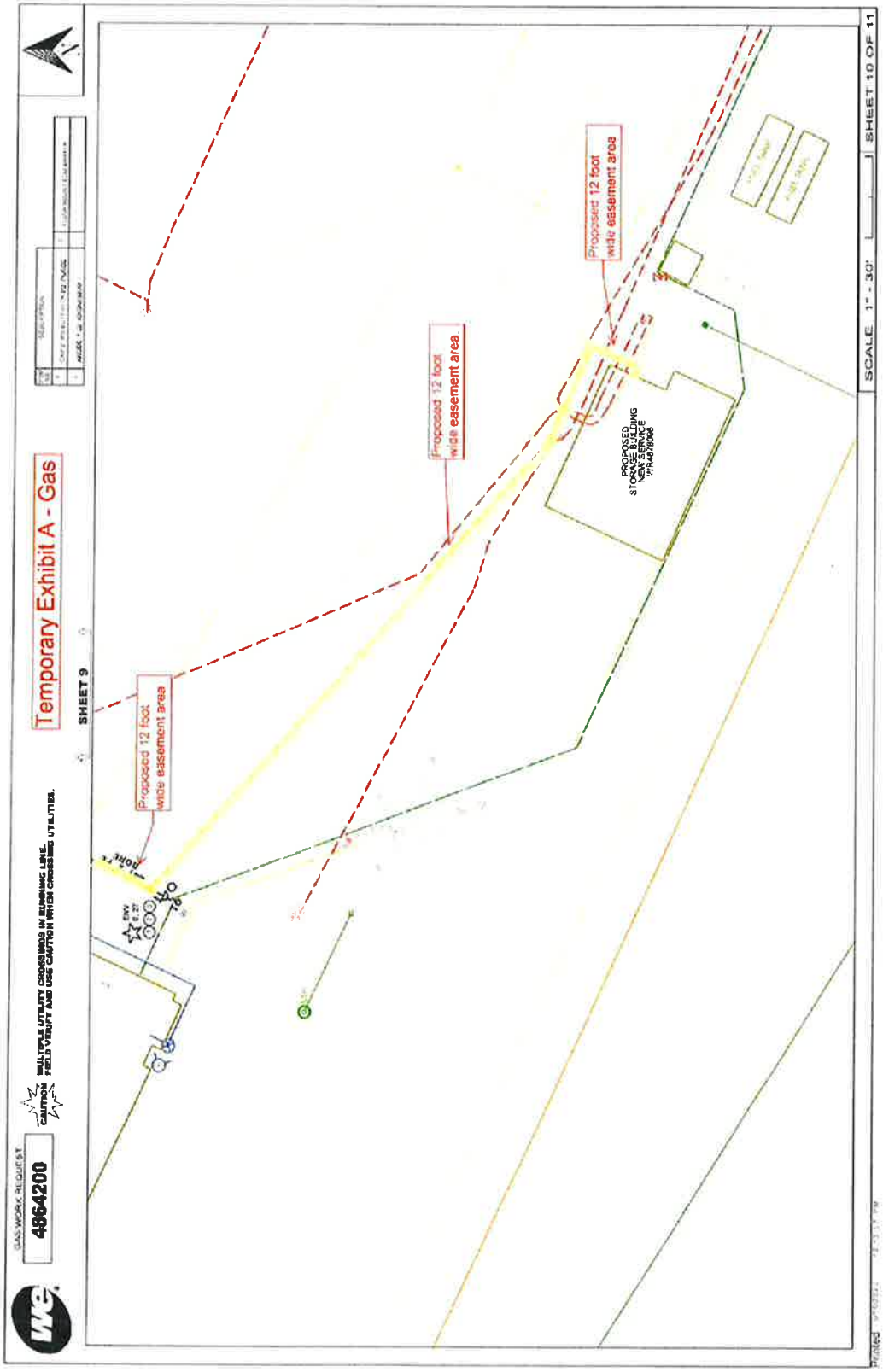

GAS WORK REQUEST
4864200
CAUTION
MULTIPLE UTILITY CROSSINGS IN RUNNING LINE.
FIELD VERIFY AND USE CAUTION WHEN CROSSING UTILITIES.
Temporary Exhibit A - Gas
SHEET 6
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area.
Proposed 12 foot wide easement area
SHEET 4
SCALE 1" = 30'
SHEET 5 OF 11

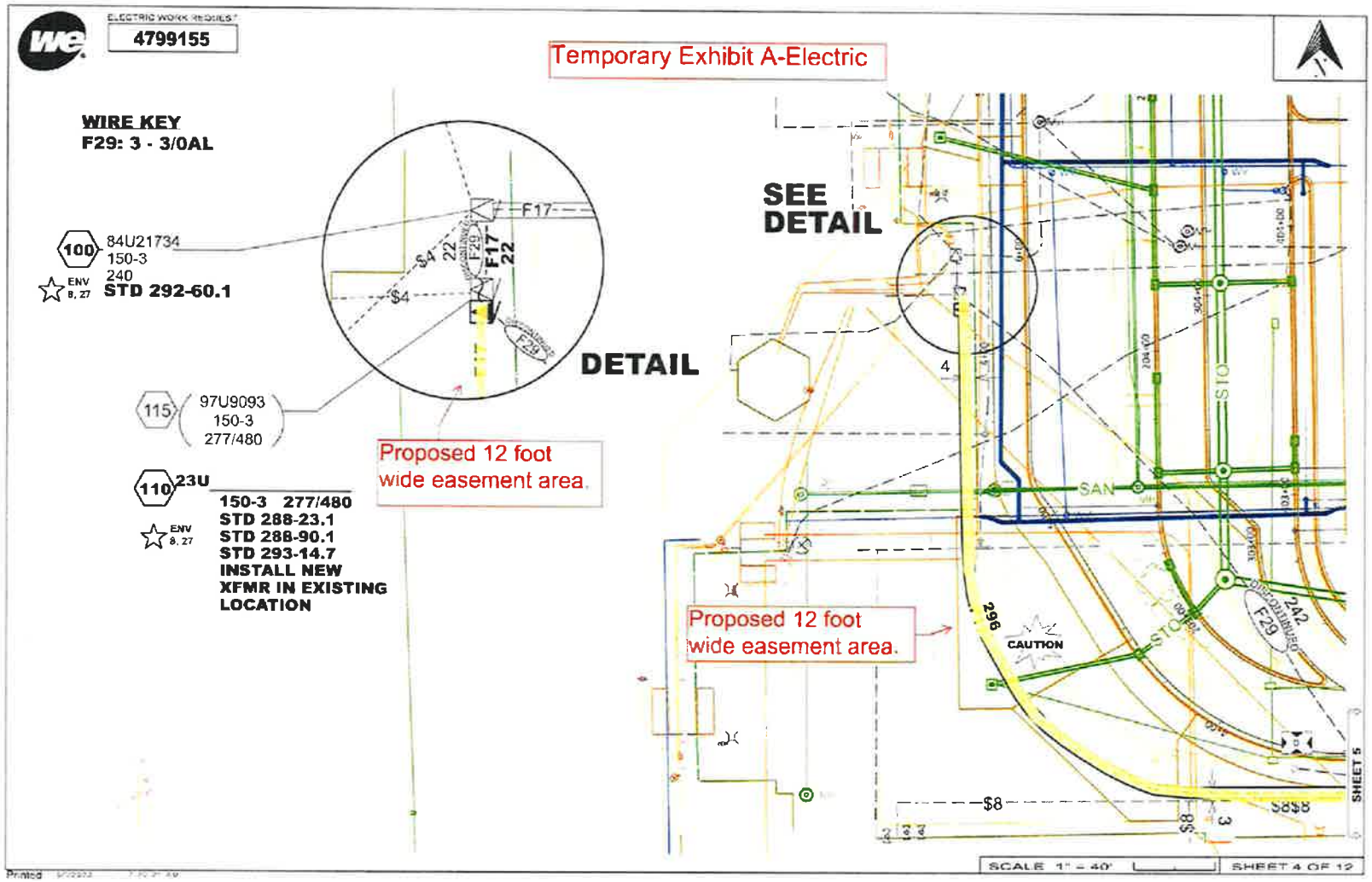

GAS WORK REQUEST
4864200
CAUTION
MULTIPLE UTILITY CROSSINGS IN RUNNING LINE.
FIELD VERIFY AND USE CAUTION WHEN CROSSING UTILITIES.
Temporary Exhibit A - Gas
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area
SHEET 5
SCALE 1" = 30'
SHEET 6 OF 11

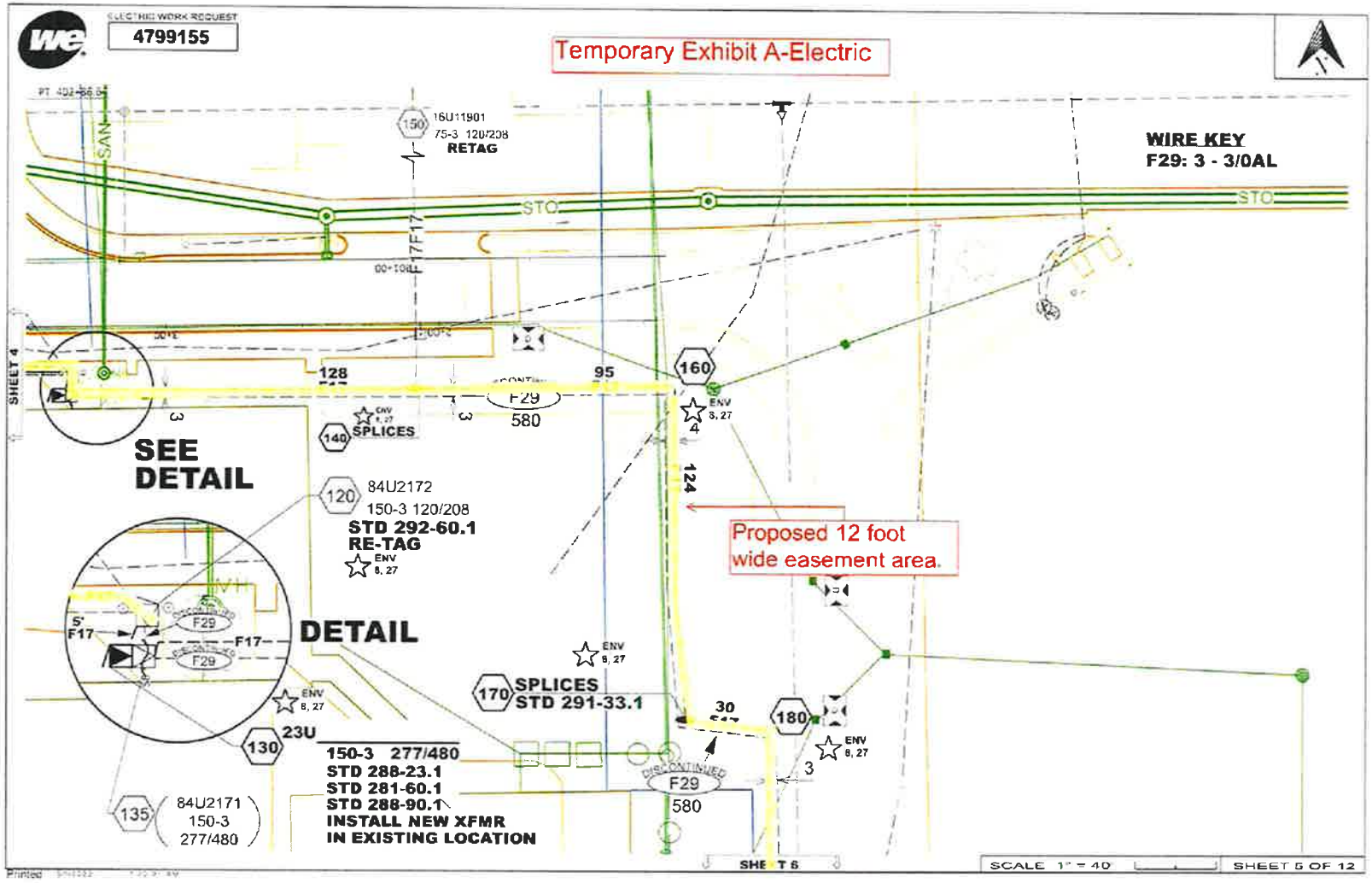

Temporary Exhibit A - Gas
GAS WORK REQUEST
4864200
CAUTION
MULTIPLE UTILITY CROSSINGS IN ARMING LINE.
FIELD VERIFY AND USE CAUTION WHEN CROSSING UTILITIES.
SHEET 4
SHEET 8
SHEET 7 OF 11
SCALE: 1" = 30'
E CHALLENGER DR
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area

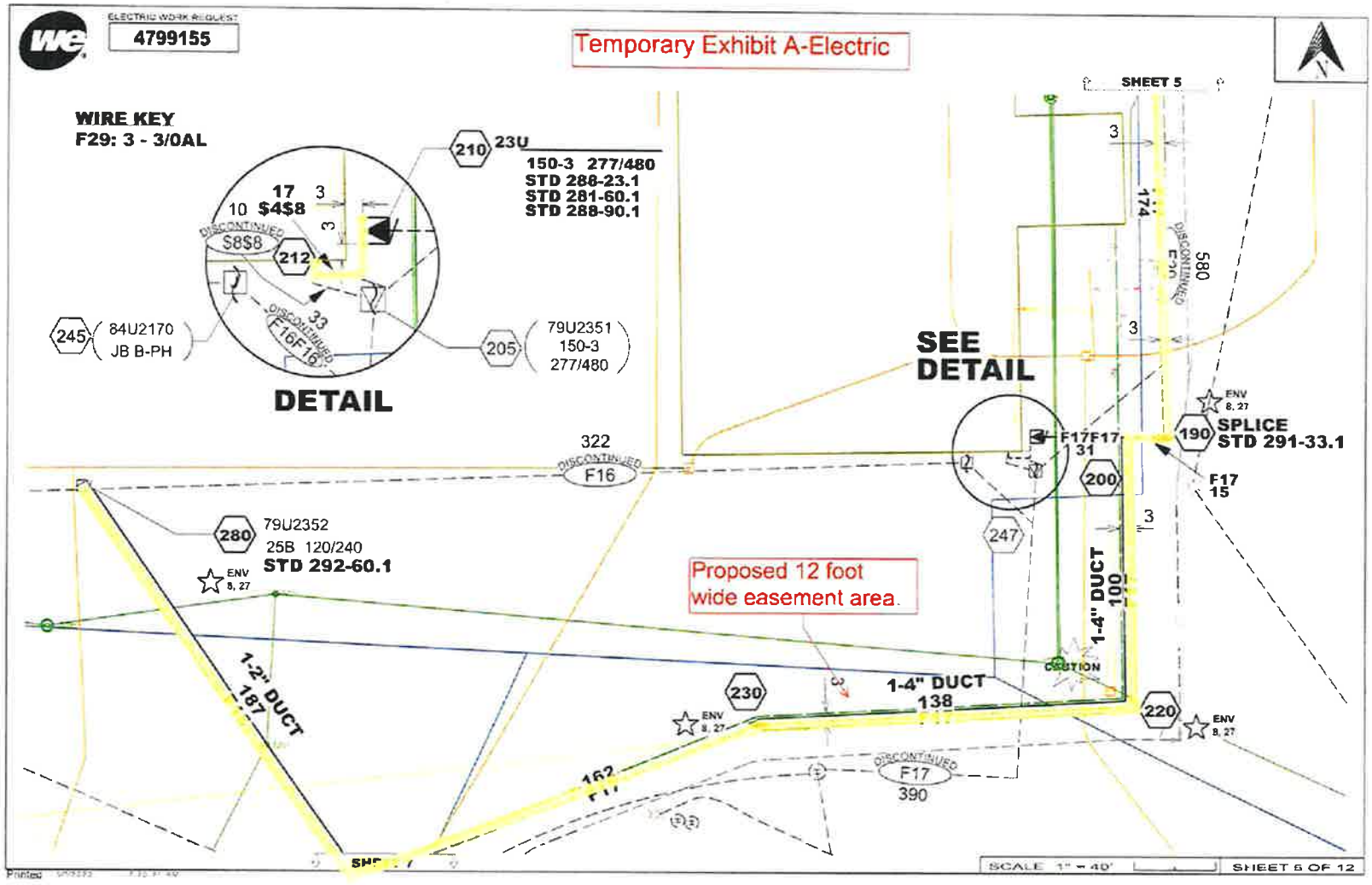

GAS WORK REQUEST
4864200
CAUTION
MULTIPLE UTILITY CROSSINGS IN RUNNING LINE.
FIELD VERIFY AND USE CAUTION WHEN CROSSING UTILITIES
Temporary Exhibit A - Gas
SHEET 7
SHEET 9
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area
BORE
E CHALLENGER DR
SCALE 1" = 30'
SHEET 8 OF 11

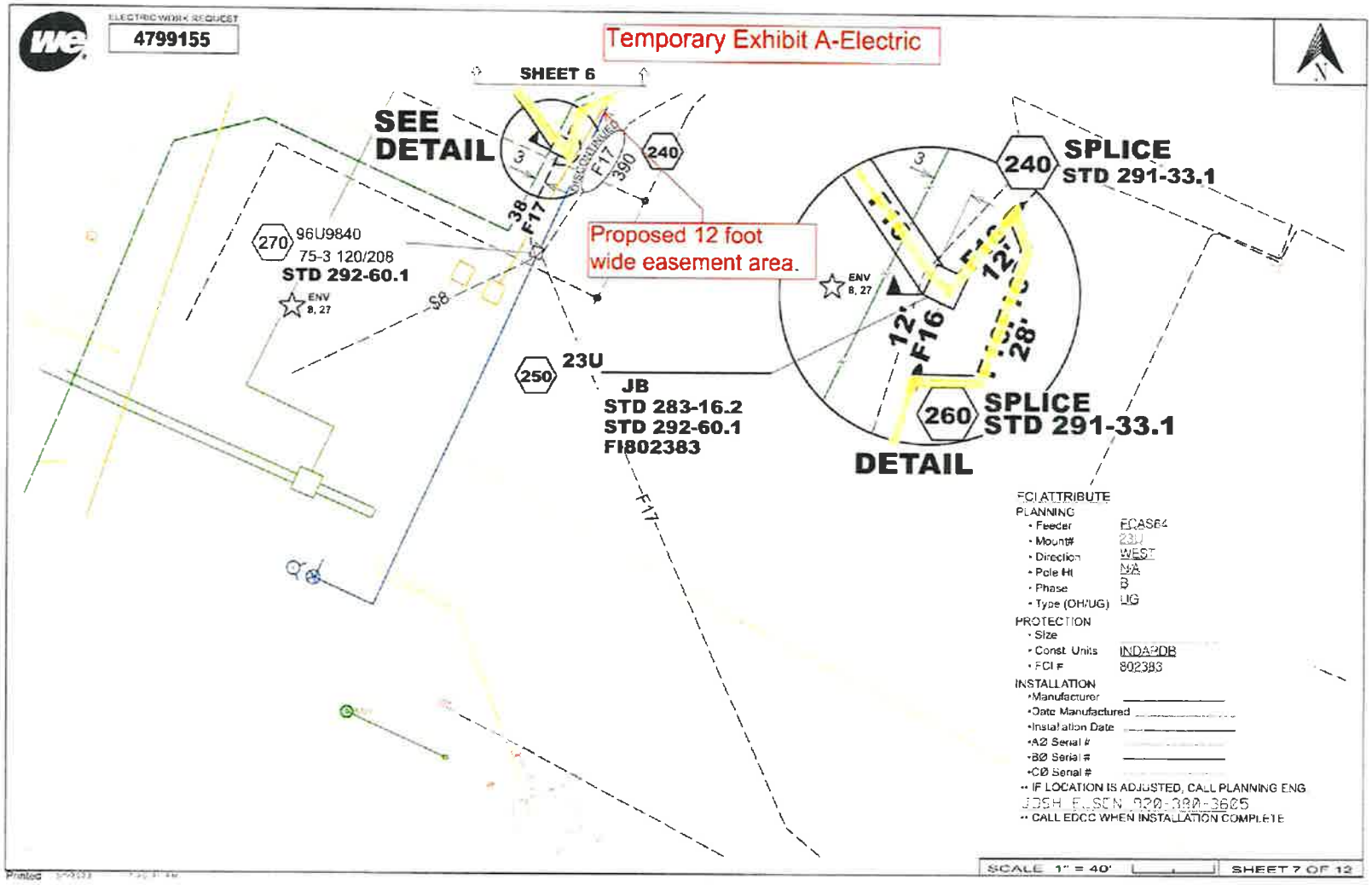

GAS WORK REQUEST
4864200
CAUTION
MULTIPLE UTILITY CROSSINGS IN RUNNING LINE.
FIELD VERIFY AND USE CAUTION WHEN CROSSING UTILITIES.
Temporary Exhibit A - Gas
RPL
WE390 BLDG STL CHALLENGER DR
SVC ID: 2342918
4" PE
1 1/4" ST
1000 TO METER 7- WC
Proposed 12 foot wide easement area.
Proposed 12 foot wide easement area.
Proposed 12 foot wide easement area.
Proposed 12 foot wide easement area.
Proposed 12 foot wide easement area.
RPL
WE390 BLDG OTR CHALLENGER DR
SVC ID: 2343352
1 1/4" PE
1" ST
1000 TO METER 29
SHEET 8
SHEET 10
SCALE 1" = 30'
SHEET 9 OF 11
Printed

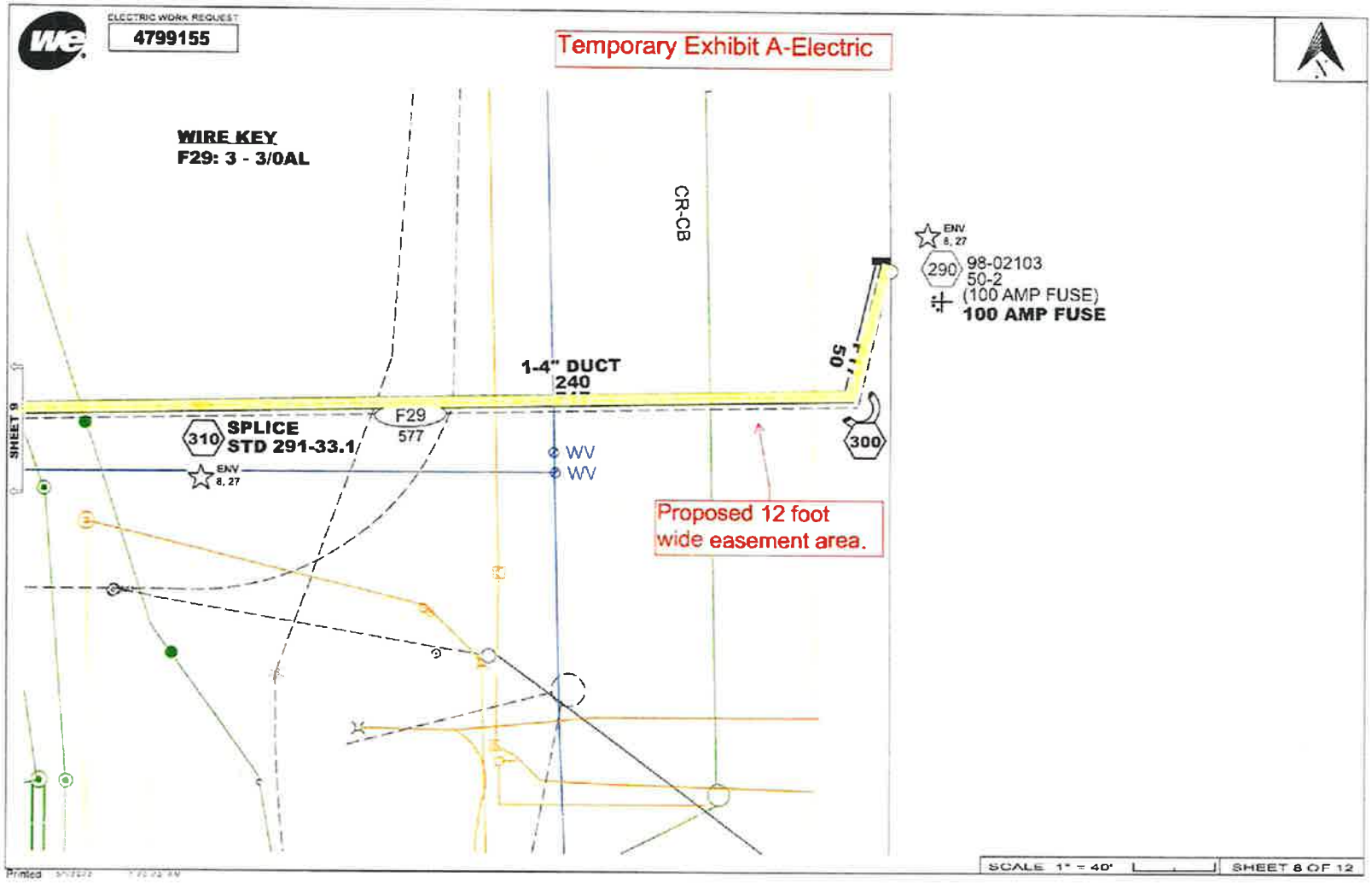

Temporary Exhibit A - Gas
SHEET 9
4864200
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area
Proposed 12 foot wide easement area
PROPOSED STORAGE BUILDING
SCALE 1" = 30'
SHEET 10 OF 11

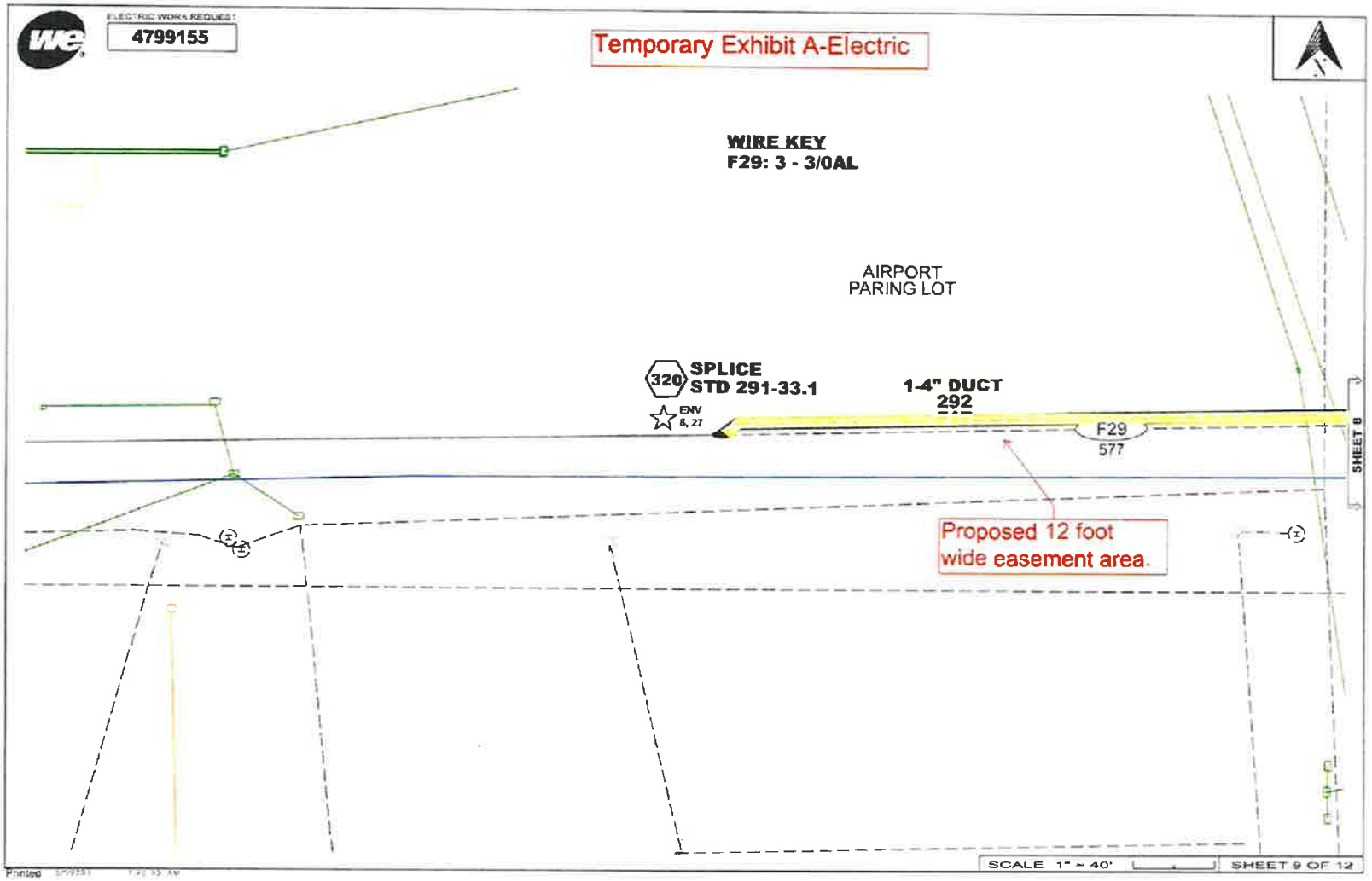

ELECTRIC WORK REQUIRED
4799155
Temporary Exhibit A-Electric
WIRE KEY
F29: 3 - 3/0AL
100
84U21734
150-3
240
ENV 8, 27
STD 292-60.1
DETAIL
SEE DETAIL
115
97U9093
150-3
277/480
Proposed 12 foot wide easement area.
110
23U
150-3 277/480
STD 288-23.1
STD 288-90.1
STD 293-14.7
INSTALL NEW XFMR IN EXISTING LOCATION
Proposed 12 foot wide easement area.
CAUTION
SCALE 1" = 40'
SHEET 4 OF 12
SHEET 5


ELECTRIC WORK REQUEST
4799155
Temporary Exhibit A-Electric
WIRE KEY
F29: 3 - 3/0AL
150
16U11901
75-3 120/208
RETAG
SAN
STO
F17
160
128
95
F29
580
140
SPLICES
SEE
DETAIL
120
84U2172
150-3 120/208
STD 292-60.1
RE-TAG
ENV
8, 27
124
Proposed 12 foot
wide easement area.
DETAIL
170
SPLICES
STD 291-33.1
30
180
130
23U
150-3 277/480
STD 288-23.1
STD 281-60.1
STD 288-90.1
INSTALL NEW XFMR
IN EXISTING LOCATION
135
84U2171
150-3
277/480
DISCONTINUED
SHEET 4
SHEET 6
SCALE 1" = 40
SHEET 5 OF 12


ELECTRIC WORK REQUEST
4799155
Temporary Exhibit A-Electric
WIRE KEY
F29: 3 - 3/0AL
210 23U
150-3 277/480
STD 288-23.1
STD 281-60.1
STD 288-90.1
17 3
10 $4$8
DISCONTINUED
$8$8
212
3
3
33
DISCONTINUED
F16F16
245 84U2170
JB B-PH
205 79U2351
150-3
277/480
DETAIL
SHEET 5
3
174
DISCONTINUED
580
SEE
DETAIL
ENV
8, 27
190 SPLICE
STD 291-33.1
F17F17
31
200
F17
15
322
DISCONTINUED
F16
247
3
280 79U2352
25B 120/240
STD 292-60.1
ENV
8, 27
Proposed 12 foot
wide easement area.
1-4" DUCT
100
CAUTION
1-2" DUCT
187
230
ENV
8, 27
1-4" DUCT
138
220
ENV
8, 27
162
DISCONTINUED
F17
390
SCALE 1" = 40'
SHEET 6 OF 12


ELECTRIC WORK REQUEST
4799155
Temporary Exhibit A-Electric
SHEET 6
SEE DETAIL
240
SPLICE
STD 291-33.1
Proposed 12 foot wide easement area.
270
96U9840
75-3 120/208
STD 292-60.1
ENV B, 27
S8
250
23U
JB
STD 283-16.2
STD 292-60.1
FI802383
260
SPLICE
STD 291-33.1
DETAIL
F17
F16
12'
28'
ECI ATTRIBUTE
PLANNING
• Feeder ECAS64
• Mount# 23U
• Direction WEST
• Pole Ht N/A
• Phase B
• Type (OH/UG) UG
PROTECTION
• Size
• Const. Units INDA2DB
• ECI # 802383
INSTALLATION
•Manufacturer
•Date Manufactured
•Installation Date
•AØ Serial #
•BØ Serial #
•CØ Serial #
** IF LOCATION IS ADJUSTED, CALL PLANNING ENG
JOSH ELSEN 920-380-3605
** CALL EDCC WHEN INSTALLATION COMPLETE
SCALE 1" = 40'
SHEET 7 OF 12


ELECTRIC WORK REQUEST
4799155
Temporary Exhibit A-Electric
WIRE KEY
F29: 3 - 3/0AL
CR-CB
ENV
8, 27
290
98-02103
50-2
(100 AMP FUSE)
100 AMP FUSE
1-4" DUCT
240
50
F29
577
310
SPLICE
STD 291-33.1
ENV
8, 27
WV
WV
300
Proposed 12 foot
wide easement area.
SHEET 9
SCALE 1" = 40'
SHEET 8 OF 12


ELECTRIC WORK REQUEST
4799155
Temporary Exhibit A-Electric
WIRE KEY
F29: 3 - 3/0AL
AIRPORT
PARING LOT
320
SPLICE
STD 291-33.1
ENV
5, 27
1-4" DUCT
292
F29
577
SHEET 8
Proposed 12 foot
wide easement area.
SCALE 1" = 40'
SHEET 9 OF 12

RIGHTS-OF-WAY AND EASEMENTS

For Electric and Gas Distribution Facility Construction

INTRODUCTION

This pamphlet is intended to help you, the landowner, better understand the possible need for new utility facilities, how utilities build those facilities, and how you can be an important part of the process.

Electric distribution lines carry electricity from substations to customers. These types of electric lines include customer service connections and local distribution lines.

Gas distribution pipes carry natural gas from regulator stations to customers. These types of gas pipes include distribution mains of various sizes and service laterals.

A utility right-of-way (ROW) is a strip of land that a utility uses to construct, maintain, repair, or replace an overhead power line, underground power line, or gas main. The ROW allows the utility to provide clearance from trees, buildings and other structures that could interfere with the installation, maintenance and operation of the utility facilities. This ROW may be located in the roadway or on private property: It usually is from 6 to 12 feet wide, unless terrain, vegetation, larger utility facilities, or unusual construction obstacles require a wider easement.

1) **What are some reasons new or reconstructed power lines might be needed?**

   New power lines may be needed because of:

   a. Growth in customer's average electricity use
   b. Growth in the number of customers and businesses in Wisconsin
   c. Replacement of old lines due to age of equipment
   d. Additional lines constructed from new substations needed to meet increased demand

2) **What are some reasons new or reconstructed gas facilities might be needed:**

   New gas facilities may be needed because of:

   a. Growth in the number of natural gas customers
   b. Replacement of old pipes due to age or condition
   c. Increased usage of natural gas by existing customers

3) **Do utilities need government approval to build new power lines or gas mains?**

   Yes. A variety of permits are needed from various governmental agencies. The Public Service Commission of Wisconsin (PSCW) reviews our request if a project exceeds $5 million in cost.

   Local road permits, Wisconsin Department of Transportation permits, Wisconsin Department of Natural Resources permits, Federal Aviation Authority permits, etc. are all required if the interests of those agencies are involved.

4) **Can conservation eliminate the need for power lines or gas mains?**

   Yes and no. Right now, conservation helps reduce the need for new power lines, but is not eliminating all future needs. In order to eliminate the need for new utility facilities, conservation would have to be great enough to offset all the needs mentioned in questions one and two.

   Conservation can reduce the number of new power lines and power plants needed because conservation makes energy use more efficient. The PSCW reviews utility plans for conservative programs in its Biennial Strategic Energy Assessment ("SEA").

5) **How is it decided when and where new or reconstructed utility facilities will be built?**

   Our engineers use computer models of the power and natural gas systems to study the need for new utility facilities. The results help a utility decide if a new power line or natural gas main is needed or if an existing line or main should be rebuilt or relocated. In some instances the need for new or rebuilt power lines or natural gas mains becomes apparent due to insufficient capacity to meet customer requirements in an area.

6) **Does We Energies have the right to construct its utility facilities on my property?**

   Wisconsin statutes allow us to construct our utility facilities on or along roadways with the consent of

local authorities as long as the utility facilities do not interfere with the use of the roadway by the public or with the use of the adjoining land. We usually have the option of building the distribution lines or mains and related facilities on private property or in the road right-of-way. However, if existing obstacles are in the way, the distribution line or main will be located to avoid these obstacles. If the distribution line or main is located on private property, an easement from the landowner is required. If the distribution line or main is located in road right-of-way, a permit from the municipality is required.

7) **Will my trees need to be cut?**

In some cases, power lines must be built along wooded areas or near existing trees. Therefore, trees in these areas need to be trimmed and sometimes removed.

In order to ensure safe and reliable power, it is important to keep power lines and above ground equipment free of any kind of interference. This means that tall-growing trees should not be placed near or under existing power lines. We maintain a regular trimming schedule to keep interference from trees to a minimum. It is important for customers to understand this requirement and cooperate with us for tree-trimming requirements.

In the case of natural gas facilities, trees or shrubs may need to be trimmed or removed for the installation and maintenance of the gas main.

In order to trim or remove trees along a roadway, the utility will obtain the consent of the owner of the tree.

8) **What is an easement?**

An easement is a written document that grants a permanent right to use land for a specific purpose, such as installing utility facilities to serve you and others. An easement "runs with the land" which means it stays with the property even if ownership of the property changes.

9) **What can the landowner expect in the easement acquisition process?**

Based on many years of experience, we developed a standard easement agreement which covers topics such as proper clearance/cover for utility facilities, restoration of the land and tree trimming. You, as a landowner, have the right to understand these issues as well as the need for distribution facilities.

To minimize impact on your property, we will make every reasonable effort to locate these facilities in setback areas that are unbuildable.

We also contact each potentially affected landowner and present the easement document.

10) **What is required of the landowner in the easement document?**

The easement document grants the utility the right to locate distribution facilities on the landowner's property. It also requires the landowner to keep the easement area clear to allow the utility access to these facilities for maintenance and repair. Easement area should stay clear of trees.

11) **What kinds of negotiations should be expected?**

While our standard easement is intended to cover normal distribution facility installations, terms or conditions may be negotiated. If the landowner has questions, we will get answers. The right-of-way agent is your contact person and your source of information.

12) **Are there specific waivers of rights involved in the easement negotiation process?**

For electric facilities, PSC 113.0509 gives the landowner, unless voluntarily waived by the landowner, a minimum period of five days to examine the materials we provided before signing any new or revised easement agreement. If you, as the landowner, are comfortable signing the easement agreement after reading the document and getting answers to questions, you may waive the five-day review period established under PSCW Administrative Rules.

There is not comparable code provision for gas facilities; however as a courtesy to our customers, We Energies applies the same practice in the attainment of gas distribution easements.

13) **Does the use of eminent domain enter into easement negotiation discussions?**

No. We do not mention eminent domain. We will work with the landowner to negotiate a solution on location of distribution facilities.

14) **Does the utility ultimately have the right to use eminent domain?**

Yes. However, as a general practice, we do not use eminent domain to install electric or gas distribution facilities. Only in extremely unusual situations would we consider the use of our eminent domain rights. In those cases specific discussions with the customer regarding the exercise of those rights will occur. (We have not used eminent domain on distribution facilities in over 35 years).

For more information:
For information on a specific project, contact We Energies or the PSCW.

Contact the PSCW at:
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854
608-266-5481

Because the PSCW does not have detailed information about every distribution project, please provide the following information when contacting them:

- Utility Name
- Project Name
- Project Location

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE June 27, 2023

APPOINTMENTS Zoning Administrator, Board of Adjustments, Local Emergency Planning Committee, Land Information Council

RESOLUTION # 26, 27, 28, 29--2023-24

ADOPT & LOCK IN Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MOTION: ADOPT & LOCK IN Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke			x	
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeld	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHei	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschl	x			

AYE	32	
NAY	0	
ABSTAIN	1	
ABSENT	3	
TOTAL	36	

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

APPOINTMENTS: Zoning Administrator, Board of Adjustments, Local Emergency Planning Committee, Land Information Council

DATE: June 27, 2023

RESOLUTION #: 26, 27, 28, 29--2023-24

Reconsideration of Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MOTION: Reconsideration of Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MADE BY: Gabrielson SECONDED BY: Cuff

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeld	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHei	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschl	x			

AYE	33	APPROVED x
NAY	0	DEFEATED
ABSTAIN	0	
ABSENT	3	
TOTAL	36	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE June 27, 2023 RESOLUTION # 27--2023-24

Public Safety Committee. Approve the County Sheriff's Office to apply for, accept and expend the 2023 Public Safety Answering Point grant funds issued by the Wisconsin Department of Military Affairs/Office of Emergency Communications, with a required 20% County match, to provide funding for equipment upgrades and advanced training necessary for Next Generation 9-1-1, and increase the line items for the 2023 Capital Projects Revenue, Intergovernmental – DMA Next Gen and the Sheriff – E911 Hardware/Software, Capital Outlay by $388,624 each, as noted on the attached fiscal note.

MOTION: Approve the County Sheriff's Office to apply for, accept and expend the 2023 Public Safety Answering Point grant funds issued by the Wisconsin Department of Military Affairs/Office of Emergency Communications, with a required 20% County match, to provide funding for equipment upgrades and advanced training necessary for Next Generation 9-1-1, and increase the line items for the 2023 Capital Projects Revenue, Intergovernmental – DMA Next Gen and the Sheriff – E911 Hardware/Software, Capital Outlay by $388,624 each, as noted on the attached fiscal note.

MADE BY: Patience SECONDED BY: Lamers

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	33
NAY	0
ABSTAIN	0
ABSENT	3
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 27—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Sheriff's Office is requesting approval to apply for, accept and expend the 2023 Public Safety Answering Point (PSAP) grant funds issued by the Wisconsin Department of Military Affairs/Office of Emergency Communications (DMA/OEC). The grant will provide funding for equipment upgrades and advanced training necessary for Next Generation 9-1-1 (NG911). The grant award is $388,624 with a required 20% match of $97,156, for a total of $485,780. The Sheriff's Office will use these funds to provide training and purchase EVENTIDE recording and VESTA call handling software and equipment. EVENTIDE and VESTA will provide the technology required to handle NG911 upgrades and enhance Police, Fire and EMS (Emergency Medical Services) response to critical incidents into the foreseeable future. EVENTIDE recording software will create efficiencies in reviewing recordings and reducing the time needed to create duplicate radio, phone or multimedia recordings for public release, open records and court proceedings. VESTA call handling is a Motorola product designed to work with the current Motorola FLEX CAD without any interfaces or third party software needed. VESTA technology will seamlessly receive NG911 multimedia data, process this information and share it through FLEX CAD to dispatchers and first responders. The required 20% match of $97,156 is already budgeted as a 2023 Capital Project.

NOW THEREFORE, the following resolution is presented by the Public Safety Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of the Outagamie County Sheriff's Office to apply for, accept and expend the 2023 Public Safety Answering Point (PSAP) grant funds issued by the Wisconsin Department of Military Affairs/Office of Emergency Communications (DMA/OEC), with a required 20% Outagamie County match, said monies to provide funding for equipment upgrades and advanced training necessary for Next Generation 9-1-1 (NG911), and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the 2023 Capital Projects Revenue, Intergovernmental – DMA Next Gen line item and the Sheriff – E911 Hardware/Software, Capital Outlay line item by $388,624 each, as detailed on the attached fiscal note, which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 27th day of June 2023

Duly and officially adopted by the County Board on: June 27, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 6.29.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Sheriff's Department to apply, accept and expend the Public Safety Answering Point (PSAP) grant from the Wisconsin Department of Military Affairs/Office of Emergency Communications (DMA/OES)

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Sheriff's Office requests approval to apply, accept and expend 2023 PSAP Grant funds issued by the Wisconsin DMA/OEC. This grant is to provide funding for equipment upgrades and advanced training necessary for Next Generation 9-1-1 (NG911). The grant award is for $388,624 with a required 20% match of $97,156, for a total of $485,780. The Sheriff's Office will use these funds to provide training and purchase EVENTIDE recording and VESTA call handling software and equipment. EVENTIDE and VESTA will provide the technology required to handle NG911 upgrades and enhance Police, Fire and EMS response to critical incidents into the foreseeable future. EVENTIDE recoding software will create efficiencies in reviewing recordings and reducing the time needed to create duplicate radio, phone or multimedia recordings for public release, open records and court proceedings. VESTA call handling is a Motorola product designed to work with our current Motorola FLEX CAD without any interfaces or third party software needed. VESTA technology will seamlessly receive NG911 multimedia data, process this information and share it through FLEX CAD to dispatchers and first responders. The required 20% match of $97,156 is already budgeted as a 2023 Capital Project.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (X)

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
2023 Capital Prjcts Rev	Intergovernmtl - DMA Next Gen	4640100.4239.01	388,624
Sheriff - E911 Hrdwre/Soft	Capital Outlay	4641100.6000	388,624

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Lisa VandenLangenberg

For Financial Services purposes only	
Reviewed By: *BM 04/04/2023*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount: 388,624
Date:	
Comments:	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE June 27, 2023

APPOINTMENTS Zoning Administrator, Board of Adjustments, Local Emergency Planning Committee, Land Information Council

RESOLUTION # 26, 27, 28, 29--2023-24

ADOPT & LOCK IN Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MOTION: ADOPT & LOCK IN Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke			x	
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeld	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHei	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschl	x			

AYE		32
NAY		0
ABSTAIN		1
ABSENT		3
	TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

APPOINTMENTS: Zoning Administrator, Board of Adjustments, Local Emergency Planning Committee, Land Information Council

DATE: June 27, 2023

RESOLUTION #: 26, 27, 28, 29--2023-24

Reconsideration of Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MOTION: Reconsideration of Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MADE BY: Gabrielson

SECONDED BY: Cuff

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeld	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHei	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschl	x			

AYE	33	APPROVED x
NAY	0	DEFEATED
ABSTAIN	0	
ABSENT	3	
TOTAL	36	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE June 27, 2023 RESOLUTION # 28--2023-24

Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the request to transfer the following line items of $43,700 from the Small Department Vacation/Sick Leave Payout Fund to the Zoning Administration Salaries for $32,775 and Fringe Benefits for $10,925, and increase the General Funds Applied, Fund Balance Applied by $43,700, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts by $43,700, and increase the General Fund, Fund Balance Unassigned by $43,700, to fill the vacated positon of the Zoning Administrator/Land Use Supervisor position in the Development and Land Services Department, as noted on the attachments.

MOTION:

Approve the request to transfer the following line items of $43,700 from the Small Department Vacation/Sick Leave Payout Fund to the Zoning Administration Salaries for $32,775 and Fringe Benefits for $10,925, and increase the General Funds Applied, Fund Balance Applied by $43,700, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts by $43,700, and increase the General Fund, Fund Balance Unassigned by $43,700, to fill the vacated positon of the Zoning Administrator/Land Use Supervisor position in the Development and Land Services Department, as noted on the attachments.

MADE BY: VanderHeiden SECONDED BY: Koury

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	33
NAY	0
ABSTAIN	0
ABSENT	3
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 28—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Zoning Administrator/Land Use Supervisor in the Development and Land Services Department (DLS) has submitted a notice to retire. The busiest season for DLS is summer, which includes zoning permit requests due to construction season. If DLS is without a Zoning Administrator/Land Use Supervisor, it will place a burden on many staff members. Additionally, the vacancy may lead to delays in processing zoning permit applications for residents and contractors, which may increase wait time for permits, leading to increased costs. The Zoning Administrator/Land Use Supervisor is a supervisory position, therefore, if there is a gap, more burden will be placed on department leadership to fill the void relating to personnel management.

The current balance of the Small Department Sick and Vacation Payout fund is $504,906.

NOW THEREFORE, the following resolution is presented by the Agriculture, Extension Education, Zoning & Land Conservation Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the request to transfer $43,700 from the Small Department Vacation/Sick Leave Payout Fund to the Zoning Administration Salaries line item for $32,775 and Fringe Benefits line item for $10,925, and increase the General Funds Applied, Fund Balance Applied line item by $43,700, and decrease the General Fund, Committed Fund Balance for Small Depts Vac/Sick Payouts line item by $43,700, and increase the General Fund, Fund Balance Unassigned line item by $43,700 as noted on the attached fiscal note and Small Departments Vacation and Sick Leave Payout Budget Request Form, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Development and Land Services Director and the Outagamie County Finance Director.

Dated this 27th day of June 2023

Duly and officially adopted by the County Board on: June 27, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 6.29.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services

1. **Subject:** Request for transfer from small department sick and vacation payout fund for DLS

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Operational Impact (i.e. risks, productivity, cost, etc) if not allowed to fill the vacated position until the vacation and sick payout is recovered on a budgetary basis is as follows: The largest reason to fill the Zoning Administrator/Land Use Supervisor position prior to recovering sick and vacation payout is department capacity. Summer is the department's busiest time for zoning permit requests given that it is construction season. If our department is without a zoning administrator, it will place a higher work burden on many staff members. Additionally, it may lead to delays in processing zoning permit applications for residents and contractors, and they may need to wait longer for their permits leading to increased cost on their end. The Zoning Administrator/Land Use Supervisor is a high level position in our office, and they are tasked with making decisions on a daily basis which involve some degree of legal risk for Outagamie County. If the position is unfilled, the risk related to zoning administration decisions might increase. Lastly, the zoning administrator is a supervisory position so if there is a gap, more burden will be placed on department leadership to fill the void relating to personnel management. Therefore, we are requesting a transfer from the small department sick and vacation payout fund for $43,700 to cover this gap in staffing.

The current balance of the small department sick and vacation payout fund is $504,906.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (X)

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	(DECREASE) AMOUNT
Zoning Administration	Salaries	1009300.5100	32,775
Zoning Administration	Fringe Benefits	1009300.5200	10,925
General Funds Applied	Fund Balance Applied	1002223.8955	43,700
BALANCE SHEET ENTRY - 2023			
General Fund	Committed Fund Balance for Small Depts Vac/Sick Payouts	1000000.3870	(43,700)
General Fund	Fund Balance Unassigned	1000000.3891	43,700

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Kevin Englebert/Craig Moser/Brian Massey

For Financial Services purposes only	
Reviewed By: *BM May 8, 2023*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount

SMALL DEPARTMENTS VACATION AND SICK LEAVE PAYOUT BUDGET REQUEST FORM

Department	**Development and Land Services**
Department Head	Kevin Englebert
Date	5/8/2023
Position Vacated	Land Use Supervisor/Zoning Administrator
Vacation and Sick Payout Estimate	$43,700
Budgeted Transfer Request Amount	$43,700

Operational Impact (i.e. risks, productivity, cost, etc) if not allowed to fill the vacated position until the vacation and sick payout is recovered on a budgetary basis: The largest reason to fill the zoning administrator position prior to recovering sick and vacation payout is department capacity. Summer is the department's busiest time for zoning permit requests given that it is construction season. If our department is without a zoning administrator, it will place a higher work burden on many staff members. Additionally, it may lead to delays in processing zoning permit applications for residents and contractors, and they may need to wait longer for their permits leading to increased cost on their end. The zoning administrator is a high level position in our office, and they are tasked with making decisions on a daily basis which involve some degree of legal risk for Outagamie County. If the position is unfilled, the risk related to zoning administration decisions might increase. Lastly, the zoning administrator is a supervisory position so if there is a gap, more burden will be placed on department leadership to fill the void relating to personnel management.

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE June 27, 2023

APPOINTMENTS Zoning Administrator, Board of Adjustments, Local Emergency Planning Committee, Land Information Council

RESOLUTION # 26, 27, 28, 29--2023-24

ADOPT & LOCK IN Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MOTION: ADOPT & LOCK IN Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke			x	
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeld	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHei	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschl	x			

AYE		32
NAY		0
ABSTAIN		1
ABSENT		3
	TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

APPOINTMENTS: Zoning Administrator, Board of Adjustments, Local Emergency Planning Committee, Land Information Council

DATE: June 27, 2023

RESOLUTION #: 26, 27, 28, 29--2023-24

Reconsideration of Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MOTION: Reconsideration of Zoning Adminstrator Appointment, Board of Adjustments Appointment, Local Emergency Planning Committee Appointments, and Land Information Council Appointment, Resolution Nos. 26, 27, 28, 29--2023-24.

MADE BY: Gabrielson

SECONDED BY: Cuff

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeld	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHei	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschl	x			

AYE	33	APPROVED x
NAY	0	DEFEATED
ABSTAIN	0	
ABSENT	3	
TOTAL	36	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE June 27, 2023 RESOLUTION # 29--2023-24

Finance Committee. Approve the Final Resolution regarding Unconditional County Guaranty of Its Pro Rata Share, Intergovernmental Agreement and Taxable Revenue Bond Financing for Bug Tussel 1, LLC Project, as noted of the resolution and attachments.

MOTION: Approve the Final Resolution regarding Unconditional County Guaranty of Its Pro Rata Share, Intergovernmental Agreement and Taxable Revenue Bond Financing for Bug Tussel 1, LLC Project, as noted of the resolution and attachments.

MADE BY: Miller SECONDED BY: Croatt

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke			x	
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes		x		
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	1
ABSTAIN	1
ABSENT	3
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 29—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***3/4 MAJORITY – 27 VOTES***

FINAL RESOLUTION REGARDING UNCONDITIONAL COUNTY GUARANTY OF ITS PRO RATA SHARE, INTERGOVERNMENTAL AGREEMENT AND TAXABLE REVENUE BOND FINANCING FOR BUG TUSSEL 1, LLC PROJECT

NOW THEREFORE, the following resolution is presented by the Finance Committee to the County Board.

BE IT RESOLVED, by the Outagamie County Board of Supervisors as follows:

Section 1 Recitals.

1.01 Under Wisconsin Statutes, Section 66.1103, as amended (the "Act"), the Issuer (as hereinafter defined) is authorized and empowered to issue revenue bonds to finance eligible costs of qualified "projects" (as defined in the Act), and to enter into "revenue agreements" (as defined in the Act) with "eligible participants" (as defined in the Act).

1.02 Bug Tussel 1, LLC, a Wisconsin limited liability company (the "Borrower"), Hilbert Communications, LLC, a Wisconsin limited liability company (the "Company" and the "Guarantor") and/or one or more of its affiliates (including, without limitation, Bug Tussel Wireless, LLC and Cloud 1, LLC), whether existing on the date hereof or to be formed and whether owned directly or indirectly by the Company, desires to finance a project consisting of the acquisition, construction and installation of certain telecommunications infrastructure that includes, among other things (i) acquisition of tower sites by purchase or lease of land and equipping such sites with towers and electronics to provide broadband, high speed cellular, emergency communications and point to point (P2P) data communications;

(ii) constructing fiberoptic data transmission facilities (cable and electronics) between towers, key community facilities, businesses and residential aggregation points; (iii) where appropriate, connecting individual premises into the broadband network including the cost of Consumer Premise Equipment (CPE); (iv) payment of capitalized interest; (v) funding of a debt service reserve fund; (vi) payment of such project costs located in the participating counties, which includes project costs in Outagamie County to be financed with Series 2023 Bonds in an amount not to exceed $24,000,000; and (vii) payment of professional fees (collectively, the "Project"), all of which will be for the purpose of providing wireless internet and telephone communications services to businesses, governmental units and residents of rural communities where such service is currently unavailable or is prohibitively expensive.

1.03 The Project will be constructed and installed in one or more of the following Wisconsin counties yet to be determined, with each respective county that has agreed to participate in the issuance of the Series 2023 Bonds to be evidenced by such participating county entering into the Joinder Agreement (defined herein) in connection with the issuance of the Series 2023 Bonds (each a "2023 Participating County" and collectively, the "2023 Participating Counties"): (i) Fond du Lac County, (ii) Forest County, (iii) Oneida County, and (iv) Outagamie County.

1.04 The Act authorizes the Issuer to make loans to an eligible participant, in connection with financing a qualified project.

1.05 Pursuant to initial resolutions duly adopted by the (i) Fond du Lac County Board on May 16, 2023, (ii) Forest County Board on April 18, 2023, (iii) Oneida County Board on September 27, 2022, and (iv) Outagamie County Board on May 23, 2023, the 2023 Participating Counties expressed their intention to enter into an Intergovernmental Agreement (the "Intergovernmental Agreement") originally by and among the Issuer, Calumet County,

Jackson County, Marathon County, and Waushara County, each in Wisconsin (the "2021 Participating Counties"), and Green Lake County, Iowa County, Jefferson County, Oconto County, Rock County, Taylor County, and Wood County, each in Wisconsin, which counties joined the Intergovernmental Agreement on August 16, 2022 by joinder (the "2022 Participating Counties"), pursuant to which the Issuer would issue revenue bonds to be issued in one or more issues or series in an aggregate amount not to exceed $240,000,000 to finance the Project. Notices of adoption of the initial resolutions adopted by the respective 2023 Participating Counties on September 27, 2022, April 18, 2023, May 16, 2023, and May 23, 2023 were published as provided in the Act, and no petition requesting a referendum upon the question of issuance of the revenue bonds has been filed in any 2023 Participating County as of the date of this resolution, and the closing of the Series 2023 Bonds shall not occur until the 30-day petition period following publication has expired in all 2023 Participating Counties.

1.06 The 2023 Participating Counties which have not already done so shall enter into the Intergovernmental Agreement by executing the Counterpart and Joinder to Intergovernmental Agreement (the "Joinder Agreement") to appoint Fond du Lac County as the issuer (the "Issuer") of the Series 2023 Bonds for the purpose of financing the Project on behalf of the Borrower, and as agent on behalf of the 2023 Participating Counties with respect to the Pledge of Membership Agreement, dated as of December 16, 2021, as amended, by and between Hilbert Communications, LLC, a Wisconsin limited liability company, and the Issuer for the benefit of the 2021 Participating Counties, the 2022 Participating Counties, the 2023 Participating Counties, and other counties as may be joined to the Intergovernmental Agreement after the date hereof.

1.07 The Borrower has requested that Outagamie County and each 2023 Participating County who will directly benefit from the Project provide an unconditional general obligation guaranty, to which the full faith and credit and taxing power of Outagamie County are pledged (the "County Guaranty") to enhance the collateral position of the Borrower in an amount equal to Outagamie County's or such 2023 Participating County's pro rata share of the principal of and interest on the Series 2023 Bonds in an amount necessary to replenish the debt service reserve fund, which for Outagamie County will be in an amount not to exceed $24,000,000 (plus interest to accrue thereon annually at a rate not to exceed 8.00%), including any compound interest payable on amounts paid by the Insurer (as defined herein) for the Series 2023 Bonds.

1.08 The Guarantor will provide a guaranty (the "Hilbert Guaranty") to Outagamie County, and each 2023 Participating County, guaranteeing the full and prompt payment to Outagamie County, and each 2023 Participating County, of amounts due from the Borrower pursuant to, and the performance of all other obligations, covenants and agreements of the Borrower under the Reimbursement Agreements by and between the Borrower and each of the 2023 Participating Counties, the Intergovernmental Agreement, and the Mortgage or Leasehold Mortgage, Assignment of Leases and Rents, Security Agreement, and Fixture Financing Statement referenced below.

1.09 The Borrower will have the primary obligation to make all scheduled principal and interest payments when due, and each 2023 Participating County's guaranty will apply only in the event that the Borrower does not pay such debt service as required and a draw is made on the debt service reserve fund for the Series 2023 Bonds (defined below) established under the Indenture.

1.10 In return for each 2023 Participating County's Guaranty, each 2023 Participating County shall receive a guaranty fee as further described in Section 3.02, and the Borrower and the Guarantor will pay any and all costs of each 2023 Participating County and all expenses incurred by each 2023 Participating County related to the Series 2023 Bonds.

1.11 As further security for the County Guaranty, Outagamie County and each 2023 Participating County shall receive a first fee or leasehold mortgage on all land, buildings, and improvements of the Borrower and a first security interest, subordinate only to the security interest of the State of Wisconsin, the Public Service Commission of Wisconsin, or similar agency, political subdivision, or instrumentality of the state (the "State") to the extent required by the State as a condition of grant funding provided for financed assets, in all fixtures and equipment of the Borrower located in the applicable county in which the Project financed with proceeds of the Series 2023 Bonds is constructed.

1.12 The Project includes necessary infrastructure for essential services, including emergency response and public safety communications by and for Outagamie County and local units of government in Outagamie County and is in furtherance of the public purposes set forth in the Act, Wisconsin Statutes, Section 59.54, and promotes the economic development and well-being of Outagamie County.

1.13 Outagamie County's obligations under its County Guaranty are expected to be insured by Build America Mutual Assurance Company (the "Insurer") under its Municipal Bond Insurance Policy (the "Policy") containing provisions consistent with the provisions of this resolution and the documents listed in Section 1.14 and approved by the Issuer's counsel, bond counsel and the appropriate officer or officers of Outagamie County.

1.14 Drafts of the following documents have been submitted to this County Board and are ordered filed in the office of the County Clerk:

(a) a Preliminary Limited Offering Memorandum;

(b) a Bond Purchase Agreement by and among UBS Financial Services Inc., as underwriter (the "Underwriter"), and the Issuer, with the Letter of Representations from the Borrower and accepted and agreed to by the Issuer;

(c) a Supplemental Series Indenture No. 2 (Series 2023 Bonds) relating to the issuance of the Series 2023 Bonds and the Indenture of Trust dated as of December 1, 2021 (collectively, the "Indenture") by and between the Issuer and U.S. Bank Trust Company, National Association, as trustee and successor to U.S. Bank National Association (the "Trustee");

(d) a Supplemental Series Loan Agreement No. 2 (Series 2023 Bonds) relating to the issuance of the Series 2023 Bonds and the Loan Agreement dated as of December 1, 2021 (collectively, the "Loan Agreement") by and between the Issuer and the Borrower;

(e) a Series 2023 Promissory Note from the Borrower to the Issuer, and assigned to the Trustee;

(f) a Reimbursement Agreement from the Borrower to Outagamie County;

(g) a Facilities Access Agreement from the Borrower to Outagamie County;

(h) a form of Mortgage or Leasehold Mortgage, Assignment of Leases and Rents, Security Agreement, and Fixture Financing Statement from the Borrower to Outagamie County;

(i) a Continuing Disclosure Agreement;

(j) a Guaranty Agreement (Hilbert Guaranty) from the Guarantor to Outagamie County;

(k) a Borrower's Closing Certificate;

(l) the Intergovernmental Agreement and Joinder Agreement to be signed by each 2023 Participating County; and

(m) the unconditional County Guaranty from Outagamie County.

Section 2 Findings and Determinations.

It is hereby found and determined that:

(a) based on representations of the Borrower, the Project constitutes a "project" authorized by the Act;

(b) the purpose of the Issuer's financing costs of the Project is and the effect thereof will be to promote the public purposes set forth in the Act;

(c) the Project includes necessary infrastructure for essential services by and for Outagamie County and local units of government in Outagamie County and is in furtherance of the public purposes set forth in the Act, Wisconsin Statutes, Section 59.54, and promotes the economic development and well-being of Outagamie County;

(d) it is desirable that a series of taxable revenue bonds in the aggregate principal amount not to exceed $77,100,000 (the "Series 2023 Bonds") be issued by the Issuer upon the terms set forth in the Indenture and Loan Agreement, under the provisions of which the Issuer's interest in the Indenture and Loan Agreement (except for certain rights as provided therein) and the loan repayments will be assigned to the Trustee as security for the payment of principal of and interest on and premium, if any, on all the Series 2023 Bonds outstanding under the Indenture;

(e) the loan payments provided for in the Loan Agreement, and the formula set out for revising those payments under the Loan Agreement as required under the Act, are sufficient to produce income and revenue to provide for prompt payment of principal of and interest on and premium, if any, on Series 2023 Bonds issued under the Indenture when due;

the amount necessary in each year to pay the principal of and interest on the Series 2023 Bonds is the sum of the principal and interest on the Series 2023 Bonds due in such year, whether on a stated payment date, a redemption date, or otherwise; the Loan Agreement provides that the Borrower shall provide for the maintenance of the Project in good repair, keeping it properly insured; and

(f) under the provisions of the Act, the Series 2023 Bonds shall be limited obligations of the Issuer and the Series 2023 Bonds do not constitute an indebtedness of the Issuer or the 2023 Participating Counties within the meaning of any state constitutional or statutory provision, and do not constitute nor give rise to a charge against the Issuer's or the 2023 Participating Counties' general credit or taxing powers or a pecuniary liability of the Issuer or the 2023 Participating Counties.

Section 3 Approvals and Authorizations; Authentication of Transcript.

3.01 There is hereby approved the issuance by the Issuer of its Taxable Revenue Bonds, Series 2023 (Bug Tussel 1, LLC Project) (Social Bonds) (specifically, the Series 2023 Bonds) in an aggregate principal amount not to exceed $77,100,000, for the purpose of financing the Project.

3.02 (a) In furtherance of the public purposes recited above, Outagamie County shall provide an unconditional County Guaranty to enhance the collateral position of the Borrower in an amount equal to Outagamie County's pro rata share of the principal of and interest on the Series 2023 Bonds in an amount necessary to replenish the debt service reserve fund in an amount not to exceed $24,000,000 (plus interest to accrue thereon annually at a rate not to exceed 8.00%, including any compound interest payable on amounts paid by the Insurer for the Series 2023 Bonds). In return for its County Guaranty, Outagamie County shall receive either (i) an annual guaranty fee equal to 40 basis points (0.40%) of the outstanding par amount of the Series 2023 Bonds covered by its County Guaranty, payable on a semi-annual basis on each May 1 and November 1,

or (ii) a discounted upfront guaranty fee as agreed to by the Borrower and Outagamie County. Prior to issuance of the Series 2023 Bonds, each 2023 Participating County on behalf of which Series 2023 Bonds are being issued shall have each authorized the execution and delivery of its respective County Guaranty.

(b) There is hereby authorized the issuance by Outagamie County of general obligation promissory notes pursuant to Wisconsin Statutes, Section 67.12(12) to finance payment of the County Guaranty. The terms and provisions of any such notes shall be established pursuant to a subsequent resolution of this County Board.

3.03 Outagamie County hereby authorizes the execution and delivery of the Joinder Agreement to the Intergovernmental Agreement, the County Guaranty and the other documents listed in Section 1.14 above to which Outagamie County is a signatory.

3.04 Subject to the conditions set forth herein, the County Board Chairperson and the County Clerk are authorized and directed to execute and deliver the County Guaranty, the Intergovernmental Agreement and the other documents listed in Section 1.14 above to which Outagamie County is a signatory. In addition, Outagamie County hereby authorizes the execution and delivery of a commitment with the Insurer consistent with the provisions of this resolution and the documents listed in Section 1.14 above as well as any other agreements, certificates or documents necessary to obtain the Policy.

3.05 The County Board Chairperson and the County Clerk and other officers of Outagamie County are authorized to prepare and furnish to the Trustee and bond counsel certified copies of all proceedings and records of the Outagamie County of relating to the Series 2023 Bonds, and such other affidavits and certificates as may be required by the Trustee and bond counsel.

3.06 The approval hereby given to the various documents referred to in this Resolution includes the approval of such additional details therein and additional documents or agreements all as may be necessary and appropriate for their completion and such modifications thereto, deletions therefrom and additions thereto as may be approved by the Outagamie County counsel and bond counsel. The execution of any document by the appropriate officer or officers of Outagamie County herein authorized shall be conclusive evidence of the approval by Outagamie County of such document in accordance with the terms hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Corporation Counsel, the Outagamie County Finance Director, the Outagamie County Development and Land Services Director, and the Outagamie County Executive.

Dated this 27th day of June 2023

Duly and officially adopted by the County Board on: June 27, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 6.29.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY, WISCONSIN

RESOLUTION NO. _____

FINAL RESOLUTION REGARDING UNCONDITIONAL COUNTY GUARANTY OF ITS PRO RATA SHARE, INTERGOVERNMENTAL AGREEMENT AND TAXABLE REVENUE BOND FINANCING FOR BUG TUSSEL 1, LLC PROJECT

BE IT RESOLVED by the County Board of Outagamie County, Wisconsin, as follows:

Section 1 Recitals.

1.01 Under Wisconsin Statutes, Section 66.1103, as amended (the "Act"), the Issuer (as hereinafter defined) is authorized and empowered to issue revenue bonds to finance eligible costs of qualified "projects" (as defined in the Act), and to enter into "revenue agreements" (as defined in the Act) with "eligible participants" (as defined in the Act).

1.02 Bug Tussel 1, LLC, a Wisconsin limited liability company (the "Borrower"), Hilbert Communications, LLC, a Wisconsin limited liability company (the "Company" and the "Guarantor") and/or one or more of its affiliates (including, without limitation, Bug Tussel Wireless, LLC and Cloud 1, LLC), whether existing on the date hereof or to be formed and whether owned directly or indirectly by the Company, desires to finance a project consisting of the acquisition, construction and installation of certain telecommunications infrastructure that includes, among other things (i) acquisition of tower sites by purchase or lease of land and equipping such sites with towers and electronics to provide broadband, high speed cellular, emergency communications and point to point (P2P) data communications; (ii) constructing fiberoptic data transmission facilities (cable and electronics) between towers, key community facilities, businesses and residential aggregation points; (iii) where appropriate, connecting individual premises into the broadband network including the cost of Consumer Premise Equipment (CPE); (iv) payment of capitalized interest; (v) funding of a debt service reserve fund; (vi) payment of such project costs located in the participating counties, which includes project costs in Outagamie County to be financed with Series 2023 Bonds in an amount not to exceed $24,000,000; and (vii) payment of professional fees (collectively, the "Project"), all of which will be for the purpose of providing wireless internet and telephone communications services to businesses, governmental units and residents of rural communities where such service is currently unavailable or is prohibitively expensive.

1.03 The Project will be constructed and installed in one or more of the following Wisconsin counties yet to be determined, with each respective county that has agreed to participate in the issuance of the Series 2023 Bonds to be evidenced by such participating county entering into the Joinder Agreement (defined herein) in connection

with the issuance of the Series 2023 Bonds (each a "2023 Participating County" and collectively, the "2023 Participating Counties"): (i) Fond du Lac County, (ii) Forest County, (iii) Oneida County, and (iv) Outagamie County.

1.04 The Act authorizes the Issuer to make loans to an eligible participant, in connection with financing a qualified project.

1.05 Pursuant to initial resolutions duly adopted by the (i) Fond du Lac County Board on May 16, 2023, (ii) Forest County Board on April 18, 2023, (iii) Oneida County Board on September 27, 2022, and (iv) Outagamie County Board on May 23, 2023, the 2023 Participating Counties expressed their intention to enter into an Intergovernmental Agreement (the "Intergovernmental Agreement") originally by and among the Issuer, Calumet County, Jackson County, Marathon County, and Waushara County, each in Wisconsin (the "2021 Participating Counties"), and Green Lake County, Iowa County, Jefferson County, Oconto County, Rock County, Taylor County, and Wood County, each in Wisconsin, which counties joined the Intergovernmental Agreement on August 16, 2022 by joinder (the "2022 Participating Counties"), pursuant to which the Issuer would issue revenue bonds to be issued in one or more issues or series in an aggregate amount not to exceed $240,000,000 to finance the Project. Notices of adoption of the initial resolutions adopted by the respective 2023 Participating Counties on September 27, 2022, April 18, 2023, May 16, 2023, and May 23, 2023 were published as provided in the Act, and no petition requesting a referendum upon the question of issuance of the revenue bonds has been filed in any 2023 Participating County as of the date of this resolution, and the closing of the Series 2023 Bonds shall not occur until the 30-day petition period following publication has expired in all 2023 Participating Counties.

1.06 The 2023 Participating Counties which have not already done so shall enter into the Intergovernmental Agreement by executing the Counterpart and Joinder to Intergovernmental Agreement (the "Joinder Agreement") to appoint Fond du Lac County as the issuer (the "Issuer") of the Series 2023 Bonds for the purpose of financing the Project on behalf of the Borrower, and as agent on behalf of the 2023 Participating Counties with respect to the Pledge of Membership Agreement, dated as of December 16, 2021, as amended, by and between Hilbert Communications, LLC, a Wisconsin limited liability company, and the Issuer for the benefit of the 2021 Participating Counties, the 2022 Participating Counties, the 2023 Participating Counties, and other counties as may be joined to the Intergovernmental Agreement after the date hereof.

1.07 The Borrower has requested that Outagamie County and each 2023 Participating County who will directly benefit from the Project provide an unconditional general obligation guaranty, to which the full faith and credit and taxing power of Outagamie County are pledged (the "County Guaranty") to enhance the collateral position of the Borrower in an amount equal to Outagamie County's or such 2023 Participating County's pro rata share of the principal of and interest on the Series 2023 Bonds in an amount necessary to replenish the debt service reserve fund, which for

Outagamie County will be in an amount not to exceed $24,000,000 (plus interest to accrue thereon annually at a rate not to exceed 8.00%), including any compound interest payable on amounts paid by the Insurer (as defined herein) for the Series 2023 Bonds.

1.08 The Guarantor will provide a guaranty (the "Hilbert Guaranty") to Outagamie County, and each 2023 Participating County, guaranteeing the full and prompt payment to Outagamie County, and each 2023 Participating County, of amounts due from the Borrower pursuant to, and the performance of all other obligations, covenants and agreements of the Borrower under the Reimbursement Agreements by and between the Borrower and each of the 2023 Participating Counties, the Intergovernmental Agreement, and the Mortgage or Leasehold Mortgage, Assignment of Leases and Rents, Security Agreement, and Fixture Financing Statement referenced below.

1.09 The Borrower will have the primary obligation to make all scheduled principal and interest payments when due, and each 2023 Participating County's guaranty will apply only in the event that the Borrower does not pay such debt service as required and a draw is made on the debt service reserve fund for the Series 2023 Bonds (defined below) established under the Indenture.

1.10 In return for each 2023 Participating County's Guaranty, each 2023 Participating County shall receive a guaranty fee as further described in Section 3.02, and the Borrower and the Guarantor will pay any and all costs of each 2023 Participating County and all expenses incurred by each 2023 Participating County related to the Series 2023 Bonds.

1.11 As further security for the County Guaranty, Outagamie County and each 2023 Participating County shall receive a first fee or leasehold mortgage on all land, buildings, and improvements of the Borrower and a first security interest, subordinate only to the security interest of the State of Wisconsin, the Public Service Commission of Wisconsin, or similar agency, political subdivision, or instrumentality of the state (the "State") to the extent required by the State as a condition of grant funding provided for financed assets, in all fixtures and equipment of the Borrower located in the applicable county in which the Project financed with proceeds of the Series 2023 Bonds is constructed.

1.12 The Project includes necessary infrastructure for essential services, including emergency response and public safety communications by and for Outagamie County and local units of government in Outagamie County and is in furtherance of the public purposes set forth in the Act, Wisconsin Statutes, Section 59.54, and promotes the economic development and well-being of Outagamie County.

1.13 Outagamie County's obligations under its County Guaranty are expected to be insured by Build America Mutual Assurance Company (the "Insurer") under its

Municipal Bond Insurance Policy (the "Policy") containing provisions consistent with the provisions of this resolution and the documents listed in Section 1.14 and approved by the Issuer's counsel, bond counsel and the appropriate officer or officers of Outagamie County.

1.14 Drafts of the following documents have been submitted to this County Board and are ordered filed in the office of the County Clerk:

(a) a Preliminary Limited Offering Memorandum;

(b) a Bond Purchase Agreement by and among UBS Financial Services Inc., as underwriter (the "Underwriter"), and the Issuer, with the Letter of Representations from the Borrower and accepted and agreed to by the Issuer;

(c) a Supplemental Series Indenture No. 2 (Series 2023 Bonds) relating to the issuance of the Series 2023 Bonds and the Indenture of Trust dated as of December 1, 2021 (collectively, the "Indenture") by and between the Issuer and U.S. Bank Trust Company, National Association, as trustee and successor to U.S. Bank National Association (the "Trustee");

(d) a Supplemental Series Loan Agreement No. 2 (Series 2023 Bonds) relating to the issuance of the Series 2023 Bonds and the Loan Agreement dated as of December 1, 2021 (collectively, the "Loan Agreement") by and between the Issuer and the Borrower;

(e) a Series 2023 Promissory Note from the Borrower to the Issuer, and assigned to the Trustee;

(f) a Reimbursement Agreement from the Borrower to Outagamie County;

(g) a Facilities Access Agreement from the Borrower to Outagamie County;

(h) a form of Mortgage or Leasehold Mortgage, Assignment of Leases and Rents, Security Agreement, and Fixture Financing Statement from the Borrower to Outagamie County;

(i) a Continuing Disclosure Agreement;

(j) a Guaranty Agreement (Hilbert Guaranty) from the Guarantor to Outagamie County;

(k) a Borrower's Closing Certificate;

(l) the Intergovernmental Agreement and Joinder Agreement to be signed by each 2023 Participating County; and

(m) the unconditional County Guaranty from Outagamie County.

Section 2 Findings and Determinations.

It is hereby found and determined that:

(a) based on representations of the Borrower, the Project constitutes a "project" authorized by the Act;

(b) the purpose of the Issuer's financing costs of the Project is and the effect thereof will be to promote the public purposes set forth in the Act;

(c) the Project includes necessary infrastructure for essential services by and for Outagamie County and local units of government in Outagamie County and is in furtherance of the public purposes set forth in the Act, Wisconsin Statutes, Section 59.54, and promotes the economic development and well-being of Outagamie County;

(d) it is desirable that a series of taxable revenue bonds in the aggregate principal amount not to exceed $77,100,000 (the "Series 2023 Bonds") be issued by the Issuer upon the terms set forth in the Indenture and Loan Agreement, under the provisions of which the Issuer's interest in the Indenture and Loan Agreement (except for certain rights as provided therein) and the loan repayments will be assigned to the Trustee as security for the payment of principal of and interest on and premium, if any, on all the Series 2023 Bonds outstanding under the Indenture;

(e) the loan payments provided for in the Loan Agreement, and the formula set out for revising those payments under the Loan Agreement as required under the Act, are sufficient to produce income and revenue to provide for prompt payment of principal of and interest on and premium, if any, on Series 2023 Bonds issued under the Indenture when due; the amount necessary in each year to pay the principal of and interest on the Series 2023 Bonds is the sum of the principal and interest on the Series 2023 Bonds due in such year, whether on a stated payment date, a redemption date, or otherwise; the Loan Agreement provides that the Borrower shall provide for the maintenance of the Project in good repair, keeping it properly insured; and

(f) under the provisions of the Act, the Series 2023 Bonds shall be limited obligations of the Issuer and the Series 2023 Bonds do not constitute an indebtedness of the Issuer or the 2023 Participating Counties within the meaning of any state constitutional or statutory provision, and do not constitute nor give rise to a charge against the Issuer's or the 2023 Participating Counties' general credit or taxing powers or a pecuniary liability of the Issuer or the 2023 Participating Counties.

Section 3 Approvals and Authorizations; Authentication of Transcript.

3.01 There is hereby approved the issuance by the Issuer of its Taxable Revenue Bonds, Series 2023 (Bug Tussel 1, LLC Project) (Social Bonds) (specifically, the Series 2023 Bonds) in an aggregate principal amount not to exceed $77,100,000, for the purpose of financing the Project.

3.02 (a) In furtherance of the public purposes recited above, Outagamie County shall provide an unconditional County Guaranty to enhance the collateral position of the Borrower in an amount equal to Outagamie County's pro rata share of the principal of and interest on the Series 2023 Bonds in an amount necessary to replenish the debt service reserve fund in an amount not to exceed $24,000,000 (plus interest to accrue thereon annually at a rate not to exceed 8.00%, including any compound interest payable on amounts paid by the Insurer for the Series 2023 Bonds). In return for its County Guaranty, Outagamie County shall receive either (i) an annual guaranty fee equal to 40 basis points (0.40%) of the outstanding par amount of the Series 2023 Bonds covered by its County Guaranty, payable on a semi-annual basis on each May 1 and November 1, or (ii) a discounted upfront guaranty fee as agreed to by the Borrower and Outagamie County. Prior to issuance of the Series 2023 Bonds, each 2023 Participating County on behalf of which Series 2023 Bonds are being issued shall have each authorized the execution and delivery of its respective County Guaranty.

(b) There is hereby authorized the issuance by Outagamie County of general obligation promissory notes pursuant to Wisconsin Statutes, Section 67.12(12) to finance payment of the County Guaranty. The terms and provisions of any such notes shall be established pursuant to a subsequent resolution of this County Board.

3.03 Outagamie County hereby authorizes the execution and delivery of the Joinder Agreement to the Intergovernmental Agreement, the County Guaranty and the other documents listed in Section 1.14 above to which Outagamie County is a signatory.

3.04 Subject to the conditions set forth herein, the County Board Chairperson and the County Clerk are authorized and directed to execute and deliver the County Guaranty, the Intergovernmental Agreement and the other documents listed in Section 1.14 above to which Outagamie County is a signatory. In addition, Outagamie County hereby authorizes the execution and delivery of a commitment with the Insurer consistent with the provisions of this resolution and the documents listed in Section 1.14 above as well as any other agreements, certificates or documents necessary to obtain the Policy.

3.05 The County Board Chairperson and the County Clerk and other officers of Outagamie County are authorized to prepare and furnish to the Trustee and bond counsel certified copies of all proceedings and records of the Outagamie County of relating to the Series 2023 Bonds, and such other affidavits and certificates as may be required by the Trustee and bond counsel.

3.06 The approval hereby given to the various documents referred to in this Resolution includes the approval of such additional details therein and additional documents or agreements all as may be necessary and appropriate for their completion and such modifications thereto, deletions therefrom and additions thereto as may be approved by the Outagamie County counsel and bond counsel. The execution of any document by the appropriate officer or officers of Outagamie County herein authorized

shall be conclusive evidence of the approval by Outagamie County of such document in accordance with the terms hereof.

Adopted : _____, 2023

Recommended for adoption this _____ day of _____, 2023.

_____ _____
_____ _____
_____ _____

Adopted _____
Defeated _____ by the Outagamie County Board of Supervisors this
Tabled _____ _____ day of _____, 2023.

_____ _____
Jeff Nooyen, County Board Chair Jeffrey King, County Clerk

I, the undersigned, the duly appointed and qualified Clerk of Outagamie County, Wisconsin do hereby certify that the foregoing resolution was duly adopted by the County Board of Supervisors at a meeting of said County held in open session in accordance with the requirements of Subchapter V of Chapter 19 of the Wisconsin Statutes on June 27, 2023.

OUTAGAMIE COUNTY, WISCONSIN

_____
Jeffrey King, County Clerk

APPROVED AS TO FORM:

Kyle J. Sargent
Corporation Counsel
Outagamie County
Date Approved: 6/21/23

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the June 27, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on June 27, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 27th Day of June, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: July 28, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, July 11, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. by teleconference.

ROLL CALL: 31 present, 5 absent. Members present: Thompson, Smith, Patience, Konetzke, Hammen, Lawrence, Krueger, McCabe, Wegand, Hermes, MacDonald, Schroeder, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Rettler, Koury, and Lautenschlager. Members Absent: Miller, Gabrielson, Lamers, Ferguson, and Thyssen.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Miller, Supervisor Gabrielson, and Supervisor Lamers. No objections; so ordered.

MINUTES OF THE JUNE 27, 2023 COUNTY BOARD MEETING
Supervisor Spears moved, seconded by Supervisor Croatt, to approve the minutes of the June 27, 2023, County Board meeting.

VOICE VOTE CARRIED WITH THIRTY (30) YES AND ONE (1) ABSTENTION (MCCABE). MINUTES OF THE JUNE 27, 2023, COUNTY BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have all Ordinance and Resolutions that are on the agenda locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

July 11, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	06/20/2023	Oneida County	Resolution #70-2023 Resolution to Request State of Wisconsin to use a Portion of the 2023 Budgetary Surplus for the Maintenance, Repair and Replacement of County Trunk Highway System	Resolution No.: 10-2023-24
2	06/06/2023	Kenosha County	Resolution No. 20 A Resolution to Request the State of Wisconsin Revise Solar Energy System Law	Zoning Committee
3	05/18/2023	Douglas County	Resolution #26-23 State of Wisconsin Review and Revise Compensation Rate for State Public Defenders	Resolution No.: 137-2022-23
4	05/23/2023	Door County	Resolution No. 2023-43 Request State of Wisconsin to use a Portion of the 2023 Budgetary Surplus for the Maintenance, Repair and Replacement of County Trunk Highway System	Resolution No.: 10-2023-24

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.
- One supervisor has yet to complete the May IT training. A reminder email was sent out to this individual from the Legislative Services office.
- Condolences and sympathies were extended to Supervisor Wegand whose father passed away on July 3rd. There will be a celebration of life held on July 12th at Rose Hill Bar and Grill in Kaukauna at 4:00 pm.
- Former Supervisor Barb Christensen (serving from 1996-2002) and former Supervisor Martha Ward (serving from 1986-1996) passed away last week. Condolences and sympathies to the families.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.
APPOINTMENTS – None.

UNFINISHED BUSINESS– None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Ordinance No. Z-1—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to recommend adoption of the petition of Robert Prunty, property owner, to rezone parcel 080037908, 4.23 acres, from AGD-General Agriculture District and CL-Local Commercial District to AGD-General Agriculture District only, in the Town of Ellington, as detailed on the attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. Z-1—2023-24 IS ADOPTED.

Resolution No. 30—2023-24 – Highway, Recycling and Solid Waste Committee. Approve of the County Highway Commissioner entering into a State Municipal Agreement for the CTH U Bridge Project and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attachments.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 30—2023-24 IS ADOPTED.

Resolution No. 31—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize granting We Energies an easement for parcel 111-1227-00 in the Village of Greenville, as detailed on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 31—2023-24 IS ADOPTED.

Resolution No. 32—2023-24 – Public Safety Committee. Approve of transferring $65,000 from the Capital line items of Sheriff Body Cameras 2021 to Squad Cars, as detailed on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Smith, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 32—2023-24 IS ADOPTED.

Resolution No. 33—2023-24 – Public Safety Committee. Approve of the Sheriff's Office to accept and expend funds for an emotional support assistance program for law enforcement officers and emergency dispatchers (telecommunicators) available from the International Association for Clear Thinking for $24,950, and increase the Sheriff Administration line items of Miscellaneous Revenue and Purchased Services by $24,950 each, as detailed on the attached fiscal note.

Supervisor Cooke moved, seconded by Supervisor Patience, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 33—2023-24 IS ADOPTED.

Resolution No. 34—2023-24 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the Land Conservation Department to accept and expend a federal financial assistance award from the U.S. Fish and Wildlife Service for Riparian Habitat Enhancement & Restoration in the Lower Fox River Basin of $273,250 for the time period of July 1, 2023 through July 1, 2026, to expand riparian habitat enhancement and stream restoration projects to improve habitat and water quality, and increase the following line items in the Land Conservation Grants budget: Intergovernmental Revenues by $273,250; Purchased Services by $206,250; Salaries by $42,857; Fringe Benefits by $17,143; Supplies by $5,000; Travel/Training by $2,000, as detailed on the attachments.

Supervisor Weinberg moved, seconded by Supervisor Koury, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 34—2023-24 IS ADOPTED.

Resolution No. 35—2023-24 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve of the Land Conservation Department to accept and expend a grant from the Wisconsin Department of Natural Resources (WI DNR) for $50,000 to implement a suite of practices to improve soil health and reduce nutrient and sediment runoff in a subwatershed of the Wolf River, and to increase the Land Conservation Grants line items for Intergovernmental Revenues and Purchased Services by $50,000 each, as detailed on the attachments.

Supervisor Lautenschlager moved, seconded by Supervisor VanderHeiden, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 35—2023-24 IS ADOPTED.

RECONSIDERATION OF ORDINANCE NO. Z-1—2023-24 AND RESOLUTION NOS. 30, 31, 32, 33, 34 AND 35 —2023-24.

Supervisor Lawrence moved, seconded by Supervisor Thiede, to reconsider the above listed ordinance and resolutions.

Vote for reconsideration. VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. Z-1—2023-24 AND RESOLUTION NOS. 30, 31, 32, 33, 34 AND 35 —2023-24 ARE RECONSIDERED.

Vote for lock in. VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. Z-1—2023-24 AND RESOLUTION NOS. 30, 31, 32, 33, 34 AND 35 —2023-24 ARE ADOPTED & LOCKED IN.

REPORTS – None.

ADJOURNMENT
Supervisor Nejedlo moved, seconded by Supervisor Konetzke to adjourn until August 8, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:17 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34 & 35--2023-24

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35 --2023-24.

MOTION:

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34, 35--2023-24

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MOTION:

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MADE BY: Lawrence

SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023 ORDINANCE # Z-1--2023-24

Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to recommend adoption of the petition of Robert Prunty, property owner, to rezone parcel 080037908, 4.23 acres, from AGD-General Agriculture District and CL-Local Commercial District to AGD-General Agriculture District only, in the Town of Ellington, as detailed on the attachments.

MOTION:

Approve to recommend adoption of the petition of Robert Prunty, property owner, to rezone parcel 080037908, 4.23 acres, from AGD-General Agriculture District and CL-Local Commercial District to AGD-General Agriculture District only, in the Town of Ellington.

MADE BY: VanderHeiden SECONDED BY: Lautenschlager

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	BSTAI	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

ORDINANCE NO.: Z-1—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY ZONING ORDINANCE. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 59.69 of the Wisconsin State Statutes.

Outagamie County Planning Staff Rezoning Review recommends approval. Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the following ordinance is presented by the Agriculture, Extension Education, Zoning, and Land Conservation Committee to the County Board.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does recommend adoption of the petition of Robert Prunty, property owner, to rezone parcel 080037908, totaling 4.23 acres, from AGD-General Agriculture District and the CL-Local Commercial District to AGD-General Agriculture District only. The location of the site is west of Wisconsin State Trunk Highway 76, Town of Ellington, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in the Town of Ellington upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and the execution and recording of the above stated deed covenants, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a certified copy of this ordinance to the Town of Ellington Clerk, the Outagamie County Zoning Administrator and the Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 11th day of July, 2023.

Duly and officially adopted by the County Board on: July 11, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 7.14.23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Esc. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **June 7, 2023**
RE: **PL202300216 - Rezoning - County Review & Recommendation**

Application Details:

Applicant and Owner:	Sandra and Robert Prunty
Request:	Rezoning - County
Parcel:	080037908 (4.23 acres)
Location:	West of Wisconsin State Trunk Highway 76 TOWN OF ELLINGTON
Public Hearing:	June 27, 2023 at 10:30 AM

Background & Analysis:

A County Rezoning request was received from Sandra and Robert Prunty, property owner, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone parcel 080037908 from the General Agriculture District (AGD) and the Local Commercial District (CL) to the General Agriculture District (AGD) only. The rezoning would allow the property owner to apply for an access permit through WisDOT.

Table 1 presents the existing land use and zoning district patterns and characteristics surrounding the site. The rezone is identified to be compatible with the surrounding land use and zoning district patterns.

Table 1. Surrounding Land Use and Zoning District Patterns, Relative to Subject Site

Area Adjacent to Subject Site	Existing Zoning District	Existing Land Use
North	General Agriculture	Commercial and Single-Family Residential
South	General Agriculture	Single-Family Residential
East	General Agriculture	Institutional
West	General Agriculture	Single-Family Residential

The site contains no significant environmental factors of concern (i.e., floodplain, shoreland, or wetlands).

The Ellington Town Board reviewed this rezoning request on April 26, 2023 and recommended it for approval.

The Town of Ellington's general zoning is administered by the County and the County is statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3)

Wis. Stats. County staff has identified the proposed rezone to be consistent with the County Comprehensive Plan as:

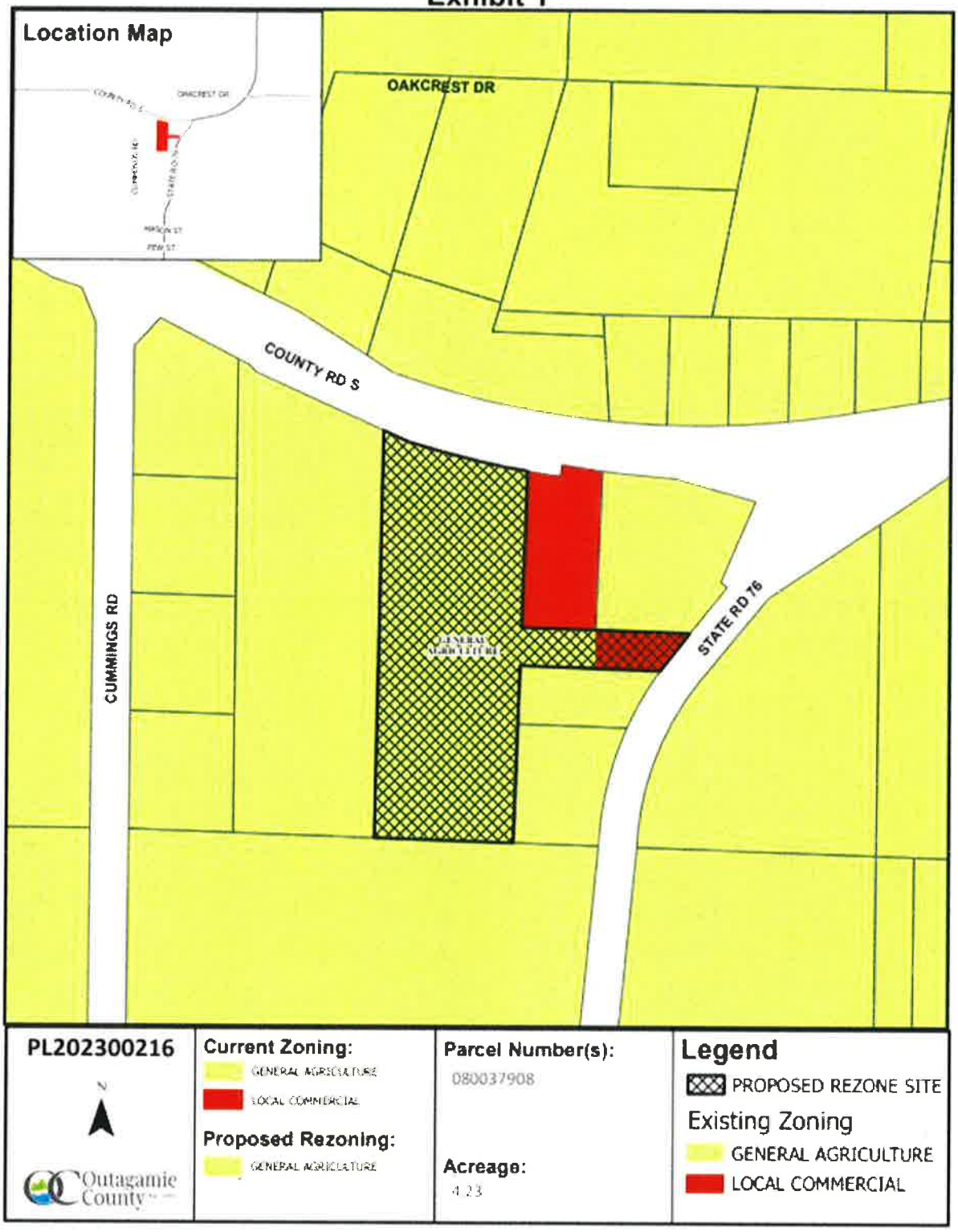
- Outagamie County Comprehensive Plan designates this area as "Community Mixed Use" within its future land use map. These areas may contain remnant agriculture.
- The purpose of the rezone is to establish an access permit onto WIS-76. The access permit would ensure parcel 080037908 and 080037902 are no longer landlocked. This proposal helps to implement goals in the County's Comprehensive Plan including Goal 1: Integrated land use and transportation system and Goal 6: Wise land development and conservation practices.

Staff Recommendation:
Based on our review and the above analysis of this proposed Rezoning – County, Staff recommends to: approve the proposed rezoning of parcel 080037908 from the General Agriculture District (AGD) and the Local Commercial District (CL) to the General Agriculture District (AGD) only.

Exhibits:

- Exhibit 1: Rezoning Map

Exhibit 1


Location Map
OAKCREST DR
COUNTY RD S
CUMMINGS RD
STATE RD 76
PL202300216
N
Outagamie County
Current Zoning:
GENERAL AGRICULTURE
LOCAL COMMERCIAL
Proposed Rezoning:
GENERAL AGRICULTURE
Parcel Number(s):
080037908
Acreage:
4.23
Legend
PROPOSED REZONE SITE
Existing Zoning
GENERAL AGRICULTURE
LOCAL COMMERCIAL

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34 & 35--2023-24

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35 --2023-24.

MOTION:

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34, 35--2023-24

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MOTION:

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MADE BY: Lawrence

SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023 RESOLUTION # 30--2023-24

Highway, Recycling and Solid Waste Committee. Approve of the County Highway Commissioner entering into a State Municipal Agreement for the CTH U Bridge Project and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attachments.

MOTION:

Approve of the County Highway Commissioner entering into a State Municipal Agreement for the CTH U Bridge Project and authorize funding for the county share of the project costs to be included in future budgets.

MADE BY: Hagen SECONDED BY: Clegg

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 30—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The State of Wisconsin approached Outagamie County regarding future reconstruction of CTH U Apple Creek Bridge using available federal funding. The County Highway Department submitted an application for federal aid which has been approved. The bridge and roadway are a vital piece of the county's infrastructure. The estimated total cost for the project is $3,478,660 of which $2,758,608 has been approved for federal funding. There is no proposed cost share with the local municipality, therefore Outagamie County's share is estimated to be $720,052. The proposed project includes widening and lengthening of the bridge, adding shoulders, and sidewalk improvements from the bicycle/pedestrian plan. Real estate acquisition is to be expected. The project needs to be completed no later than 2032 and the department has an estimated construction year of 2028. If the county does not complete the project by 2032, the federal funding will be lost. The county share of the project costs are anticipated to be funded with future budgets. This resolution requests approval for the County Highway Commissioner to enter into a State Municipal Agreement for the project and to support future funding for the CTH U Bridge over Apple Creek.

NOW THEREFORE, the following resolution is presented by the Highway, Recycling and Solid Waste Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the County Highway Commissioner entering into a State Municipal Agreement for the CTH U Bridge Project as noted on the attached State/Municipal Agreement for a State-Let Local Bridge Project, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize funding for the county share of the project costs to be included in future budgets as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance Director.

Dated this 11th day of July 2023

Duly and officially adopted by the County Board on: July 11th, 2023

Signed: _____ Kelly M. Cook, Deputy Clerk
Board Chairperson County Clerk

Approved: 7.14.23 Vetoed: _____

Signed: _____
County Executive

STATE/MUNICIPAL AGREEMENT FOR A STATE- LET LOCAL BRIDGE PROJECT **Program Name: Local Bridge** **Sub-program #: 205** **Cycle: BIL 2024-2026**	Date: **MAY 25, 2023** I.D.: **6003-00-00/70** Road Name: **CTH U** Bridge ID: **B-44-0051** Location: T **KAUKAUNA, CTH U** Limits: **APPLE CREEK BRIDGE** County: **Outagamie** Project Length: **370 FT** Facility Owner: **Outagamie County** Project Sponsor: **Outagamie County** Construction scheduled for State Fiscal Year: **2027**

The signatory, **Outagamie County**, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway, street or local bridge improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Sections 86 25(1), (2), and (3) and Section 66.0301 of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Municipality agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Funding is limited to the minimum eligible project scope necessary for a safe and effective facility per WisDOT Performance-Based Practical Design policy. The funding for the project for both structure and approach is limited to:

- replacement or rehabilitation of the existing facility,
- or, meeting minimum bridge standards as outlined in the WisDOT Facilities Development Manual (FDM) or applicable TRANS code,
- or, an approved justification based on engineering principles that exceed either Performance-Based Practical Design or the FDM.

The Municipality may elect to construct alternative designs but approved Local Bridge Improvement Assistance Program (s84.18(2)(e)) funding will be limited to a maximum of 80 percent of the cost of the minimum eligible scope of the project.

TABLE A

	Existing Facility – Current structure and condition	Proposed Improvement – Approved scope	Notes:
Type of facility	Bridge	Bridge	
Bridge ID	B-44-0051		
Structure passes over	Apple Creek		
Clear bridge width	26 FT	34 FT	
Bridge length	112 FT	120 FT	
Total length of approach work		250 FT	250 FT approved at application. Justification for lengths beyond 300 FT shall be submitted to the LPPM and approved by WisDOT Regional Chief if justification shows the approach length is warranted.
Number of spans	2	2	
Special safety issues	No		
Sidewalk	No	Yes	
Sidewalk along approach	No	No	
Bicycle / pedestrian improvements required		Yes	Sidewalk improvements on countywide bike/ped plan.
Improvement type as indicated on project application		Replacement – existing alignment	
Acquisition of right-of-way		Yes	Less than ½ acre of acquisition and temporary interests are anticipated.
Approach width and type	24 FT	24 FT wide, Asphalt	
Approach shoulder width and type		6 FT, (3' Asphalt/3' Gravel)	Each Side.
Bridge rail		No	
Beam guard		Yes	

Non-participating work, additional notes:
Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Municipality. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable federal requirements:

A municipality may elect to design a bridge or elements that exceed the current Performance-Based Practical Design policy, or that exceed minimum bridge standards as outlined in the WisDOT Facilities Development Manual (FDM) or applicable TRANS code, or are not justified as necessary based on current engineering principles. All costs for these features will be paid for 100% by the Municipality.

Concrete approach slabs.

The Municipality agrees to the following BIL 2024-2026 Local Bridge Program project funding conditions:

Project Design costs are funded with up to **80%** state/federal funding up to a funding limit of **$347,328**. The Municipality agrees to provide the remaining **20%** and any funds in excess of the **$347,328** state/federal funding limit. **Any real estate, railroad, or utility costs are 100% locally funded.**

Project Construction costs are funded with up to **80%** state/federal funding up to a funding limit of **$2,411,280**. The Municipality agrees to provide the remaining **20%** and any funds in excess of the **$2,411,280** state/federal funding limit. **Any real estate, railroad, or utility costs are 100% locally funded.**

Non-participating costs are 100% the responsibility of the Municipality. Any work performed by the Municipality prior to federal authorization is not eligible for federal funding. The Municipality will be notified by the State that the project is authorized and available for charging.

This project is currently scheduled in State Fiscal Year **2027**. Sunset date: **June 30, 2032**

Sunset Date is determined based on the date a project is scheduled to be authorized. Sunset date is calculated as six years from the beginning of the state fiscal year (SFY) in which a project is initially scheduled. Extensions may be available upon approval of a written request by or on behalf of the Municipality to State per WisDOT Change Management policy. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

The dollar amounts shown in the Summary of Costs Table below are estimates. The final Municipal share is dependent on the final federal/state participation, and actual costs will be used in the final division of cost for billing and reimbursement.

In no event shall federal or State funding exceed the estimate in the Summary of Costs table, unless such increase is approved in writing by the State through the State's Change Management policy prior to the Municipality incurring the increased costs.

Additional funds will not be approved for projects where increased costs are due to changes outside of the project scope that were identified in the original application or the most recent State Municipal Agreement (SMA) (whichever is most current). Exceptions to this policy will be allowed when the change is necessary based on safety, conformance with applicable minimum federal and state standards, projected traffic needs, or other factors as determined by WisDOT.

TABLE B
SUMMARY OF COSTS

PHASE	Total Est. Project Cost	Federal / State Funds	%	Municipal Funds	%
ID 6003-00-00					
Design	**$ 420,000**	**$ 336,000**	80%	**$ 84,000**	20% + BAL
State Review	**$ 14,160**	**$ 11,328**	80%	**$ 2,832**	20% + BAL
Project total	**$ 434,160**	**$ 347,328**		**$ 86,832**	
ID 6003-00-70					
Participating Construction	**$ 2,593,700**	**$ 2,074,960**	80%	**$ 518,740**	20% + BAL
Construction Engineering	**$ 400,000**	**$ 320,000**	80%	**$ 80,000**	20% + BAL
Non-Participating Construction	**$ 30,400**	**$ 0**	0%	**$ 30,400**	100%
State Review	**$ 20,400**	**$ 16,320**	80%	**$ 4,080**	20% + BAL
Project total	**$ 3,044,500**	**$ 2,411,280**		**$ 633,220**	
Total Est. Cost Distribution	**$ 3,478,660**	**$ 2,758,608**		**$ 720,052**	

*Design ID **6003-00-00** federal/state funding is limited to $ **347,328**
*Construction **ID 6003-00-70** federal/state funding is limited to $ **2,411,280**

This request is subject to the terms and conditions that follow (pages 4 – 9) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signed for and in behalf of: **Outagamie County** (please sign in blue ink.)	
Name (print)	Title
Signature	Date
Signed for and in behalf of the **State** (please sign in blue ink)	
Name (print)	Title
Signature	Date

GENERAL TERMS AND CONDITIONS:

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.

2. Work prior to federal authorization is ineligible for federal or state funding.

3. The Municipality, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:

    a. Environmental requirements, including but not limited to those set forth in the 23 U.S.C. 139 and National Environmental Policy Act (42 U.S.C. 4321 et seq.)

    b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The municipality agrees to comply with and promote applicable federal and state laws, executive orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition, the Municipality agrees not to engage in any illegal discrimination in violation of applicable federal or state laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The Municipality agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.

    c. Prevailing wage requirements, including but not limited to 23 U.S.C 113.

    d. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.

    e. Competitive bidding and confidentiality requirements set forth in 23 U.S.C 112 and Wis. Stat. 84.06. This includes the sharing of financial data prior to the conclusion of the competitive bid period.

    f. All applicable Disadvantaged Business Enterprise (DBE) requirements that the State specifies.

    g. Federal statutes that govern the Highway Bridge Replacement and Rehabilitation Program, including but not limited to 23 U.S.C. 144.

h. State statutes that govern the Local Bridge Program, including but not limited to Wis. Stat. 84.18.

i. Bridge approaches funding policy. The Federal Highway Administration (FHWA) and Wis. Stat. 84.18(2)(e) limit bridge approach costs to only those approach costs that are necessary to render the bridge serviceable (to reach the attainable touchdown points using current standards). On a program level, FHWA has determined that, on average, bridge approach costs should amount to no more than 10% of the cost for constructing the bridge, and the municipality should be prepared to offer a justification of costs for any bridge project where the approach costs exceed that percentage.

j. State administrative rule that implements Local Bridge Program: Ch. Trans 213.

STATE RESPONSIBILITIES AND REQUIREMENTS:

4. Funding of each project phase is subject to inclusion in Wisconsin's approved BIL 2024-2026 Local Bridge Program. Federal/state financing will be limited to participation in the costs of the following items, as applicable to the project:
   a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.
   b. The substructure, superstructure, grading, base, pavement, and other related bridge and approach items.
   c. Storm sewer mains necessary for the surface water drainage.
   d. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
   e. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).
   f. Signing and pavement marking.
   g. New installations or alteration of street lighting and traffic signals or devices.
   h. Landscaping.
   i. Preliminary engineering and design.
   j. State review services.

5. State is authorized by Wis. Stat. 84.18(6) to exercise whole supervision and control over the construction of the project. The work will be administered by the State and may include items not eligible for federal/state participation.

6. As the work progresses, the State will bill the Municipality for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs subject to project funding limits in the Summary of Costs Table. If reviews or audits show any of the work to be ineligible for federal/state funding, the Municipality will be responsible for any withdrawn costs associated with the ineligible work.

MUNICIPAL RESPONSIBILITIES AND REQUIREMENTS:

7. Work necessary to complete the BIL 2024-2026 Local Bridge Program improvement project to be financed entirely by the Municipality or other utility or facility owner includes the items listed below.
   a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.

b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.

c. Detour routes and haul roads. The municipality is responsible for determining the detour route.

d. Conditioning, if required and maintenance of detour routes.

e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.

f. All work related to underground storage tanks and contaminated soils.

g. Street and bridge width in excess of standards.

h. Real estate for the improvement.

8. This line intentionally left blank.

9. FHWA limits bridge approach costs to only those approach costs that are necessary to render the bridge serviceable (to reach the attainable touchdown points using current standards). On a program level, FHWA has determined that, on average, bridge approach costs should amount to no more than 10% of the cost for constructing the bridge, and the Municipality should be prepared to offer a justification of costs for any bridge project where the approach costs exceed that percentage.

10. The construction of the subject improvement will be in accordance with the appropriate standards unless an exception to standards is granted by State prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Municipality unless such exception is granted.

11. Work to be performed by the Municipality without federal/state funding participation, necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Municipality but must be coordinated with all other work undertaken during construction.

12. The Municipality is responsible for financing administrative expenses related to Municipal project responsibilities.

13. The Municipality will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in Wis. Stat. 51.01 (5), sexual orientation as defined in Wis. Stat. 111.32 (13m), or national origin.

14. The Municipality will pay to the State all costs incurred by the State in connection with the improvement that exceed federal/state financing limits or are ineligible for federal/state financing. To guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.

15. In accordance with the State's sunset policy for Local Bridge Program projects, the subject BIL 2024-2026 Local Bridge Program improvement must be constructed and in final acceptance within six years from the beginning of the state fiscal year (SFY) in which a project is initially scheduled. Extensions may be available upon approval of a written request by or on behalf of the Municipality to State. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

16. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.

17. The Municipality will at its own cost and expense:

a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, sidewalks and parking lanes [including snow and ice removal]) for such maintenance in a manner consistent with reasonable industry standards, and will make ample provision for such maintenance each year.

b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during their construction.

c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.

d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the projects.

e. Provide complete plans, specifications, and estimates to State upon request.

f. Provide relocation orders and real estate plats to State upon request.

g. Use the *WisDOT Utility Accommodation Policy*, unless it adopts a policy that has equal or more restrictive controls.

h. Provide maintenance and energy for lighting.

i. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

18. It is further agreed by the Municipality that:

a. The Municipality assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the state and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this agreement.

b. The Municipality assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Municipality. The Municipality is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Municipality will reimburse State if State incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.

c. The Municipality will be 100% responsible for all costs associated with utility issues involving the contractor, including costs related to utility delays.

d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Municipality or by others, will be in conformity with such *Manual of Uniform Traffic Control Devices as* may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred with by the FHWA.

e. The right-of-way available or provided for the project will be held and maintained inviolate for public highway or street purposes. Those signs prohibited under federal highway regulations, posters, billboards, roadside stands, or other private installations prohibited by federal or State highway regulations will not be permitted within the right-of-way limits of the project. The Municipality, within its jurisdictional limits, will remove or cause to be removed from the right-of-way of the project all private installations of whatever nature which may be or cause an obstruction or interfere with the free flow of traffic, or which may be or cause a hazard to traffic, or which impair the usefulness of the project and all other encroachments which may be required to be removed by the

State at its own election or at the request of the FHWA, and that now such installations will be permitted to be erected or maintained in the future.

f. The Municipality is responsible for any damage caused by legally hauled loads, including permitted Oversize and Overweight loads. The contractor is responsible for any damage caused to haul roads if they do not obey size and weight laws, use properly equipped and maintained vehicles, and do not prevent spilling of materials onto the haul road (*WisDOT Standard Specifications* 618.1, 108.7, 107.8). The local maintaining authority can impose special or seasonal weight limitations as defined in Wis. Stat. 349.16, but this should not be used for the sole purpose of preventing hauling on the road.

The bid item 618.0100 Maintenance and Repair of Haul Roads (project) is ineligible for federal funding on local program projects as per the State/Municipal Agreement. The repair of damages as a result of hauling materials for the project is the responsibility of the Municipality as specified in the State/Municipal Agreement Terms and Conditions under "Municipal Responsibilities and Requirements."

LEGAL RELATIONSHIPS:

19. The State shall not be liable to the Municipality for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Municipality for damages or delays resulting from injunctions or other restraining orders obtained by third parties.

20. The State will not be liable to any third party for injuries or damages resulting from work under or for the Project. The Municipality and the Municipality's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Municipality and its sureties; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Municipality or its sureties; or because of any claims or amounts recovered for any infringement by the Municipality and its sureties of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the employees of the Municipality and its sureties; or any other law, ordinance, order or decree relating to the Municipality's operations.

21. Contract modification: This State/Municipal Agreement can only be modified by written instruments duly executed by both parties. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally.

22. Binding effects: All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third-party enforcement rights.

23. Choice of law and forum: This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.

PROJECT FUNDING CONDITIONS

24. Non-appropriation of funds: With respect to any payment required to be made by the State under this State/Municipal Agreement, the parties acknowledge the State's authority to make such payment is contingent upon appropriation of funds and required legislative approval sufficient for such purpose by the Legislature. If such funds are not so appropriated, either the Municipality or the State may terminate this State/Municipal Agreement after providing written notice not less than thirty (30) days before termination.

25. Maintenance of records: During the term of performance of this State/Municipal Agreement, and for a period not less than three years from the date of final payment to the Municipality, records and accounts pertaining to the performance of this State/Municipal Agreement are to be kept available for inspection and audit by representatives of the State. The State reserves the right to audit and inspect such records and accounts at any time. The Municipality shall provide appropriate accommodations for such audit and inspection.

In the event that any litigation, claim or audit is initiated prior to the expiration of said records maintenance period, the records shall be retained until such litigation, claim or audit involving the records is complete.

26. The Municipality agrees to the following BIL 2024-2026 Local Bridge Program project funding conditions:

    a. ID **6003-00-00**: Design is funded with 80% state/federal funding up to a funding limit of **$347,328**, where applicable when the Municipality agrees to provide the remaining 20% and any funds in excess of the $**347,328** state/federal funding limit. This phase includes plan development and state review. The work includes project review, approval of required reports and documents and processing the final Plan, Specification & Estimate (PS&E) document for award of the contract. Costs for this phase include an estimated amount for state review activities, to be funded 80% with state/federal funding and 20% by the Municipality.

    b. Real estate acquisition is 100% the responsibility of the Municipality.

    c. Any railroad items are 100% the responsibility of the Municipality.

    d. Utility items are 100% the responsibly of the Municipality.

    e. ID **6003-00-70**: Construction

        i. Costs for construction, engineering, and state review are funded with 80% state/federal funding up to a funding limit of **$2,411,280**, when the Municipality agrees to provide the remaining 20%, and any funds in excess of the **$2,411,280** state/federal funding limit.

        ii. Non-participating costs for are funded 100% by the Municipality. Costs include construction delivery.

[End of Document]

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for resolution to support future funding for the CTH U Bridge project.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The State of Wisconsin approached Outagamie County regarding future reconstruction of CTH U Apple Creek Bridge with available federal funding. The County Highway Department submitted an application for federal aid which has been approved. The bridge and roadway are a vital piece of the county's infrastructure. The estimated total cost for the project is $3,478,660 of which $2,758,608 has been approved for federal funding. There is no proposed cost share with the local municipality, therefore Outagamie County's share is estimated to be $720,052. The proposed project includes widening and lengthening of the bridge, adding shoulders, sidewalk improvements from the bicycle/pedestrian plan. Real estate acquisition is to be expected. The project needs to be completed no later than 2032 and the department has an estimated construction year of 2028. If the county does not complete the project by 2032, the federal funding will be lost. The county share of the project costs are anticipated to be funded with future budgets. This resolution requests approval for the County Highway Commissioner to enter into a State Municipal Agreement for the project and to support future funding for the CTH U bridge over Apple Creek.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [X] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) n/a (X) N/A – future budget

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X) N/A – future budget

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Not Applicable – Future Budgets			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0.00 Annual Revenue 0.00

Fiscal Note Prepared by: Michelle Uitenbroek

For Financial Services purposes only

Reviewed By: Kent W. Ritchie 06/21/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditure Account Number Amount

C:\Users\klitzkly\AppData\Local\Microsoft\Windows\INetCache\Content Outlook\A1VV4FPP\FISCAL NOTE 2023 CTH U Apple Creek Bridge.doc

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34 & 35--2023-24

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35 --2023-24.

MOTION:

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34, 35--2023-24

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MOTION:

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MADE BY: Lawrence

SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023 RESOLUTION # 31--2023-24

Property, Airport, Recreation and Economic Development Committee. Authorize granting We Energies an easement for parcel 111-1227-00 in the Village of Greenville, as detailed on the attachments.

MOTION: Authorize granting We Energies an easement for parcel 111-1227-00 in the Village of Greenville.

MADE BY: Culbertson SECONDED BY: Hammen

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 31—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wisconsin Electric Power Company, doing business as We Energies (Grantee) is requesting an easement in order to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

NOW THEREFORE, the following resolution is presented by the Property, Airport, Recreation and Economic Development Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize granting We Energies an easement for the area described as a strip of land twelve (12) feet in width being a portion of Grantor's land, being a part of the Northeast ¼ of the Northwest ¼ of Section 36, Township 21 North, Range 16 East, Village of Greenville, Outagamie County, Wisconsin; said land is shown on the attached Distribution Easement Underground and Temporary Exhibit A which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Appleton International Airport Director and We Energies, Property Rights & Information Group, 231 W. Michigan Street, Room P277, P.O. Box 2046, Milwaukee, WI 53201-2046.

Dated this 11th day of July 2023.

Duly and officially adopted by the County Board on: July 11th, 2023

Signed: _____ Kelly M. Burt, Deputy Clerk
Board Chairperson County Clerk

Approved: 7.14.23 Vetoed: _____

Signed: _____
County Executive

DISTRIBUTION EASEMENT UNDERGROUND

Document Number

WR NO. **4878107** IO NO. **75673**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **OUTAGAMIE COUNTY,** hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies,** hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as a **strip of land Twelve (12) feet in width**, being a portion of the Grantor's land, being a part of the **Northeast 1/4 of the Northwest 1/4 of Section 36, Township 21 North, Range 16 East**, Village of Greenville, Outagamie County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM P277
PO BOX 2046
MILWAUKEE, WI 53201-2046

111-1227-00
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.

3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.

4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.

7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

Grantor:

OUTAGAMIE COUNTY

By: _____

(Print name and title): _____

By _____

(Print name and title): _____

Personally came before me in _____ County, Wisconsin on _____, _____,

the above named _____, the _____.

and _____, the _____

of OUTAGAMIE COUNTY pursuant to a Resolution adopted by the County Board on _____

as Resolution No. _____.

_____

Notary Public Signature, State of Wisconsin

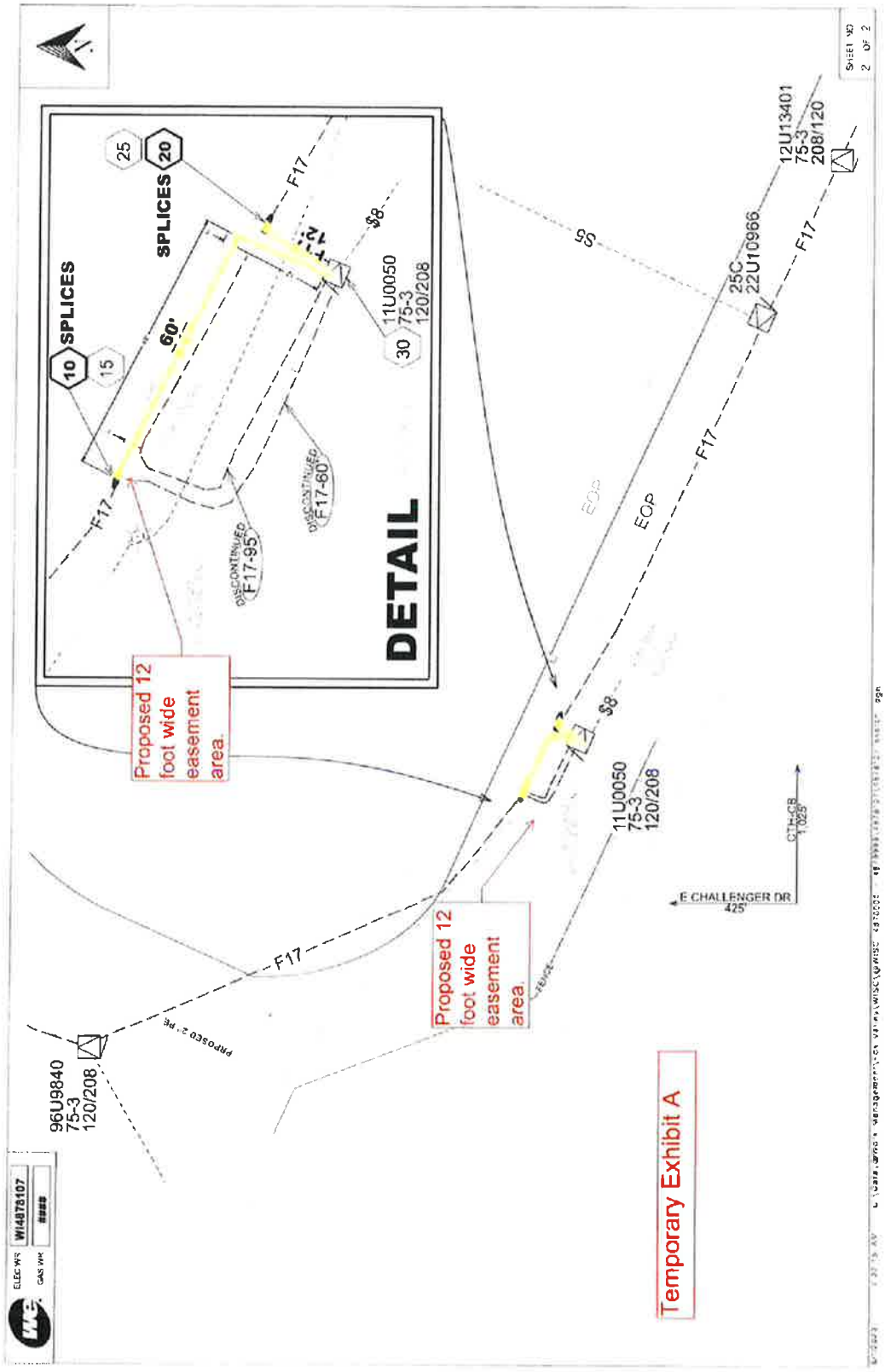
_____

Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires _____

This instrument was drafted by Steve Betz on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.


DETAIL
SPLICES
SPLICES
Proposed 12 foot wide easement area.
Proposed 12 foot wide easement area.
Temporary Exhibit A
E CHALLENGER DR
F17
EOP
11U0050
75-3
120/208
12U13401
75-3
208/120
25C
22U10966
96U9840
75-3
120/208

RIGHTS-OF-WAY AND EASEMENTS

For Electric and Gas Distribution Facility Construction

INTRODUCTION

This pamphlet is intended to help you, the landowner, better understand the possible need for new utility facilities, how utilities build those facilities, and how you can be an important part of the process.

Electric distribution lines carry electricity from substations to customers. These types of electric lines include customer service connections and local distribution lines.

Gas distribution pipes carry natural gas from regulator stations to customers. These types of gas pipes include distribution mains of various sizes and service laterals.

A utility right-of-way (ROW) is a strip of land that a utility uses to construct, maintain, repair, or replace an overhead power line, underground power line, or gas main. The ROW allows the utility to provide clearance from trees, buildings and other structures that could interfere with the installation, maintenance and operation of the utility facilities. This ROW may be located in the roadway or on private property: It usually is from 6 to 12 feet wide, unless terrain, vegetation, larger utility facilities, or unusual construction obstacles require a wider easement.

1) **What are some reasons new or reconstructed power lines might be needed?**

   New power lines may be needed because of:

   a. Growth in customer's average electricity use
   b. Growth in the number of customers and businesses in Wisconsin
   c. Replacement of old lines due to age of equipment
   d. Additional lines constructed from new substations needed to meet increased demand

2) **What are some reasons new or reconstructed gas facilities might be needed:**

   New gas facilities may be needed because of:

   a. Growth in the number of natural gas customers
   b. Replacement of old pipes due to age or condition
   c. Increased usage of natural gas by existing customers

3) **Do utilities need government approval to build new power lines or gas mains?**

   Yes. A variety of permits are needed from various governmental agencies. The Public Service Commission of Wisconsin (PSCW) reviews our request if a project exceeds $5 million in cost.

   Local road permits, Wisconsin Department of Transportation permits, Wisconsin Department of Natural Resources permits, Federal Aviation Authority permits, etc. are all required if the interests of those agencies are involved.

4) **Can conservation eliminate the need for power lines or gas mains?**

   Yes and no. Right now, conservation helps reduce the need for new power lines, but is not eliminating all future needs. In order to eliminate the need for new utility facilities, conservation would have to be great enough to offset all the needs mentioned in questions one and two.

   Conservation can reduce the number of new power lines and power plants needed because conservation makes energy use more efficient. The PSCW reviews utility plans for conservative programs in its Biennial Strategic Energy Assessment ("SEA").

5) **How is it decided when and where new or reconstructed utility facilities will be built?**

   Our engineers use computer models of the power and natural gas systems to study the need for new utility facilities. The results help a utility decide if a new power line or natural gas main is needed or if an existing line or main should be rebuilt or relocated. In some instances the need for new or rebuilt power lines or natural gas mains becomes apparent due to insufficient capacity to meet customer requirements in an area.

6) **Does We Energies have the right to construct its utility facilities on my property?**

   Wisconsin statutes allow us to construct our utility facilities on or along roadways with the consent of

local authorities as long as the utility facilities do not interfere with the use of the roadway by the public or with the use of the adjoining land. We usually have the option of building the distribution lines or mains and related facilities on private property or in the road right-of-way. However, if existing obstacles are in the way, the distribution line or main will be located to avoid these obstacles. If the distribution line or main is located on private property, an easement from the landowner is required. If the distribution line or main is located in road right-of-way, a permit from the municipality is required.

7) **Will my trees need to be cut?**

In some cases, power lines must be built along wooded areas or near existing trees. Therefore, trees in these areas need to be trimmed and sometimes removed.

In order to ensure safe and reliable power, it is important to keep power lines and above ground equipment free of any kind of interference. This means that tall-growing trees should not be placed near or under existing power lines. We maintain a regular trimming schedule to keep interference from trees to a minimum. It is important for customers to understand this requirement and cooperate with us for tree-trimming requirements.

In the case of natural gas facilities, trees or shrubs may need to be trimmed or removed for the installation and maintenance of the gas main.

In order to trim or remove trees along a roadway, the utility will obtain the consent of the owner of the tree.

8) **What is an easement?**

An easement is a written document that grants a permanent right to use land for a specific purpose, such as installing utility facilities to serve you and others. An easement "runs with the land" which means it stays with the property even if ownership of the property changes.

9) **What can the landowner expect in the easement acquisition process?**

Based on many years of experience, we developed a standard easement agreement which covers topics such as proper clearance/cover for utility facilities, restoration of the land and tree trimming. You, as a landowner, have the right to understand these issues as well as the need for distribution facilities.

To minimize impact on your property, we will make every reasonable effort to locate these facilities in setback areas that are unbuildable.

We also contact each potentially affected landowner and present the easement document.

10) **What is required of the landowner in the easement document?**

The easement document grants the utility the right to locate distribution facilities on the landowner's property. It also requires the landowner to keep the easement area clear to allow the utility access to these facilities for maintenance and repair. Easement area should stay clear of trees.

11) **What kinds of negotiations should be expected?**

While our standard easement is intended to cover normal distribution facility installations, terms or conditions may be negotiated. If the landowner has questions, we will get answers. The right-of-way agent is your contact person and your source of information.

12) **Are there specific waivers of rights involved in the easement negotiation process?**

For electric facilities, PSC 113.0509 gives the landowner, unless voluntarily waived by the landowner, a minimum period of five days to examine the materials we provided before signing any new or revised easement agreement. If you, as the landowner, are comfortable signing the easement agreement after reading the document and getting answers to questions, you may waive the five-day review period established under PSCW Administrative Rules.

There is not comparable code provision for gas facilities; however as a courtesy to our customers, We Energies applies the same practice in the attainment of gas distribution easements.

13) **Does the use of eminent domain enter into easement negotiation discussions?**

No. We do not mention eminent domain. We will work with the landowner to negotiate a solution on location of distribution facilities.

14) **Does the utility ultimately have the right to use eminent domain?**

Yes. However, as a general practice, we do not use eminent domain to install electric or gas distribution facilities. Only in extremely unusual situations would we consider the use of our eminent domain rights. In those cases specific discussions with the customer regarding the exercise of those rights will occur. (We have not used eminent domain on distribution facilities in over 35 years).

For more information:
For information on a specific project, contact We Energies or the PSCW.

Contact the PSCW at:
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854
608-266-5481

Because the PSCW does not have detailed information about every distribution project, please provide the following information when contacting them:

- Utility Name
- Project Name
- Project Location

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34 & 35--2023-24

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35 --2023-24.

MOTION:

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34, 35--2023-24

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MOTION:

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MADE BY: Lawrence

SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023 RESOLUTION # 32--2023-24

Public Safety Committee. Approve of transferring $65,000 from the Capital line items of Sheriff Body Cameras 2021 to Squad Cars, as detailed on the attached fiscal note.

MOTION:

Approve of transferring $65,000 from the Capital line items of Sheriff Body Cameras 2021 to Squad Cars.

MADE BY: Patience SECONDED BY: Smith

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 32—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Sheriff's Office requests approval for a budget transfer in order to allow the Office to use already budgeted funds to better meet county and department needs.

The Sheriff's Office was able to achieve savings on a new body camera system by delaying implementation and receiving a more favorable contract. Therefore, a budget transfer of $65,000 is requested to support the purchase of an ADA compliant transport van. Medical and safety needs of the inmate population dictated this needed.

NOW THEREFORE, the following resolution is presented by the Public Safety Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of transferring $65,000 from the Sheriff Body Cameras 2021 Capital line item to the Squad Cars Capital line item as detailed on the attached fiscal note, which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 11th day of July 2023

Duly and officially adopted by the County Board on: July 11th, 2023

Signed: _____ Kelly M. Cuta, Deputy Clerk
Board Chairperson County Clerk

Approved: 7.14.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Sheriff's office requests 2023 Budget Transfers

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Outagamie County Sheriff's Office requests approval for a budget transfer. Granting this shift of resources will allow the department to use funds already budgeted to better meet county and department needs.

We were able to achieve savings on the new body camera system by delaying implementation and getting a more favorable contract. We request to transfer $65,000 to support the purchase of an ADA compliant transport van. Medical and safety needs of the inmate population dictated this need.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Squad Cars	Capital	1008017.6000	65,000
Sheriff Body Cameras 2021	Capital	4601300.6000	(65,000)

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (x)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Lisa VandenLangenberg

For Financial Services purposes only

Reviewed By: Lisa Vlietstra

Date: 6/7/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount
1008017.6238	$65,000

Comments:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34 & 35--2023-24

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35 --2023-24.

MOTION:

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34, 35--2023-24

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MOTION:

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MADE BY: Lawrence

SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023 RESOLUTION # 33--2023-24

Public Safety Committee. Approve of the Sheriff's Office to accept and expend funds for an emotional support assistance program for law enforcement officers and emergency dispatchers (telecommunicators) available from the International Association for Clear Thinking for $24,950, and increase the Sheriff Administration line items of Miscellaneous Revenue and Purchased Services by $24,950 each, as detailed on the attached fiscal note.

MOTION: Approve of the Sheriff's Office to accept and expend funds for an emotional support assistance program for law enforcement officers and emergency dispatchers (telecommunicators) available from the International Association for Clear Thinking for $24,950, and increase the Sheriff Administration line items of Miscellaneous Revenue and Purchased Services by $24,950 each.

MADE BY: Cooke SECONDED BY: Patience

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 33—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Sheriff's Office requests to accept and expend funds for an emotional support assistance program for law enforcement officers and emergency dispatchers (telecommunicators) available from the International Association for Clear Thinking in the amount of $24,950. Outagamie County emergency dispatchers and law enforcement officers are faced with constant trauma and stress on the job. Studies have shown when emergency personnel do not seek assistance for this stress they become less productive at work and their relationships at home suffer. With each passing year the suicide rate among law enforcement officers increases. On average the suicide rate for law enforcement officers is three times higher than the rate of the general public. This is a statistic the Outagamie County Sheriff's Office refuses to ignore. This program will ensure the Dispatchers and Law Enforcement Officers participate in an assessment with a mental healthcare professional. The assessment will provide some guidance as to what the employee may be struggling with, whether they know it or not. Once these areas are determined the mental healthcare provider will be able to connect the employees with other resources, if necessary, and provide some healthy coping skills necessary for this job. This program will provide support to the employees who serve our community. By providing our Dispatchers and Officers with support and resources they will be more likely to live a healthy life outside of work and have a productive career keeping community safe. There is a $12,475 county match required for the grant that will be met with already budgeted funds. Therefore, the Sheriff's Office is requesting to increase purchased services for the mental health care third-party providers and increase miscellaneous revenues for the receipt of the grant.

NOW THEREFORE, the following resolution is presented by the Public Safety Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of the Sheriff's Office to accept and expend funds for an emotional support assistance program for law enforcement officers and emergency dispatchers (telecommunicators) available from the International Association for Clear Thinking in the amount of $24,950, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Sheriff Administration Miscellaneous Revenue line item and Sheriff Administration Purchased Services line item by $24,950 each as detailed on the attached fiscal note, which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 11th day of July 2023

Duly and officially adopted by the County Board on: July 11th, 2033

Signed: _____ Kelly M. Gast, Deputy Clerk
Board Chairperson County Clerk

Approved: 7.14.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Sheriff's Department request to accept and expend funds for an emotional support assistance program from the International Association for Clear Thinking.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Sheriff's Office requests to accept and expend funds for an emotional support assistance program for law enforcement officers and emergency dispatchers (telecommunicators) available from the International Association for Clear Thinking in the amount of $24,950. Outagamie County emergency dispatchers and law enforcement officers are faced with constant trauma and stress on the job. Studies have shown when emergency personnel do not seek assistance for this stress they become less productive at work and their relationships at home suffer. With each passing year the suicide rate among law enforcement officers increases. On average the suicide rate for law enforcement officers is three times higher than the rate of the general public. This is a statistic the Outagamie County Sheriff's Office refuses to ignore. This program will ensure the Dispatchers and Law Enforcement Officers participate in an assessment with a mental healthcare professional. The assessment will provide some guidance as to what the employee may be struggling with, whether they know it or not. Once these areas are determined the mental healthcare provider will be able to connect the employees with other resources, if necessary, and provide some healthy coping skills necessary for this job. This program will provide support to the employees who serve our community. By providing our Dispatchers and Officers with support and resources they will be more likely to live a healthy life outside of work and a productive career keeping our community safe. There is $12,475 county match required for the grant that will be met with already budgeted funds. Therefore, the Sheriff's office is requesting to increase purchased services for the mental health care third-party providers and increase Miscellaneous revenues for the receipt of the grant.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Sheriff Administration	Miscellaneous Revenue	1008000.4510.26	24,950
Sheriff Administration	Purchased Services	1008000.5500	24,950

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Lisa VandenLangenberg

For Financial Services purposes only	
Reviewed By: *BM 05/23/2023*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number: 1008000.5525.04 Amount: 24,950
Date:	
Comments:	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34 & 35--2023-24

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35 --2023-24.

MOTION:

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34, 35--2023-24

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MOTION:

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MADE BY: Lawrence

SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023 RESOLUTION # 34--2023-24

Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the Land Conservation Department to accept and expend a federal financial assistance award from the U.S. Fish and Wildlife Service for Riparian Habitat Enhancement & Restoration in the Lower Fox River Basin of $273,250 for the time period of July 1, 2023 through July 1, 2026, to expand riparian habitat enhancement and stream restoration projects to improve habitat and water quality, and increase the following line items in the Land Conservation Grants budget: Intergovernmental Revenues by $273,250; Purchased Services by $206,250; Salaries by $42,857; Fringe Benefits by $17,143; Supplies by $5,000; Travel/Training by $2,000, as detailed on the attachments.

MOTION:

Approve the Land Conservation Department to accept and expend a federal financial assistance award from the U.S. Fish and Wildlife Service for Riparian Habitat Enhancement & Restoration in the Lower Fox River Basin of $273,250 for the time period of July 1, 2023 through July 1, 2026, to expand riparian habitat enhancement and stream restoration projects to improve habitat and water quality, and increase the following line items in the Land Conservation Grants budget: Intergovernmental Revenues by $273,250; Purchased Services by $206,250; Salaries by $42,857; Fringe Benefits by $17,143; Supplies by $5,000; Travel/Training by $2,000.

MADE BY: Weinberg SECONDED BY: Koury

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 34—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Land Conservation Department (LCD) was awarded a federal financial assistance award from the U.S. Fish and Wildlife Service for Riparian Habitat Enhancement and Restoration in the Lower Fox River Basin (Grant No. F23AP01490-00) in the amount of $273,250 for the time period of July 1, 2023 through July 1, 2026. These funds will be used to expand riparian habitat enhancement and stream restoration projects to improve habitat and water quality in the Mud Creek, Plum Creek, Kankapot Creek, Apple Creek, and Duck Creek watersheds in the Lower Fox Basin. These funds will be used in conjunction with the current initiatives within these watershed areas (used as match along with other current resources, no additional match would need to be budgeted at this time). This request is for approval to accept and expend the Natural Resource Damage Assessment (NRDA) funds and approval of the corresponding budget adjustments.

NOW THEREFORE, the following resolution is presented by the Agriculture, Extension Education, Zoning & Land Conservation Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Land Conservation Department to accept and expend a federal financial assistance award from the U.S. Fish and Wildlife Service for Riparian Habitat Enhancement & Restoration in the Lower Fox River Basin in the amount of $273,250 for the time period of July 1, 2023 through July 1, 2026, with said funds to be used to expand riparian habitat enhancement and stream restoration projects to improve habitat and water quality in the Mud Creek, Plum Creek, Kankapot Creek, Apple Creek, and Duck Creek watersheds in the Lower Fox Basin, as noted on the attached Notice of Award which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the following line items in the Land Conservation Grants budget: Intergovernmental Revenues by $273,250; Purchased Services by $206,250;

Salaries by $42,857; Fringe Benefits by $17,143; Supplies by $5,000; Travel/Training by $2,000, as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Land Conservation Director and the Outagamie County Finance Director.

Dated this 11th day of July 2023

Duly and officially adopted by the County Board on: July 11th, 2023

Signed: _____ Kelly M. Coats, Deputy Clerk
Board Chairperson County Clerk

Approved: 7.14-23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1575), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. Subject: Accept and expend US Fish and Wildlife Service Fox River Natural Resource Damage Assessment Funds

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Land Conservation Department (LCD) was awarded a federal financial assistance award from the U.S. Fish and Wildlife Service for Riparian Habitat Enhancement & Restoration in the Lower Fox River Basin (Grant No. F23AP01490-00) in the amount of **$273,250** for the time period of July 1, 2023 through July 1, 2026. These funds will be used to expand riparian habitat enhancement and stream restoration projects to improve habitat and water quality in the Mud Creek, Plum Creek, Kankapot Creek, Apple Creek, and Duck Creek watersheds in the Lower Fox Basin. These funds will be used in conjunction with the current initiatives within these watershed areas (used as match along with other current resources, no additional match would need to be budgeted at this time). This request is for approval to accept and expend the Natural Resource Damage Assessment (NRDA) funds.

LCD is requesting approval to accept and expend these funds along with approval for a budget adjustment which includes an increase in Purchased Services in the amount of **$206,250**, Supplies in the amount of **$5,000**, Travel/Training in the amount of **$2,000** and an increase in salary/fringe in the amount of **$60,000**. The aforementioned expenses are offset with a corresponding increase in Intergovernmental Revenues in the amount of **$273,250**. This proposed adjustment is budget neutral, requiring no county funding.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

Land Conservation Grants	Intergovernmental Revenues	2100400.4225.20	273,250
Land Conservation Grants	Purchased Services	2100400.5500	206,250
Land Conservation Grants	Salaries	2100400.5100	42,857
Land Conservation Grants	Fringe Benefits	2100400.5200	17,143
Land Conservation Grants	Supplies	2100400.5400	5,000
Land Conservation Grants	Travel/Training	2100400.5300	2,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost -
Annual Revenue -

Fiscal Note Prepared by: Greg Baneck

For Financial Services purposes only

Reviewed By: Kent Ritchie

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

NOTICE OF AWARD

AUTHORIZATION (Legislation/Regulations)

Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C.§9601 et seq.)

1. DATE ISSUED MM/DD/YYYY: 08/14/2023	1a. SUPERSEDES AWARD NOTICE dated: except that any additions or restrictions previously imposed remain in effect unless specifically rescinded
2. CFDA NO.: 15.669 - Natural Resource Damage Assessment and Restoration	
3. ASSISTANCE TYPE: Project Grant	
4. GRANT NO.: F23AP01490-00 Originating MCA #:	5. TYPE OF AWARD: Other
4a. FAIN: F23AP01490	5a. ACTION TYPE: New
6. PROJECT PERIOD MM/DD/YYYY: From 07/01/2023	Through 07/01/2026
7. BUDGET PERIOD MM/DD/YYYY: From 07/01/2023	Through 07/01/2026

8. TITLE OF PROJECT (OR PROGRAM):
Riparian Habitat Enhancement and Restoration in Lower Fox River Basin

9a. GRANTEE NAME AND ADDRESS	9b. GRANTEE PROJECT DIRECTOR
County of Outagamie 320 S Walnut St Appleton, WI, 54911-5916	Mr. Jeremy Freund 3365 W. Brewster St APPLETON, WI, 54914 Phone: 920.574.6965
10a. GRANTEE AUTHORIZING OFFICIAL	**10b. FEDERAL PROJECT OFFICER**
Mr. Jeremy Freund 3365 W. Brewster St APPLETON, WI, 54914 Phone: 920.574.6965	Ms. Trina Sayk 2661 Scott Tower Drive New Franken, WI, 54229 Phone: 920-866-1737

ALL AMOUNTS ARE SHOWN IN USD

11. APPROVED BUDGET (Excludes Direct Assistance)

I Financial Assistance from the Federal Awarding Agency Only
II Total project costs including grant funds and all other financial participation

		II
a.	Salaries and Wages	$ 0.00
b.	Fringe Benefits	$ 0.00
c.	Total Personnel Costs	$ 0.00
d.	Equipment	$ 0.00
e.	Supplies	$ 0.00
f.	Travel	$ 0.00
g.	Construction	$ 0.00
h.	Other	$ 548,250.00
i.	Contractual	$ 0.00
j.	TOTAL DIRECT COSTS	$ 548,250.00
k.	INDIRECT COSTS	$ 0.00
l.	TOTAL APPROVED BUDGET	$ 548,250.00
m.	Federal Share	$ 273,250.00
n.	Non-Federal Share	$ 275,000.00

12. AWARD COMPUTATION

a. Amount of Federal Financial Assistance (from Item 11m)	$	273,250.00
b. Less Unobligated Balance From Prior Budget Periods	$	0.00
c. Less Cumulative Prior Award(s) This Budget Period	$	0.00
d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION	$	273,250.00
13. Total Federal Funds Awarded to Date for Project Period	$	273,250.00

14. RECOMMENDED FUTURE SUPPORT
(Subject to the availability of funds and satisfactory progress of the project)

YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a. 2	$	d. 5	$
b. 3	$	e. 6	$
c. 4	$	f. 7	$

15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:
a. DEDUCTION
b. ADDITIONAL COSTS
c. MATCHING
d. OTHER (RESEARCH (Add / Deduct Option))
e. OTHER (See REMARKS)

e

16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:
a. The grant program legislation
b. The grant program regulations
c. This award notice including terms and conditions, if any, noted below under REMARKS
d. Federal administrative requirements, cost principles and audit requirements applicable to this grant

In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.

REMARKS (Other Terms and Conditions Attached - ● Yes ○ No)

* No program income.

APPROVED AS TO FORM:
Dawn T. Shaha
Deputy Corporation Counsel
Outagamie County
Date Approved: 6.28.23

GRANTS MANAGEMENT OFFICIAL:
Kenot Williams, Grants Management Officer
5275 Leesburg Pike
Falls Church, VA, 22041-3803
Phone: 7032748512

17. VENDOR CODE 0071401593		18a. DEI ENCUMBRANCE	18b. DUNS 074709340		19. CONG. DIST. 08
LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION
1	0061038662-00010	$273,250.00	07/01/2023	07/01/2026	5190	Riparian Habitat Enhance & Restoration

NOTICE OF AWARD (Continuation Sheet)

PAGE 2 of 10	DATE ISSUED 06/14/2023
GRANT NO. F23AP01490-00	

Federal Financial Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
07/01/2023	09/30/2023	Annual	12/29/2023
10/01/2023	09/30/2024	Annual	12/29/2024
10/01/2024	09/30/2025	Annual	12/29/2025
10/01/2025	07/01/2026	Final	10/29/2026

Performance Progress Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
07/01/2023	09/30/2023	Annual	12/29/2023
10/01/2023	09/30/2024	Annual	12/29/2024
10/01/2024	09/30/2025	Annual	12/29/2025
10/01/2025	07/01/2026	Final	10/29/2026

STAFF CONTACTS

1. **Program Officer Contact Information:**

Program Officer Name: Trina Soyk

Program Officer Email Address: Trina_Soyk@fws.gov

SCOPE OF WORK

1. **Project Description**

The Service hereby incorporates the recipient's application submitted to and approved by the Service into these award terms and conditions.

The main objective of this project is to enhance the the Mud Creek, Plum Creek, Kankapot Creek, Apple Creek, and Duck Creek watersheds. Projects include streambank restoration, two-stage ditch construction, constructed wetlands, and wetland restoration. These projects are typically located in riparian areas and landowners utilize these funds to compliment the conservation (Best Management Practices (BMPs) with enhanced habitat and nature based stabilization solutions. An example is streambank restoration using toewood structures in lieu of traditional rock riprap. Proposed projects will be communicated with the Natural Resource Damage Assesment technical committee for approval in advance of contracting and installation. In addition to complementing conservation BMPs, we also find value in having funds available to landowners to enter into a perpetual agreement to establish riparian buffers with native species inaccordance with the U.S. Fish & Wildlife Partner Program. These riparian buffers compliment conservation BMPs by connecting the habitat created with riparian vegetation in sensitive areas. Locations of these buffers will be included in annual NRDA technical committee project verification meetings prior to install. We anticipate installing 10 acres of perpetual native riparian buffers in the Lower Fox River Basin.

REPORT

1. **Interim Performance Reports**

The recipient is required to submit interim performance reports on an annual basis directly in GrantSolutions. The recipient must follow the performance reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are

NOTICE OF AWARD (Continuation Sheet)

PAGE 3 of 10	DATE ISSUED 06/14/2023
GRANT NO. F23AP01490-00	

available by signing in to GrantSolutions and selecting the menu for: Reports>FPR

2 **Interim Financial Reports**

The recipient is required to submit interim financial reports on an annual basis directly in GrantSolutions. The recipient must follow the financial reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions *and* selecting the menu for Reports>Federal Financial Report. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "Federal Financial Report" form. See also our instructional video on "Completing the Federal Financial Report (SF-425)".

3. **Final Reports**

The recipient must liquidate all obligations incurred under the award and submit a *final* financial report in GrantSolutions no later than 120 calendar days after the award period of performance end date. The GrantSolutions financial report data entry fields are the same as those on the SF-425, Federal Financial Report form. https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html See also our instructional video on "Completing the Federal Financial Report (SF425) https://fawdi.fws.gov/display/VLSV/Virtual+Learning+Series+Videos#Home-CompletingtheFederalFinancialReport(SF-425)

The recipient must submit a *final* performance report no later than 120 calendar days after the award period of performance end date. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. Please include the Service award number on all reports.

The recipient must follow the final Federal Financial Report and the final Performance Report reporting period end dates and due dates provided in GrantSolutions. The final reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report or Reports>FPR.

4. **Reporting Due Date Extensions**

Reporting due dates may be extended for an award upon request to the Service Project Officer identified in the notice of award. The request should be sent by selecting the award in GrantSolutions and selecting send message. The message must include the type of report to be extended, the requested revised due date, and a justification for the extension. The Service may approve an additional extension if justified by a catastrophe that significantly impairs the award Recipient's operations. The recipient must submit reporting due date extension requests through GrantSolutions to the Service Project Officer identified in their notice of award before the original due date. The Service Project Officer will respond to the recipient after approval or denial of the extension request.

5. **Significant Developments Reports**

See 2 C.F.R. §200.329(e). Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

PAYMENTS

1. **Domestic Recipients Enrolled in Treasury's ASAP System**

NOTICE OF AWARD (Continuation Sheet)

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GRANT NO. F23AP01490-00	

The recipient will request payments under this award in the U.S. Treasury's Automated Standard Application for Payment (ASAP) system. When requesting payment in ASAP, your Payment Requestor will be required to enter an Account ID. The number assigned to this award is the partial Account ID in ASAP. When entering the Account ID in ASAP, the Payment Requestor should enter the award number identified in the notice of award, followed by a percent sign (%). Refer to the ASAP.gov Help menu for detailed instructions on requesting payments in ASAP.

BUDGET AND PROGRAM REVISIONS

1. **Budget and Program Plan Revisions**

The recipient must report to the Service Project Officer identified in their notice of award deviations from budget or project scope or objective, and request prior approvals for budget and program plan revisions per 2 CFR § 200.308, unless otherwise specifically waived in this award.

SPECIAL TERMS AND REQUIREMENTS

1. **Environmental Compliance Reviews**

As a condition of award, the Recipient and their sub-recipient(s) and contractor(s) must not begin any potentially impactful work related to this award until the Service has notified you in writing that such work can begin. Recipients and sub-recipients of Federal grants and cooperative agreement awards must comply with the requirements of the National Environmental Policy Act (NEPA), Section 7 of Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA).

2. **Individuals Hiring Contractors**

The Recipient has an obligation to protect themselves from potential liability when hiring any contractor to perform work activities approved under this award on property owned by the Recipient by checking references and ensuring that any contractor hired is licensed, bonded, and has valid employee insurance coverage for events of injury or bodily harm. In accordance with 2 CFR 180, for any contract expected to total $25,000 or more the Recipient must confirm that the contractor is not suspended or debarred from receiving Federal funds. The Recipient does this by 1) checking SAM Exclusions, 2) collecting a certification from the contractor, or 3) adding a clause or condition to the contract. To check SAM Exclusions, go to www.SAM.gov. Search for entities by their UEI number. Search for principal participants by their names. Search for contractors by their business names. If an exclusion is found that prohibits the entity from receiving Federal award funds, the Recipient is prohibited from entering into a subaward with that entity.

AWARD CONDITIONS

1. **Pre-Award Costs**

The Service authorizes the recipient to request reimbursement for pre-award expenses incurred March 1, 2023 to June 14, 2023. Funds requested are for personnel time incurred totaling 69 hours, for $3,414.72 (Salary $2,082.42 and Fringe $1,331.70). Pre-award costs are those incurred prior to the effective date of this award directly pursuant to the negotiation and in anticipation of the award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the award.

2. **Voluntary Committed Cost Sharing Requirements**

The recipient's cost sharing pledged on a voluntary basis in their proposed budget and incorporated into this award is a binding

NOTICE OF AWARD (Continuation Sheet)

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GRANT NO. F23AP01490-00	

requirement of this award. See also 2 CFR §200.306.

Terms and Conditions

1. **U.S. Fish and Wildlife Service**

General Award Terms and Conditions

Recipients of U.S. Fish and Wildlife Service (Service) grant and cooperative agreement awards (hereafter referred to as 'awards') are subject to the terms and conditions incorporated into their Notice of Award either by direct citation or by reference to Federal regulations, program legislation or regulation; and special award terms and conditions. Award terms and conditions are applicable unless and until the USFWS removes or revises them in written notice to the recipient. The Service will make such changes by issuing a written notice that describes the change and provides the effective date.

Recipients indicate their acceptance of an award by starting work, drawing down funds, or accepting the award via electronic means. Recipient acceptance of an award carries with it the responsibility to be aware of and comply with all terms and conditions applicable to the award. Recipients are responsible for ensuring that their subrecipients and contractors are aware of and comply with applicable award statutes, regulations, and terms and conditions. Recipient failure to comply with award terms and conditions can result in the Service taking one or more of the remedies and actions described in Title 2 of the Code of Federal Regulations (CFR) §§200.339—343.

A PDF of these terms and conditions with embedded links to all regulations is available on the Service's website at: https://www.fws.gov/media/fws-financial-assistance-award-terms-and-conditions-2020-12-31. See also the Department of the Interior's General Award Terms and Conditions on their website at https://www.doi.gov/grants/doi-standard-terms-and-conditions.

Administrative Requirements, Cost Principles, and Audit Requirements

These requirements and cost principles are applicable to all awards except those to individuals receiving the award separate from any business or organization they may own or operate. Foreign public entities and foreign organizations must comply with special considerations and requirements specific to their entity type, unless otherwise stated in this section. Foreign public entities must comply with those for states.

2 CFR Part 200, Subparts A—D, as supplemented by 2 CFR Part 1402

Foreign public entities must follow payment procedures in 2 CFR §200.305(5). For foreign public entities and foreign organizations, the requirements in 2 CFR §§200.321—323 do not apply.

Appendix XII to 2 CFR Part 200—Recipient Integrity and Performance Matters

Applicable to awards with a total Federal share of more than $500,000 except for awards of any amount to foreign public entities.

2 CFR Part 200, Subpart E—Cost Principles

Applicable to all domestic and foreign non-Federal entities except non-profit organizations identified in Appendix VIII to 2 CFR Part 200.

48 CFR Subpart 31.2—Contracts with Commercial Organizations

NOTICE OF AWARD (Continuation Sheet)

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Applicable to non-profit organizations identified in Appendix VIII to 2 CFR Part 200 and for-profit organizations

Indirect Cost Proposals

Requirements for development and submission of indirect cost rate proposals are contained in Appendix III (Institutions of Higher Education), Appendix IV (Nonprofit organizations), and Appendix VII (States, local government agencies, and Indian tribes) to 2 CFR Part 200. See also the DOI negotiated indirect cost rate deviation policies at 2 CFR §1402.414. For-profit entities should contact the DOI National Business Center, Office of Indirect Cost Rate Services at https://ibc.doi.gov/ICS/ktrib

2 CFR Part 200, Subpart F - Audit Requirements

Applicable to U.S. states, local governments, Indian tribes, institutions of higher education, and nonprofit organizations. Not applicable to foreign public entities, foreign organizations, or for-profit entities.

Statutory and National Policy Requirements

These requirements are applicable to all awards, including those to individuals, for-profits, foreign public entities, and foreign organizations, unless otherwise stated in this section.

Appendix A to 2 CFR Part 25—Universal Identifier and System for Award Management

Not applicable to individuals or any entity exempted by the awarding bureau or office prior to award per 2 CFR §25.110(c)(2) and bureau or office policy.

Appendix A to 2 CFR Part 170—Award term for reporting subaward and executive compensation

Not applicable to individuals. See 2 CFR 170 for other exceptions.

2 CFR §175.15--Award Term for Trafficking in Persons

Applicable to private entities as defined in 2 CFR §175.25(d), states, local governments, and Indian tribes. Applicable to foreign public entities if funding could be provided to a private entity as a subrecipient under the award.

2 CFR Part 1400—Nonprocurement Debarment and Suspension

All recipients must ensure they do not enter into any covered transaction with an excluded or disqualified participant or principal. See also 2 CFR Part 180—OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement). 2 CFR §180.215 defines nonprocurement transactions that are not covered transactions.

2 CFR Part 1401—Requirements for Drug-Free Workplace (Financial Assistance)

Not applicable to foreign public entities or foreign organizations.

43 CFR Part 18—New Restrictions on Lobbying

Recipients are prohibited from using any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal Award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, or an officer or employee of a Member of the U.S. Congress in connection with the award.

41 U.S.C. §4712—Whistleblower Protection for Contractor and Grantee Employees

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41 U.S.C. §6306—Prohibition on Members of Congress Making contracts with Federal Government

Mandatory Disclosures

Failure to make required disclosures may result in any of the remedies for noncompliance described in 2 CFR §200.339, including suspension or debarment (see also 2 CFR Part 180)

Conflicts of interest: Per 2 CFR §1402.112, non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the provisions in 2 CFR §200.318 apply. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR §200.112. Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Service Project Officer identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Service will examine each disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award.

Lobbying: If the Federal share of the award is more than $100,000, recipients must disclose making or agreeing to make any payment using non-appropriated funds for lobbying in connection with the award. To make such disclosures, recipients must complete and submit the SF-LLL, "Disclosure of Lobbying Activities" form to the USFWS. This form is available at: https://www.grants.gov/web/grants/forms/gosl-award-reporting-forms.html. For more information on when additional submission of this form is required, see 43 CFR, Subpart 18.100. These restrictions are not applicable to such expenditures by Indian tribe, tribal organization, or any other Indian organization that is specifically permitted by other Federal law.

Other Mandatory Disclosures: Recipients and subrecipients must disclose, in a timely manner, in writing to the Service Project Officer identified in their notice of award or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities subject to the 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM.

National Policy Encouragements

Executive Order 13043—Increasing Seat Belt Use in the United States

Non-Federal entities are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles. Individuals are encouraged to use seat belts while driving in connection with award activities.

E. O. 13513—Federal Leadership on Reducing Text Messaging While Driving

Non-Federal entities are encouraged to adopt and enforce policies that ban text messaging while driving, including conducting initiatives of the type described in section 3(a) of the order. Individuals are encouraged to not text message while driving in connection with award activities.

2. **Buy America Provision**

Required Use of American Iron, Steel, Manufactured Products, and Construction Materials for Infrastructure

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As required by Section 70914 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58), on or after May 14, 2022, none of the funds under a federal award that are part of a Federal financial assistance program for infrastructure may be obligated for a project unless all the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. Recipients must include the requirements in this section all subawards, including all contracts and purchase orders for work or products under this program.

None of the funds provided under this award may be used for a project for infrastructure unless

1. All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

2. All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation, and

3. all construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

This Buy America preference only applies to articles, materials, and supplies consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For more information, visit the Department's Buy America site at www.doi.gov/grants/BuyAmerica and the Office of Management and Budget's site at www.whitehouse.gov/omb/management/made-in-america/.

Waivers

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers. If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the Recipient does not need to request a separate waiver for non-domestic materials.

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements, subject to review by the Made in America Office. The DOI may waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;

2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or

3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

If a general applicability waiver does not already apply, and the Recipient believes that one of the above circumstances applies to an award, the Recipient may submit a request to waive the application of the domestic content procurement preference.

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Waiver Submission Instructions

Recipients must submit all waiver requests to the Service in writing. Email all waiver requests to iwbiasupport@fws.gov. Please use the subject line "Buy America Waiver Request". Include the following information with each waiver request:

1. Type of waiver requested (non-availability, unreasonable cost, or public interest)
2. Requesting entity name and Unique Entity Identifier (UEI)
3. Awarding bureau: U.S. Fish and Wildlife Service
4. Awarding program Assistance Listing number and title (Notice of Award, Block 2)
5. Project title (Notice of Award, Block 8)
6. Federal Award Identification Number (Notice of Award, Block 4)
7. Federal award amount (Notice of Award, Block 11)
8. Total infrastructure costs, to the extent know (federal and non-federal funds)
9. Infrastructure project description and location, to the extent known
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin, if known, and relevant PSC or NAICS code for each (see https://hsstool.us/ and https://www.census.gov/naics/)
11. A certification that the Recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor
12. A statement of waiver justification, including a description of the Recipient's efforts (e.g., market research, industry outreach) to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
13. Anticipated impact if no waiver is issued

Do not include any Privacy Act information, sensitive data, or proprietary information with the waiver request.

Waiver Review Process

The Department will post waiver requests to www.doi.gov/grants/buyamerica for the required 15-day public comment period. The Made in America Office will also review all waiver requests. The Department will post approved waivers at www.doi.gov/grants/BuyAmerica/ApprovedWaivers. The Service will notify Recipients of their waiver request determination by email.

Definitions

Construction materials includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals,
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables),

- glass (including optic glass);
- lumber; or
- drywall.

Construction materials does not include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

Domestic content procurement preference means all iron and steel used in the project are produced in the United States, the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

Infrastructure includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

Project means the construction, alteration, maintenance, or repair of infrastructure in the United States.

AWARD ATTACHMENTS

County of Outagamie F23AP01490-00

1. Budget Narrative

Budget Narrative:
-Award Outagamie County Land Conservation:
$548,250 ($273,500 direct and $275,000 anticipated match)

The following describes and justifies the requested budget items and costs for this award per Object Class Category:

ADMINISTRATIVE AND LEGAL EXPENSES: $60,000
Costs Incurred for Salary and Fringe are included in this section and will be applied as Direct Costs. Outagamie County utilizes the Uniform Grant Guidelines to charge direct costs. Salary and Fringe rates are an estimate because this is a multi-year grant and wage increases occur based on merit and elected government discretion. The actual costs incurred at the time of service will be used. Fringe benefits are assumed at 40% of salary, which is based on the following breakdown:

FICA	5.6%
Medicare	1.3%
Retirement	6.8%
Subtotal:	**13.7%**
Health Insurance	25%-29%

Rate set annually and depends on the plan chosen, however, this year's family plan is approximately $17,400. Because this is a flat rate for coverage, the percentage varies for project staff based on their compensation, therefore, adding the subtotal above results in a benefits range of 38.7% - 42.6%.

Total: **40.65%**

Position description, level of effort, and estimated costs are as follows:

Position	Project Role	Hours	Hourly Rate	Salary	40% Fringe	Total Cost
Engineering Technician	Planning, design, construction oversight and operations and maintenance inspection of proposed engineered projects	750	$35	$26,250.00	$10,500.00	$36,750.00
Program Assistant	Grant administration, including finances and reporting requirements	280	$26	$7,321.43	$2,928.57	$10,250.00
Watershed/GIS Specialist	Conduct the proposed fish passage study, including inventory and final report	206	$46	$9,285.71	$3,714.29	$13,000.00
					Total:	$60,000.00

We anticipate $40,000 of the above salary and fringe to be direct costs paid by this award along with $20,000 in anticipated match from other salary and fringe incurred in accordance with the project idea form and Tech Committee project approvals.

Request preaward costs:
Yes, preaward costs are requested for personnel time incurred totaling 69 hours, for $3,414.72 (Salary $2,082.42 and Fringe $1,331.70). This time was used to prepare planning & design documents to support the award process.

MISCELLANEOUS: $488,250

BMP Contracts: $400,000 ($150,000 direct/$250,000 anticipated match)

This amount represents a pool of funds that will be utilized to enhance the habitat component of projects. These funds would be matched with existing EPA-GLRI, Wi-DNR TRM, and other grants obtained by Outagamie County for TMDL implementation work in the Lower Fox River Basin. Matching rates will typically be 70% Outagamie Grant to 20-30% NRDA, not to exceed 50% NRDA. All projects will be presented to the NRDA technical committee for approval in advance of contracting and implementation.

Buffer Contracts: $83,250 ($78,250 direct/$5,000 anticipated match)

This amount represents a pool of funds that will be utilized to install riparian buffer areas either standalone or in conjunction with BMP contracts. Site assessment will determine the type of land that will be converted to riparian buffer using the NRCS definition of Cropland or Wooded/Fallow. Cropland incentive payments will be used to compensate the landowners for any active cropland lost due to installation of the best management practices proposed. The payment will be made upon completed installation of the project. Rates are based on NRCS published land values for the region used for long-term easements. These incentive payments will also be used to contractually bind the landowners to do long-term operation and maintenance on the projects in accordance with the signed plans. Wooded/fallow incentive payments will be used to compensate the landowners for any non-cropland area being used for the installation of the system. Incentive payments will also be used to contractually bind the landowners to do operation and maintenance on the projects. For example, the cropland rate for 2022 was $12,500 per acre and the wooded/fallow rate was $6,300. These funds will be matched with Partner Program and other grants as applicable. All projects will be presented to the NRDA technical committee for approval in advance of contracting and implementation.

Supplies & Materials: $5,000
This amount represents mileage reimbursement for a government issued vehicle for the project. Costs incurred will be reimbursed at the current GSA Per Diem Rate. For purposes of this agreement, we anticipate a rate of $0.20/mile, we anticipate 5,000 miles per year for

3 years, or $3,000 to perform the fish passage study, engineering design, construction inspection, and operations and maintenance tasks.

In addition to mileage, we anticipate $750/year in years 1 and 2 and $500 in year 3 for a total of $2,000 for supplies to support the proposed work in this award.

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34 & 35--2023-24

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35 --2023-24.

MOTION:

ADOPT & LOCK IN Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023

ORDINANCE # Z-1--2023-24

RESOLUTION # 30, 31, 32, 33, 34, 35--2023-24

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MOTION:

Reconsideration of Ordinance No. Z-1--2023-24 & Resolution Nos. 30, 31, 32, 33, 34 & 35--2023-24.

MADE BY: Lawrence

SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x

DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE July 11, 2023 RESOLUTION # 35--2023-24

Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve of the Land Conservation Department to accept and expend a grant from the Wisconsin Department of Natural Resources (WI DNR) for $50,000 to implement a suite of practices to improve soil health and reduce nutrient and sediment runoff in a subwatershed of the Wolf River, and to increase the Land Conservation Grants line items for Intergovernmental Revenues and Purchased Services by $50,000 each, as detailed on the attachments.

MOTION: Approve of the Land Conservation Department to accept and expend a grant from the Wisconsin Department of Natural Resources (WI DNR) for $50,000 to implement a suite of practices to improve soil health and reduce nutrient and sediment runoff in a subwatershed of the Wolf River, and to increase the Land Conservation Grants line items for Intergovernmental Revenues and Purchased Services by $50,000 each.

MADE BY: Lautenschlager SECONDED BY: VanderHeiden

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller				x
3	Smith	x			
4	Patience	x			
5	Gabrielson				x
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers				x
11	Ferguson				x
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler	x			
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 35—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Land Conservation Department (LCD) was awarded a grant from the Wisconsin Department of Natural Resources (WI DNR) in the amount of $50,000 for implementing a suite of practices to improve soil health and reduce nutrient and sediment runoff in a subwatershed of the Wolf River. The goal of this project is to encourage farms in the Bear Creek Watershed to adopt a suite of conservation practices as a system. Cost share will be provided for approximately 1,670 acres of cover crop, residue management, and low disturbance manure application in 2023 through 2025. In doing so, farms will go above and beyond current NR151 requirements, thereby reducing sediment and nutrient runoff to a level that will yield the needed reductions to achieve TMDL goals. This request is for approval to accept and expend up to $50,000 from the WI DNR for the time period of July 1, 2023 through September 30, 2025.

LCD is requesting approval to accept and expend these funds, along with approval for a budget adjustment which includes an increase in Purchased Services in the amount of $50,000. The aforementioned expenses are offset with a corresponding increase in Intergovernmental Revenues in the amount of $50,000. This proposed adjustment is budget neutral, requiring no county funding.

NOW THEREFORE, the following resolution is presented by the Agriculture, Extension Education, Zoning & Land Conservation Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Land Conservation Department to accept and expend a grant from the Wisconsin Department of Natural Resources (WI DNR) in the amount of $50,000 to be used to implement a suite of practices to improve soil health and reduce nutrient and sediment runoff in a subwatershed of the Wolf River, as noted on the attached Agreement Between the Wisconsin Department of Natural Resources and Outagamie County Land Conservation Deparment, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Land Conservation Grants Intergovernmental Revenues line item and Purchased Services line item by $50,000 each, as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Land Conservation Director and the Outagamie County Finance Director.

Dated this 11th day of July 2023

Duly and officially adopted by the County Board on: July 11th, 2023

Signed: _____ Kelly M. Gust, Deputy Clerk
Board Chairperson County Clerk

Approved: 7.14.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1691) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Accept and expend WI Department of Natural Resources (WI DNR) grant for the Bear Creek Watershed

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Land Conservation Department was awarded a grant from the Wisconsin Department of Natural Resources (WI DNR) in the amount of $50,000 for implementing a suite of practices to improve soil health and reduce nutrient and sediment runoff in a subwatershed of the Wolf River. The goal of this project is to encourage farms in the Bear Creek Watershed to adopt a suite of conservation practices as a system. Cost share will be provided for approximately 1,670 acres of cover crop, residue management, and low disturbance manure application in 2023 through 2025. In doing so, farms will go above and beyond current NR151 requirements, thereby reducing sediment and nutrient runoff to a level that will yield the needed reductions to achieve TMDL goals. This request is for the approval to accept and expend up to $50,000 from the WI DNR for the time period of July 1, 2023 through September 30, 2025.

LCD is requesting approval to accept and expend these funds along with approval for a budget adjustment which includes an increase in Purchased Services in the amount of **$50,000**. The aforementioned expenses are offset with a corresponding increase in Intergovernmental Revenues in the amount of **$50,000**. This proposed adjustment is budget neutral, requiring no county funding.

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Land Conservation Grants	Intergovernmental Revenues	2100400.4225.20	50,000
Land Conservation Grants	Purchased Services	2100400.5500	50,000

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes (x) no ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost - Annual Revenue -

Fiscal Note Prepared by: Greg Bareck

For Financial Services purposes only

Reviewed By: Kent Ritchie

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

AGREEMENT BETWEEN THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND OUTAGAMIE COUNTY LAND CONSERVATION DEPARTMENT

THIS AGREEMENT is entered into by and between the State of Wisconsin Department of Natural Resources (Department) and the Outagamie County Land Conservation Department (Grantee) for the purpose of Agricultural Nonpoint Source Reduction in the Bear Creek Watershed.

FOR AND IN CONSIDERATION of the terms and conditions contained in this grant agreement, the above-named parties agree:

1. PERIOD OF AGREEMENT: This grant agreement shall commence upon its signing by both parties and continue until September 30, 2025, during which period all performance as described in this grant agreement shall be fully completed to the satisfaction of the Department. Grantee is eligible for reimbursement of expenses incurred beginning July 1, 2023.

2. CANCELLATION: The Department reserves the right to cancel this agreement in whole or in part, without penalty, due to non-appropriation of funds or for failure of the Grantee to comply with terms, conditions, and specifications of this grant agreement.

3. ENTIRE GRANT AGREEMENT; AMENDMENTS: This grant agreement, together with the specifications in the bid request (if any) and referenced parts and amendments, shall constitute the entire agreement and previous communications or agreements pertaining to this grant agreement are hereby superseded. Any agreement revisions, including cost adjustments and time extensions, may be made only by a written amendment to this grant agreement, signed by both parties prior to the ending date of this grant agreement.

4. ASSIGNMENT SUBCONTRACTS: Neither this grant agreement nor any right or duty in whole or in part by the Grantee under this grant agreement may be assigned, delegated or subcontracted without the written consent of the Department. If upon the written consent of the Department this grant agreement or any right or duty in whole or in part is assigned, the Assignee(s) shall expressly agree to assume and perform all relevant obligations expressed under the terms of this grant agreement and be bound by the terms and conditions of this agreement. Assignment in whole or in part of this grant agreement does not absolve the Grantee of any liability or obligation expressed and agreed to hereunder.

5. DESCRIPTION OF WORK: The Grantee agrees to perform the following services to the satisfaction of the Department as described in the attached Scope of Work (Addendum A).

6. AGENCY CONTACTS: All communications regarding this grant agreement will be made through the designated agency contacts. The designated contacts are:

Grantee - Greg Baneck, County Conservationist
Outagamie County Land Conservation Department
3365 W. Brewster Street, Appleton, WI 54914
(920) 832-5073
Greg.Baneck@outagamie.org

Department - Erin Hanson, Nonpoint Source Coordinator
2984 Shawano Ave, Green Bay, WI 54313
(920) 360-7845
ErinE.Hanson@wisconsin.gov

7. TERMINATION:

A. This grant agreement may be terminated in whole, or in part, in writing by the Department in the event of substantial failure of the Grantee to fulfill its obligation under this grant agreement, provided, that the Department shall give the Grantee not less than thirty (30) days written notice (delivered by certified mail, return receipt requested) of intent to terminate and an opportunity for consultation prior to termination.

B. If termination is effected by the Department, an equitable adjustment in the price provided for in this grant agreement shall be made. Any payment due to the Grantee at the time of termination may be adjusted to the extent of any additional costs occasioned to the Department by reason of the Grantee's default. The equitable adjustment for any termination shall provide for payment to the Grantee for services rendered and expenses incurred prior to the termination, in addition to termination settlement costs reasonably incurred by the Grantee relating to commitments which had become firm prior to the termination.

C. Upon receipt of a termination action pursuant to paragraph A above, the Grantee shall (1) promptly discontinue all services affected (unless the notice directs otherwise); (2) terminate all subcontracts to the extent that they relate to the performance of work terminated by the Department, and (3) deliver or otherwise make available to the Department, all data, reports, estimates, summaries, and such other information and materials as may have been accumulated by the Grantee in performing this grant agreement, whether completed or in process.

D. Upon termination pursuant to paragraph A above, the Department may take over the work and prosecute the same to completion by agreement with another party or otherwise and the Grantee is liable for any excess costs for such similar work or services.

E. The rights and remedies of the Department and the Grantee provided in this clause are in addition to any other rights and remedies provided by law or under this grant agreement.

8. PAYMENT: The Department agrees to reimburse the Grantee up to a total of $50,000.00 for the costs identified in the attached Scope of Work (Addendum A). Grantee is eligible for reimbursement of

expenses incurred beginning July 1, 2023.

Billings by the Grantee shall be made on a quarterly itemized basis for the actual net costs incurred for review and acceptance. Invoices should be sent to:

Erin Hanson, Nonpoint Source Coordinator
2984 Shawano Ave, Green Bay, WI 54313
(920) 360-7845
ErinE.Hanson@wisconsin.gov

Final invoices must be submitted within 30 days after the end of the grant agreement.

9. RECORDS; ACCESS: The Grantee shall, for a period of three (3) years after completion and acceptance by the Department, maintain books, records, documents, and other evidence directly pertinent to performance on work under this grant agreement in accordance with generally accepted accounting principles and practices. The Grantee shall also maintain the financial information and data used in the preparation or support of the cost submission in effect on the date of execution of this grant agreement and a copy of the cost summary submitted to the Department. The Department, the U.S. Environmental Protection Agency, their agents and their duly authorized representatives, shall have access to such books, records, documents, and other evidence for the purpose of inspection, audit, and copying. The Grantee shall provide proper facilities for such access and inspection. In addition, those records which relate to any dispute, appeal or litigation, or the settlement of claims arising out of such dispute, performance, or costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution of such dispute, appeal, litigation, claim or exception.

10. INDEPENDENT CONTRACTOR: The Grantee is an Independent Contractor for all purposes and is not an employee or agent of the Department.

11. INDEMNIFICATION: The Grantee agrees to save, keep harmless, defend and indemnify the State of Wisconsin, Department of Natural Resources and all its officers, employees and agents, against any and all liability, claims and costs of whatever kind and nature, for injury to or death of any person or persons, and for loss or damage to any property (state or other) occurring in connection with or in any way incident to or arising out of the occupancy, use, service, operation or performance of work in connection with this grant agreement or omissions of Grantee's employees, agents or representatives.

12. INSURANCE: The Grantee performing services for the State of Wisconsin shall:

a) Maintain worker's compensation insurance for all employees engaged in the work.
b) Maintain commercial liability and property damage insurance against any claim(s) which might occur in carrying out this agreement/contract. Minimum coverage shall be one million dollars ($1,000,000) liability for bodily injury and property damage including products liability and completed operations. Provide motor vehicle insurance for all owned, non-owned and hired vehicles that are used in carrying out the agreement/contract. Minimum coverage shall be one million dollars ($1,000,000) per occurrence combined single limit for automobile liability and

property damage.

c) Provide an insurance certificate indicating this coverage, counter-signed by an insurer licensed to do business in Wisconsin, covering the period of the agreement/contract. The insurance certificate is required to be presented prior to the issuance of the purchase order or before commencement of the agreement/contract.

d) The state reserves the right to require higher or lower limits where warranted.

13. NONDISCRIMINATION: In connection with the performance of work under this grant agreement, the Grantee agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in section 51.01(5), Wis. Stats., sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the Grantee further agrees to take affirmative action to ensure equal employment opportunities. The Grantee agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the Department setting forth the provisions of this nondiscrimination clause. Failure to comply with the conditions of this clause may result in the Grantee being declared an "ineligible" Grantee, termination of the grant agreement or withholding of payment.

14. AFFIRMATIVE ACTION: If this grant agreement is for an amount of fifty thousand dollars ($50,000) or more the Grantee agrees to submit a written affirmative action plan to the Department within 15 business days after the grant agreement commences if an acceptable plan is not already on file with the State of Wisconsin. (Grantees with an annual work force of fewer than fifty employees are exempted from this requirement.) Failure to comply with the conditions of this clause may result in the Grantee being declared an "ineligible" Grantee, termination of the grant agreement or withholding of payment.

15. FUNDING SOURCE: This grant agreement is funded in part or wholly by a grant from the U.S. Environmental Protection Agency, CFDA #66.460. This procurement will be subject to regulations contained in 2 CFR 200.338 & 200.339 (formerly 40 CFR Parts 31 and 40 and OMB Circular 133). Neither the United States nor the U.S. Environmental Protection Agency is a party to this agreement.

16. APPLICABLE LAW: This grant agreement shall be governed by the laws of the State of Wisconsin. The Grantee shall at all times comply with all federal, state and local laws, ordinances, and regulations in effect during the period of this grant agreement.

17. ANTITRUST ASSIGNMENT: The Grantee and the Department recognize that in actual economic practice, overcharges resulting from antitrust violations are in fact usually borne by the Department. Therefore, the Grantee hereby assigns to the Department any and all claims for such overcharges as to goods, materials or services purchased in connection with this grant agreement.

18. TAX DELINQUENCY: Grantees who have a delinquent Wisconsin tax liability may have their payments offset by the State of Wisconsin.

19. ADDENDUM: Additional conditions are attached as Addendum B, as part of the federal Grant

Agreement No. C9-00591721-1, funding this award. It is the responsibility of the grantee to determine which, if any, of the Federal Administrative Conditions in Addendum B may be relevant to the grant agreement or their sub awards, and to apply them accordingly.

The undersigned, as representatives of their respective agencies, hereto agree to this grant agreement.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

Date _____

By _____
Adam N. Payne, Secretary

OUTAGAMIE COUNTY
LAND CONSERVATION DEPARTMENT

Date 6/28/23

By _____
Greg Balfeck, County Conservationist

APPROVED AS TO FORM:
Dawn T. Shaha
Deputy Corporation Counsel
Outagamie County
Date Approved: 6.28.23

Addendum A: Scope of Work

WI Department of Natural Resources 319 FFY21
Project 2 of 2

Project Title: Bear Creek Watershed Soil Health Improvement/Nutrient Reduction

Funding Recipient: Outagamie County

WI DNR Project Lead:
Erin Hanson, Nonpoint Source Coordinator
2984 Shawano Ave, Green Bay, WI 54313
(920) 360-7845
ErinE.Hanson@wisconsin.gov

Partner Agency Lead:
Greg Baneck, County Conservationist
Outagamie County Land Conservation Department
3365 W. Brewster Street, Appleton, WI 54914
(920) 832-5073
Greg.Baneck@outagamie.org
Federal Duns ID: 074769340
Federal Unique Identity ID: ENGJCKR9MGC5

Project Start/End Date: July 1, 2023 – September 30, 2025

Brief Project Description:
The goal of this project is to encourage farms in the Bear Creek Watershed to adopt a suite of conservation practices as a system. Cost share will be provided for approximately 1,670 acres of cover crop, residue management, and low disturbance manure application in 2023 through 2025. In doing so, farms will go above and beyond current NR151 requirements, thereby reducing sediment and nutrient runoff to a level that will yield the needed reductions to achieve TMDL goals (i.e. taking existing regulation of PI=6 to a TMDL equivalent PI that would be significantly lower).

Modeling Nutrient Reductions:
The Pollutant Load Estimation Tool (PLET) will be used to estimate nutrient and sediment reductions from conservation practices implemented in the Bear Creek watershed. PLET is a watershed model that calculates nutrient loads based on runoff volume and pollutant concentrations in the runoff water, as influenced by factors such as land use, soil type, and agricultural animal concentrations. Nutrient and sediment reductions will be calculated annually after conservation practices have been implemented for the year.

Best Management Practice	Model used for Nutrient Reductions
Residue Management	PLET
Cover Crop	PLET
Low Disturbance Manure Application	PLET

Timetable:

Identify & Contract with farms	July 1, 2023-Sept. 1, 2025
Implement Soil Health Practices	Sept 1, 2023-Sept. 1, 2025
Estimate Pollutant Reductions	Nov. 1, 2023-Sept. 30, 2025
Final Report & Project Close-Out	September 30, 2025

Project Budget:

Budget Detail	Year 1 July 2023 - July 2024	Year 2 July 2024 - July 2025	Total Project Cost
Personnel (# hours)			
Fringe Benefits (RATE%)			
Travel			
Equipment			
Supplies			
Contractual	$25,000	$25,000	$50,000
Other (includes subawards)			
Total Direct			
Indirect (RATE %)			
Total Project Costs	$25,000	$25,000	$50,000

Project Background/Purpose:

The Bear Creek Subwatershed spans across the County Lines of Outagamie and Waupaca Counties. Watershed land use is dominated by both cash grain and dairy cropping systems interspersed with significant amounts of constructed drainage ditches and drain tile networks. Consequently, runoff and associated nutrients and sediment have a high likelihood of reaching surface water and ultimately Bear Creek. Maintaining and improving soil health and providing year-round cover is key to helping reduce runoff potential for the watershed.

The Upper Fox/Wolf River TMDL Plan lists an average of 1.85 lbs of P/ac and 1.39 Tons of Sediment/ac being delivered annually within the Outagamie portion of the watershed. To reach the

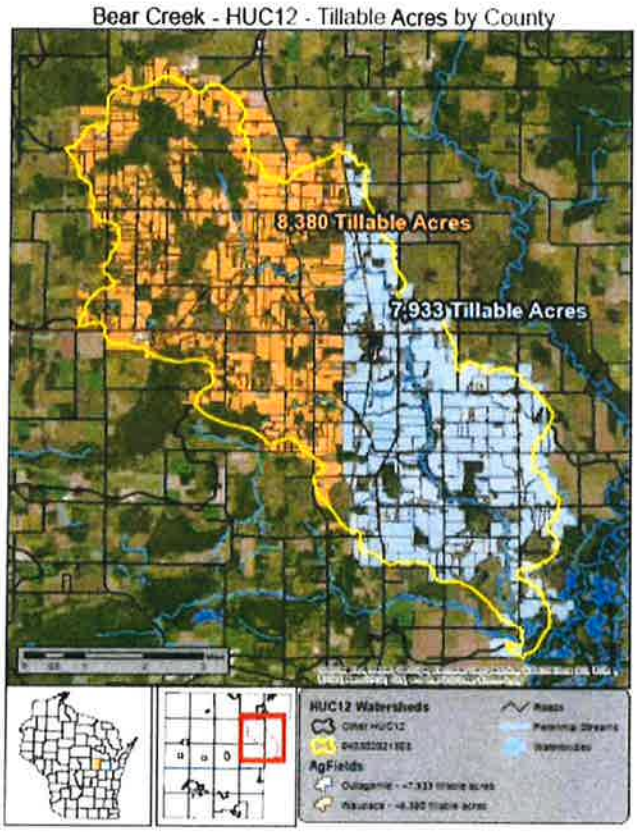
water quality goals of the TMDL, an 83% reduction of P and a 74% reduction of TSS will be required. This proposal incorporates incentives to assist farms in making this transition to a more sustainable, soil health improving cropping system while at the same time working towards the goals of the TMDL.

Keeping year-round cover and a living root system on the ground will be necessary to gain reductions required to achieve the goals of the TMDL. Also, tying up nutrients and providing options for applying nutrients (manure) without destroying cover crops using Low Disturbance Manure Application (LDMA) is key.

Outagamie County cover cropping cost-share rates are based on a flat rate sheet developed by Outagamie County LWCD, Outagamie County NRCS and Upper fox-Wolf Demonstration Farm Network Managers that took into consideration planting dates as well as single versus multiple species planted. The team developed this method to encourage early and multi-species planting, while recognizing that a single over wintering species was the only workable option for some producers. See attached 2023 rate guide.

Residue management (no-till) cost-share rates are based on the Outagamie County method of using the State approved flat rate when adjusted for inflation is $25.00 per acre per year, to be consistent within this project.

Low Disturbance manure application cost-share rates are based on the Outagamie County average local price method. The difference in price for applying manure to the state standards verses the cost to do split applications at agronomic rates is the basis for the cost share is $105.84. Rounded down, the total cost is adjusted to $100.00/acre for adoption of this practice, with the local producer share being $30.00/acre and the grant share of 70% equal to $70.00/acre.


Bear Creek - HUC12 - Tillable Acres by County
8,380 Tillable Acres
7,933 Tillable Acres
HUC12 Watersheds
AgFields

Administrative Conditions

ADMINISTRATIVE CONDITIONS

The Following Administrative Terms and Conditions are Updated:

General Terms and Conditions

The General Terms and Conditions of this agreement are updated in accordance with the link below. However, these updated conditions apply solely to the funds added with this amendment and any previously awarded funds not yet disbursed by the recipient as of the award date of this amendment. The General Terms and Conditions cited in the original award or prior funded amendments remain in effect for funds disbursed by the recipient prior to the award date of this amendment.

The recipient agrees to comply with the current EPA general terms and conditions available at: https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2021-or-later.

These terms and conditions are binding for disbursements and are in addition to or modify the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: https://www.epa.gov/grants/grant-terms-and-conditions#general.

A. Correspondence Condition

The terms and conditions of this agreement require the submittal of reports, specific requests for approval, or notifications to EPA. Unless otherwise noted, all such correspondence should be sent to the following email addresses:

- Federal Financial Reports (SF-425): rtpfc-grants@epa.gov and ***dreves.lena@epa.gov***
- MBE/WBE reports (EPA Form 5700-52A): **Dianne Reyes – reyes.dianne@epa.gov** and **Lena Dreves – dreves.lena@epa.gov**
- All other forms/certifications/assurances, Indirect Cost Rate Agreements, Requests for Extensions of the Budget and Project Period, Amendment Requests, Requests for other Prior Approvals, updates to recipient information (including email addresses, changes in contact information or changes in authorized representatives) and other notifications: **Lena Dreves - dreves.lena@epa.gov** and **Lee Phan – phan.lee@epa.gov**
- Payment requests (if applicable): **Lena Dreves - dreves.lena@epa.gov** and **Lee Phan – phan.lee@epa.gov**
- Quality Assurance documents, workplan revisions, equipment lists, programmatic reports and deliverables: **Lee Phan – phan.lee@epa.gov**

All Other Administrative Terms and Conditions Remain the Same

Programmatic Conditions

PROGRAMMATIC CONDITIONS

All Programmatic Terms and Conditions Remain the Same

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the July 11, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on July 11, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 11th Day of July, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: August 22, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, August 8, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. by teleconference.

ROLL CALL: 29 present, 7 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Lamers, Ferguson, Hermes, MacDonald, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Nooyen, Weinberg, Culbertson, Winterfeldt, Nejedlo, Clegg, Thyssen, VanderHeiden, Koury, and Lautenschlager. Members Absent: Krueger, McCabe, Wegand, Schroeder, Thiede, Monfils, and Rettler.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Thiede, Supervisor Schroeder, Supervisor Monfils, and Supervisor Rettler. No objections; so ordered.

MINUTES OF THE JULY 11, 2023 COUNTY BOARD MEETING

Supervisor Smith moved, seconded by Supervisor Croatt, to approve the minutes of the July 11, 2023, County Board meeting.

VOICE VOTE CARRIED WITH TWENTY-FIVE (25) YES AND FOUR (4) ABSTENTIONS (THYSSEN, MILLER, LAMERS, FERGUSON). MINUTES OF THE JULY 11, 2023, COUNTY BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

2022 County Audit Presentation - Jake Lenell, Principal and Elizabeth McMasters, Director – State and Local Government, CliftonLarsonAllen (CLA)

Jake Lenell, Principal with CliftonLarsonAllen (CLA) introduced himself and Elizabeth McMasters, Director. Mr. Lenell has over 21 years of experience working with county governments.

Mr. Lenell provided some highlights from the information that was previously shared with the Finance Committee in regards to the 2022 financial audit.

- Outagamie County received an unmodified “clean” opinion, which is the highest level of assurance that CLA provides, as a third party review.
- The Governance Letter and the results within the Governance Letter were previously shared with the Finance Committee as well. This is a report on the audit procedures and required guidance as it pertains to performing procedures within AICPA guidelines.
- Items of interest were new accounting standards. There were new reporting standards pertaining to leases. That information was properly captured in the 2022 financial statements.
- The Management Letter provides best practice recommendations.
    - Capital outlay / capital asset reconciliations: recommendations have already been implemented. The process hasn’t changed, just some recommendations were provided for going forward. With staff turnover there is a learning curve for the financial statement package.

In addition to the historical information that is reviewed, CLA reviews the future and what to expect for future audit planning.

- Grant funding – continues to be an area of focus. This is not only from an audit standpoint, but from an operational standpoint where there are strong internal controls that the County has on the structure and the process for these new dollars.
- There will be new standards required for reporting on software use. These new reporting standards will pertain to subscriptions that the County participates in.

Paula Van De Leygraaf, Emergency Management Director, will give a high-level overview of the Emergency Response Plan

Emergency Management updates the Emergency Response Plan every year. It is available on the County website under Emergency Management on the Departments page. The 2023 Emergency Response Plan will be available online shortly.

There will be some major renovations to the plan during the next two years. The County will be transitioning to a different model for EOC operations. The County will be switching to an incident support model function, which will better suit the needs of our local municipalities and broaden outreach.

The County plan does mirror the State plan. Under each of the emergency support functions, the plan identifies the roles and responsibilities for both primary and supporting agencies. In a given emergency, not all of the emergency functions need to be activated. Activation depends on the circumstances of the given emergency.

The four phases of emergency management are mitigation, preparedness, response, and recovery. There are tasks pertaining to each phase. Not all tasks are relevant for each emergency, but these tasks are a nice reminder to not overlook an important task.

At the local level, local municipalities are encouraged to have a local emergency response plan in place and to keep it current. The County will be working closely with local municipalities to make sure plans are in place, kept current, and will identify which municipalities will defer to the County for services for parts of their plan.

While working directly with local municipalities, the County Emergency Management department also hopes to identify areas where there may be gaps or needs for additional training.

The goal is for the County emergency response plan to mirror the State emergency response plan and then the local municipality emergency response plans to mirror the County emergency response plan.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have all Appointments, Ordinances, and Resolutions that are on the agenda locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle all reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

August 8, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	06/15/2023	Douglas County	Resolution #35-23 Resolution Regarding Foreign Ownership of Farmland	Resolution No.: 147-2022-23
2	06/20/2023	Green Lake County	Resolution Number 14-2023 Request for State of Wisconsin to Review and Revise its Policy on Foreign Ownership of Farmland	Resolution No.: 147-2022-23
3				
4				

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.
- The County Board will have a second meeting during the month of August. This meeting will be held virtually on August 22, 2023 at 7:00 p.m.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR –

Jim Sehloff, representing Davel Engineering & Environmental, 1164 Province Terrace, Menasha – spoke in favor of Ordinance No. Z-3—2023-24 and Ordinance No. Z-4—2023-24.

APPOINTMENTS

County Executive Nelson nomination for appointment of Alison Bong as Finance Director.

The Finance Director appointment is being held in committee.

County Executive Nelson nomination for appointment of Carina Strebelinski and reappointment of Thomas Nelson to the Criminal Justice Coordinating Council; said terms expiring April 30, 2024.

Supervisor Patience moved, seconded by Supervisor Thompson for confirmation of the above-listed appointment and reappointment.

VOICE VOTE CARRIED UNANIMOUSLY. CARINA STREBELINSKI IS APPOINTED AND THOMAS NELSON IS REAPPOINTED TO THE CRIMINAL JUSTICE COORDINATING COUNCIL.

County Executive Nelson nomination for reappointment of Harold Steenbock to the Board of Adjustment Zoning Ordinance; said term expiring June 30, 2026.

Supervisor Santonato moved, seconded by Supervisor VanderHeiden for confirmation of the above-listed reappointment.

VOICE VOTE CARRIED UNANIMOUSLY. HAROLD STEENBOCK IS REAPPOINTED TO THE BOARD OF ADJUSTMENT ZONING ORDINANCE.

> County Executive Nelson nomination for reappointment of Jennifer Edmondson to the Administrative Review Appeals Board; said term expiring May, 2024.

Supervisor MacDonald moved, seconded by Supervisor Klemp for confirmation of the above-listed reappointment.

VOICE VOTE CARRIED UNANIMOUSLY. JENNIFER EDMONDSON IS REAPPOINTED TO THE ADMINISTRATIVE REVIEW APPEALS BOARD.

> County Executive Nelson nomination for appointment of Isaac Uitenbroek and reappointments for Michael Morman, Brad Bastian, Jeff Dietzen, Jeremy Freund, Terri Lison, Tom Rooney, Sarah Van Camp, Julie Vanden Acker, Brea Vang, Terry Van Hout, and Trent Woelfel to the Land Information Council; said terms expiring April, 2025.

Supervisor Lautenschlager moved, seconded by Supervisor Cuff for confirmation of the above-listed appointment and reappointments.

VOICE VOTE CARRIED UNANIMOUSLY. ISAAC UITENBROEK IS APPOINTED AND MICHAEL MORMAN, BRAD BASTIAN, JEFF DIETZEN, JEREMY FREUND, TERRI LISON, TOM ROONEY, SARAH VAN CAMP, JULIE VANDEN ACKER, BREA VANG, TERRY VAN HOUT AND TRENT WOELFEL ARE REAPPOINTED TO THE LAND INFORMATION COUNCIL.

UNFINISHED BUSINESS– None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. Z-3—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for the Coenen Family Revocable Trust and Ruby Coenen Survivor Trust, for parcel 101084000, 12.82 acres, from the General Agriculture District to the Industrial District to accommodate the development of industrial flex-space buildings in the Town of Grand Chute, as noted on the resolution and attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-3—2023-24 IS ADOPTED.

Ordinance No. Z-2—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to adopt the petition of Cynthia Bungert, property owner, for parcel 080097200, from the Residential Single-Family District to Residential Two-Family District in the Town of Ellington, as detailed on the ordinance and attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Weinberg, for adoption.

Supervisor Lautenschlager made a motion to refer back to committee, seconded by Supervisor VanderHeiden.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. Z-2–2023-24 IS REFERRED BACK TO COMMITTEE.

Ordinance No. Z-3—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to adopt the petition of Jim Sehloff, applicant on behalf of PHH Investment Company, owner, to rezone parcels 200004800 and 200004903 from the General Agriculture District and Local Commercial District to the Residential Single-Family District, and rezone parcel 200005200 from the General Agriculture District and Residential Single-Family District to the Residential Single-Family District in the Town of Vandenbroek, as detailed on the ordinance and attachments.

Supervisor Lautenschlager moved, seconded by Supervisor Weinberg, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. Z-3—2023-24 IS ADOPTED.
Ordinance No. Z-4—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to adopt the petition of Jim Sehloff, applicant, on behalf of Dale & Amy Coenen, owners, to rezone parcel 080071906, 16.42 acres, from the General Agriculture District to the Residential Single-Family District in the Town of Ellington, as detailed on the ordinance and attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. Z-4—2023-24 IS ADOPTED.

Ordinance No. B—2023-24 – Legislative/Audit and Human Resources Committee. Approve the updated language amendments in Chapter 2, Section 2-49, Rule 6, of the Code of Ordinances as pertains to the appearance of non-board members, as detailed on the ordinance and attachments.

Supervisor Spears moved, seconded by Supervisor Konetzke, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. B—2023-24 IS ADOPTED.

Resolution No. 36—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail in Parcel 8 of Transportation Project Plat 6240-30-21 – 4.02, recorded as Document 2279508 in Outagamie County, as detailed on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 36—2023-24 IS ADOPTED.

Resolution No. 37—2023-24 – Finance Committee. Approve to disallow the claim submitted by Gary Steward, on file in the County Clerk's Office and that no action of this claim may be brought against the County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Supervisor Miller moved, seconded by Supervisor Croatt, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 37—2023-24 IS ADOPTED.

Resolution No. 38—2023-24 – Health and Human Services Committee. Authorize and approve the line items to increase the Brewster Village Equipment Replace/Repair fund by $1,500,000 and decrease the Brewster Village Cash by $1,500,000, to replace equipment and maintain the building, as detailed on the attached fiscal note.

Supervisor Gabrielson moved, seconded by Supervisor Thompson, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 38—2023-24 IS ADOPTED.

Resolution No. 39—2023-24 – Health and Human Services Committee. Authorize and approve the line items to increase the Brewster Village Revenue Stabilization by $400,000 and decrease the Brewster Village Cash by $400,000, for anticipated 2024 wage increases, as detailed on the attached fiscal note.

Supervisor Gabrielson moved, seconded by Supervisor Spears, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 39—2023-24 IS ADOPTED.

Resolution No. 40—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to establish the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the County Code of Ordinances, and authorize the formation of the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 40—2023-24 IS ADOPTED.

Resolution No. 41—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to establish the Appleton International Airport Terminal Expansion Project as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the County Code of Ordinances, and authorize the formation of the Appleton International Airport Terminal Expansion Project Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county.

Supervisor Culbertson moved, seconded by Supervisor Klemp, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 41—2023-24 IS ADOPTED.

Resolution No. 42—2023-24 – Public Safety Committee. Approve the request to transfer $25,000 from the Small Department Vacation/Sick Leave Payout Fund to the line items of the Circuit Courts Salaries by $23,000 and Fringe Benefits by $2,000, and increase the Fund Balance Applied by $25,000, and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by $25,000, and increase the Fund Balance Assigned by $25,000, for a retirement payout and to hire a new Judicial Assistant, as detailed on the attachments.

Supervisor Patience moved, seconded by Supervisor Lamers, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 42—2023-24 IS ADOPTED.

Ordinance No. C—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH F between West Town line and Grandy Road, and CTH I between CTH F to the north County line, and CTH M between South Town line to CTH F, in the Town of Maine, as an ATV/UTV route, as detailed on the attachments.

Supervisor Nejedlo moved, seconded by Supervisor Hagen, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. C—2023-24 IS ADOPTED.

RECONSIDERATION OF THE CRIMINAL JUSTICE COORDINATING COUNCIL APPOINTMENT AND REAPPOINTMENT, BOARD OF ADJUSTMENT ZONING ORDINANCE REAPPOINTMENT, ADMINISTRATIVE REVIEW APPEALS BOARD REAPPOINTMENT, LAND INFORMATION COUNCIL APPOINTMENT AND REAPPOINTMENTS, ORDINANCE NO. Z-3, Z-4, B AND C—2023-24 AND RESOLUTION NOS. Z-3, 36, 37, 38, 39, 40, 41 AND 42 —2023-24.

Supervisor Croatt moved, seconded by Supervisor Cooke, to reconsider the above listed appointments, ordinances and resolutions.

Vote for reconsideration. VOICE VOTE CARRIED UNANIMOUSLY. CRIMINAL JUSTICE COORDINATING COUNCIL APPOINTMENT AND REAPPOINTMENT, BOARD OF ADJUSTMENT ZONING ORDINANCE REAPPOINTMENT, ADMINISTRATIVE REVIEW APPEALS BOARD REAPPOINTMENT, LAND INFORMATION COUNCIL APPOINTMENT AND REAPPOINTMENTS, ORDINANCE NO. Z-3, Z-4, B AND C—2023-24 AND RESOLUTION NOS. Z-3, 36, 37, 38, 39, 40, 41 AND 42 —2023-24 ARE RECONSIDERED.

Vote for lock in. VOICE VOTE CARRIED UNANIMOUSLY. CRIMINAL JUSTICE COORDINATING COUNCIL APPOINTMENT AND REAPPOINTMENT, BOARD OF ADJUSTMENT ZONING ORDINANCE REAPPOINTMENT, ADMINISTRATIVE REVIEW APPEALS BOARD REAPPOINTMENT, LAND INFORMATION COUNCIL APPOINTMENT AND REAPPOINTMENTS, ORDINANCE NO. Z-3, Z-4, B AND C—2023-24 AND RESOLUTION NOS. Z-3, 36, 37, 38, 39, 40, 41 AND 42 —2023-24 ARE ADOPTED & LOCKED IN.

REPORTS – None.

ADJOURNMENT
Supervisor Hammen moved, seconded by Supervisor Lawrence to adjourn until August 22, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:54 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 RESOLUTION # Z-3--2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for the Coenen Family Revocable Trust and Ruby Coenen Survivor Trust, for parcel 101084000, 12.82 acres, from the General Agriculture District to the Industrial District to accommodate the development of industrial flexspace buildings in the Town of Grand Chute, as noted on the resolution and attachments.

MOTION: Approve the rezone request for the Coenen Family Revocable Trust and Ruby Coenen Survivor Trust, for parcel 101084000, 12.82 acres, from the General Agriculture District to the Industrial District to accommodate the development of industrial flexspace buildings in the Town of Grand Chute, as noted on the resolution and attachments.

MADE BY: VanderHeiden SECONDED BY: Lautenschlager

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: Z-3—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Grand Chute has adopted a comprehensive Zoning Ordinance separate from that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that all zoning amendments made by the Town of Grand Chute be approved by Outagamie County before they are effective. The Outagamie County Planning Staff and Zoning Committee both recommend approval.

NOW THEREFORE, the following resolution is presented by the Agriculture, Extension Education, Zoning and Land Conservation Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the proposed rezoning request for the Coenen Family Revocable Trust and Ruby Coenen Survivor Trust. The proposed rezoning is for parcel 101084000, totaling 12.82 acres, from the General Agriculture District (AGD) to the Industrial District to accommodate the development of industrial flex-space buildings. The parcel is located on the southeast corner of N. Mayflower Drive and STH 15 in the Town of Grand Chute, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Zoning Administrator and the Town of Grand Chute Clerk, the Town of Grand Chute Community Development Director, and the Town of Grand Chute Community Development Administrative Assistant.

Dated this 8th day of August 2023

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: Outagamie County Zoning Committee
FROM: Sadie DiNatale Burda, Principal Planner
DATE: June 28, 2023
RE: PL202300270 – Town Rezoning - Town Review & Recommendation

Application Details:

Applicant and Owner:	Tracy Olejniczak, Town Clerk, on behalf of Coenen Family Rev Trust & Ruby Coenen Survivor Trust (Owner)
Request:	Rezoning - Town
Parcel(s):	101084000
Location:	Southeast Corner of N. Mayflower Drive and STH 15 TOWN OF GRAND CHUTE
Public Hearing:	June 6, 2023 at 6:00 PM held by the Town of Grand Chute

Background & Analysis:

A Town Rezoning request was received from the Town of Grand Chute, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone parcel 101084000 (12.82 acres) from the General Agriculture District (AGD) to the Industrial District to accommodate the development of industrial flex-space buildings. The proposed rezoning is compatible with the surrounding zoning district patterns. More information is located in the Town's staff memo (Exhibit 2).

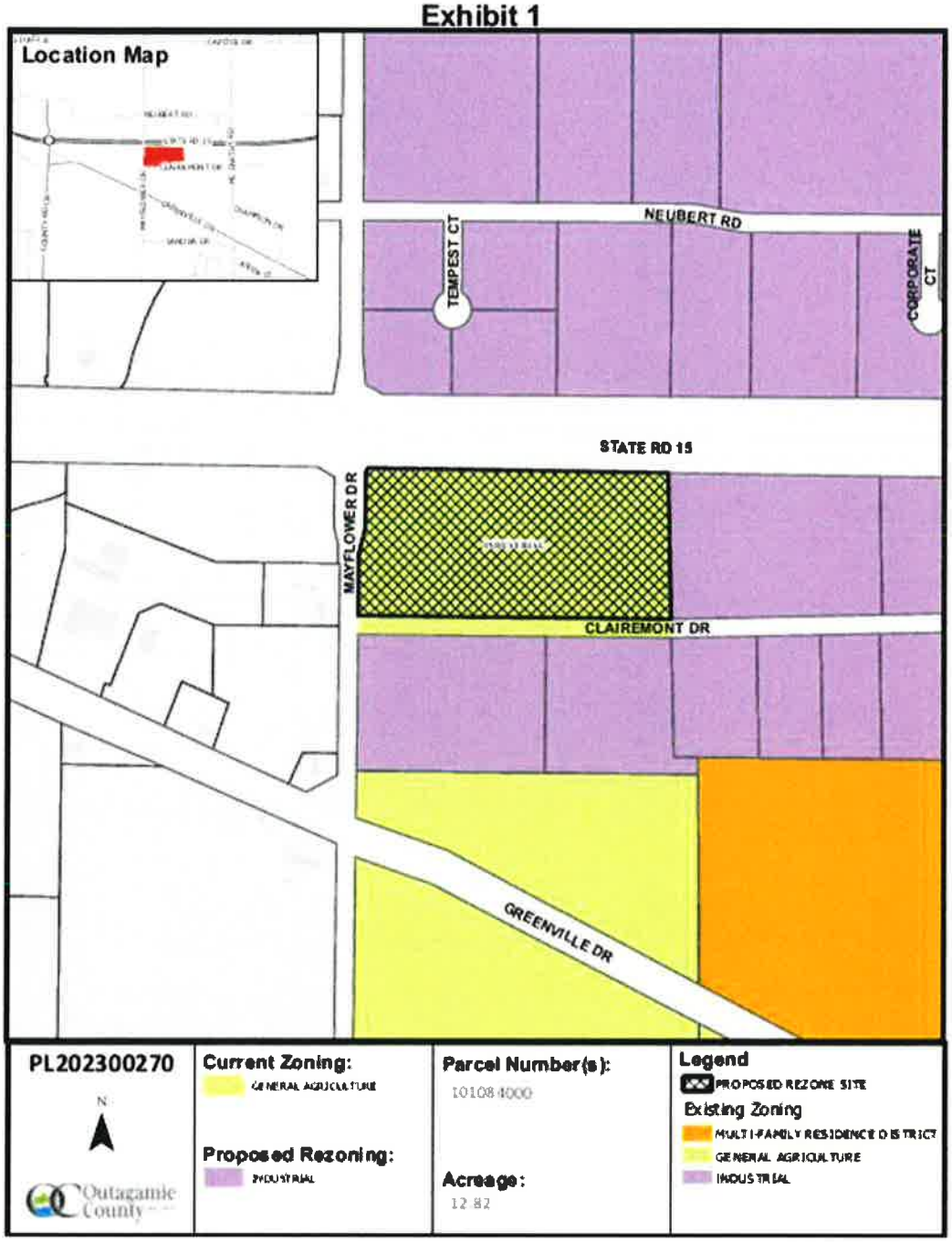
A navigable stream runs through the northwest corner of the site and about half of the parcel's area is located within the 300 feet stream buffer. There are some floodplains and hydric soils present on site. The Town of Grand Chute has received a site plan for the property and indicated there are wetlands on the northern portion of the site; however, per the Town's staff memo, the proposed development is adequately sized and positioned to accommodate the proposed use while largely avoiding environmentally sensitive areas.

As a point of reference, development within the 300' stream buffer may be subject to Chapter 44, Shoreland Zoning permits from Outagamie County and development impacting floodfringe may be subject to Chapter 24, Floodplain Zoning permit requirements from Outagamie County.

The Town of Grand Chute exercises village powers and adopted General Town Zoning. The Town of Grand Chute is required to find this rezoning consistent with its Comprehensive Plan. They have identified the rezoning to be consistent with its Plan, which designates this area as "Urban." The Town reviewed the request at a public hearing held on June 6, 2023 and the Town Board voted to approve this request on June 20, 2023.

Staff Recommendation:
Based on County planning staff's review of this proposed Town Rezoning, Staff recommends to: approve the rezoning of parcel 101084000 from the General Agriculture District (AGD) to the Industrial District.

Exhibit 1


Location Map
NEUBERT RD
TEMPEST CT
CORPORATE CT
STATE RD 15
MAYFLOWER DR
CLAIREMONT DR
GREENVILLE DR
PL202300270
N
Outagamie County
Current Zoning:
GENERAL AGRICULTURE
Proposed Rezoning:
INDUSTRIAL
Parcel Number(s):
101084000
Acreage:
12.82
Legend
PROPOSED REZONE SITE
Existing Zoning
MULTI-FAMILY RESIDENCE DISTRICT
GENERAL AGRICULTURE
INDUSTRIAL

10/11.

Town of Grand Chute
Rezoning Request
Coenen Family Revocable Trust & Ruby Coenen Survivor Trust

To: Plan Commission

From: Michael Patza, Community Development Director

Date: May 31, 2023

Address: Southeast Corner of N. Mayflower Drive and STH 15 (Tax Key Parcel No. 101-084000) **App. #: Z-02-2023**

REQUEST
The applicant is requesting to rezone the referenced property from **AGD General Agricultural District to IND Industrial District,** to accommodate a future industrial development.

ANALYSIS
The request is to rezone 12.82 acres of land located on the southeast corner of N. Mayflower Drive and STH 15 to accommodate future development of multiple industrial flex-space buildings. The subject property is located within Town of Grand Chute Tax Increment District (TID) No. 4. The right-of-way of W. Clairemont Drive has been dedicated along the south side of the property. The project to extend W. Clairemont Drive to N. Mayflower Drive is expected to be completed in 2023 using TID funds. The rezoning request is compatible with the zoning classifications of the adjacent commercial/industrial properties to the north, south, and east. The rezoning of this property to IND Industrial District classification is consistent with the Urban designation for this district as identified in the Grand Chute Comprehensive Plan and is also consistent with the Sports Facility District Master Plan which was establish during the development process of the Community First Champion Center.

A navigable stream runs through the northwest corner of the site with associated areas of floodplain and wetlands on the northern portions of the site. A Site Plan has also been submitted for this project and indicates the site is adequately sized and positioned to accommodate the proposed use within the requirements prescribed in the Zoning Code while largely avoiding the environmentally sensitive areas. Small areas of flood fringe will be impacted by the project and areas filled within 300' of the navigable stream will require approval from Outagamie County. Separate Site Plan approval is required prior to construction.

RECOMMENDATION
Staff has reviewed and supports a Plan Commission recommendation to rezone the property located on the southeast corner of N. Mayflower Drive and STH 15 from AGD General Agricultural District to IND Industrial District. (Ordinance No. O-07-2023)

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 22, 2023

APPOINTMENTS Finance Director
SUBSTITUTE
ORDINANCE # Z-2--2023-24
RESOLUTION # 43--2023-24

ADOPT & LOCK IN Finance Drector Appointment, Substitute Ordinance No. Z-2--2023-24 & Resolution No. 43--2023-24.

MOTION:

ADOPT & LOCK IN Finance Drector Appointment, Substitute Ordinance No. Z-2--2023-24 & Resolution No. 43--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 22, 2023

APPOINTMENTS Finance Director
SUBSTITUTE
ORDINANCE # Z-2--2023-24
RESOLUTION # 43--2023-24

Reconsideration of Finance Drector Appointment, Substitute Ordinance No. Z-2--2023-24 & Resolution No. 43--2023-24.

MOTION:

Reconsideration of Finance Drector Appointment, Substitute Ordinance No. Z-2--2023-24 & Resolution No. 43--2023-24.

MADE BY: Lawrence SECONDED BY: Nejedlo

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

SUBSTITUTE

DATE August 22, 2023 ORDINANCE # Z-2--2023-24

Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to adopt the petition of Cynthia Bungert, property owner, to rezone parcel 080097200, from the Residential Single-Family District to Residential Two-Family District in the Town of Ellington, as detailed on the ordinance and attachments.

MOTION: Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to adopt the petition of Cynthia Bungert, property owner, to rezone parcel 080097200, from the Residential Single-Family District to Residential Two-Family District in the Town of Ellington, as detailed on the ordinance and attachments.

MADE BY: VanderHeiden SECONDED BY: Lautenschlager

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DST	NAME	AYE	NAY	BSTAI	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED	x
DEFEATED	

SUBSTITUTE ORDINANCE NO.: Z-2—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY ZONING ORDINANCE. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 59.69 of the Wisconsin State Statutes.

Outagamie County Planning Staff Rezoning Review recommends approval. Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the following ordinance is presented by the Agriculture, Extension Education, Zoning, and Land Conservation Committee to the County Board.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does recommend adoption of the petition of Cynthia Bungert, property owner, to rezone parcel 080097200 from the Residential Single-Family District (RSF) to Residential Two-Family District (RTF). The location of the site is west of Wisconsin State Trunk Highway 76, Town of Ellington, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in the Town of Ellington upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and the execution and recording of the above stated deed covenants, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a certified copy of this ordinance to the Town of Ellington Clerk, the Outagamie County Zoning Administrator and the Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 22nd day of August, 2023.

Duly and officially adopted by the County Board on: August 22, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8.23.23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: ~~**June 20, 2023**~~ **August 14, 2023**
RE: **PL202300248 - Rezoning - County Review & Recommendation - REVISED**

Application Details:

Applicant and Owner:	Cynthia Bungert
Request:	Rezoning - County
Parcel:	080097200 (~~0.44~~ 0.57 acres)
Location:	West of Wisconsin State Trunk Highway 76 TOWN OF ELLINGTON
Public Hearing:	July 25, 2023 at 10:30 AM

Background & Analysis:

A County Rezoning request was received from Cynthia Bungert, property owner, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone parcel 080097200 (~~0.44~~ 0.57 acres) from the Residential Single-Family District (RSF) to Residential Two-Family District (RTF) to accommodate a duplex use.

Table 1 presents the existing land use and zoning district patterns and characteristics surrounding the site. The proposed duplex is compatible with the surrounding land use and zoning district patterns.

Table 1. Surrounding Land Use and Zoning District Patterns, Relative to Subject Site

Area Adjacent to Subject Site	Existing Zoning District	Existing Land Use
North	Local Commercial	Commercial
South	General Agriculture	Agriculture
East	Local Commercial	Residential
West	Residential Single-Family	Residential

The property is located within 300 feet of a navigable stream and a small portion of the very SW corner of the lot contains floodplain. These environmental conditions are not a significant concern as the applicant is not proposing to add on to the existing building. If an addition to the existing building is proposed in the future, a permit may be required.

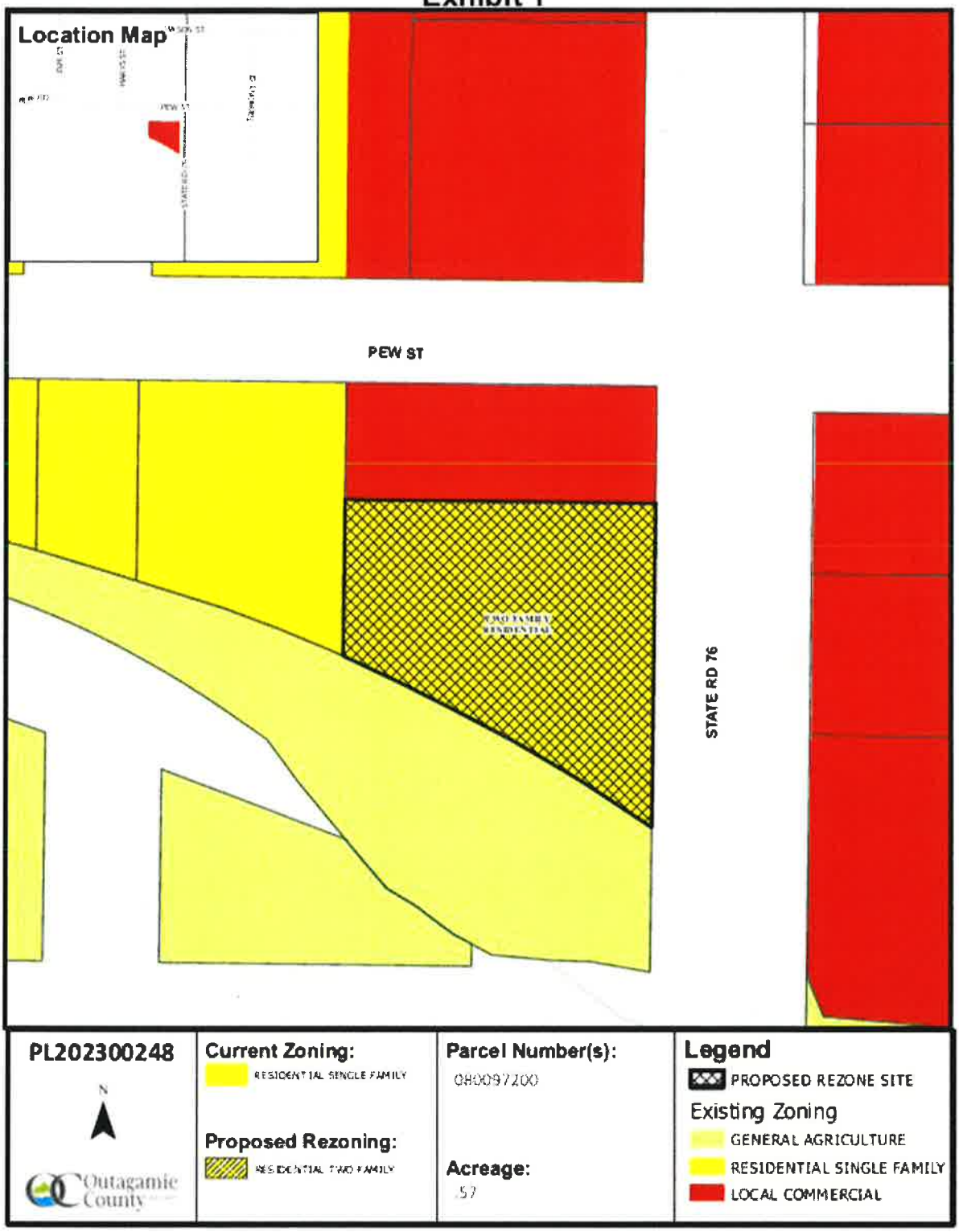
The Ellington Town Board reviewed this rezoning request on September 14, 2023~~2~~2 and recommended it for approval.

The Town of Ellington's general zoning is administered by the County and the County is statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3) Wis. Stats. County staff has identified the proposed rezone to be consistent with the County Comprehensive Plan as Outagamie County Comprehensive Plan designates this area as "Community Mixed Use." This designation allows a range of residential uses, including duplexes.

Staff Recommendation:

Based on our review and the above analysis of this proposed Rezoning – County, Staff recommends to: approve the proposed rezoning of parcel 080097200 from the from the Residential Single-Family District (RSF) to Residential Two-Family District (RTF).

Exhibit 1


Location Map
PEW ST
STATE RD 76
PL202300248
N
Outagamie County
Current Zoning:
RESIDENTIAL SINGLE FAMILY
Proposed Rezoning:
RESIDENTIAL TWO FAMILY
Parcel Number(s):
080097200
Acreage:
.57
Legend
PROPOSED REZONE SITE
Existing Zoning
GENERAL AGRICULTURE
RESIDENTIAL SINGLE FAMILY
LOCAL COMMERCIAL

Outagamie County

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4779
www.outagamie.org

TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

Town (or Applicable Village):	Ellington
Request:	Rezoning
Applicant or Petitioner Name:	Cynthia Bangert
Applicant Contact Information (Preferred):	9208526618
Site Parcel Number(s):	030097200
Site Address (if applicable):	N3633 St Rd 76 Harrison
Pre-Application Meeting Number (if applicable):	
Description of the Request: *(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)*	Rezone parcel from single family to multi-family

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of Ellington ☑, at a legally convened meeting of the Board held on 09/14/2022, voted to Approve ☑ the Rezoning ☑ request.

Rachael Vogerst
Clerk Signature

09-14-22
Date

Motion Outcome by a Vote of:	3	☑ For	0	☑ Against
General Comments/Reasons for the Decision: *(See next page for instructions. If needed, you may include additional pages.)*				

ORDINANCE NO.: Z-2—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY ZONING ORDINANCE. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 59.69 of the Wisconsin State Statutes.

Outagamie County Planning Staff Rezoning Review recommends approval. Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the following ordinance is presented by the Agriculture, Extension Education, Zoning, and Land Conservation Committee to the County Board.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does recommend adoption of the petition of Cynthia Bungert, property owner, to rezone parcel 080097200 from the Residential Single-Family District (RSF) to Residential Two-Family District (RTF). The location of the site is west of Wisconsin State Trunk Highway 76, Town of Ellington, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in the Town of Ellington upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and the execution and recording of the above stated deed covenants, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a certified copy of this ordinance to the Town of Ellington Clerk, the Outagamie County Zoning Administrator and the Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this ____ day of August, 2023.

Duly and officially adopted by the County Board on: _____

Signed: _____ _____
Board Chairperson County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **June 20, 2023**
RE: **PL202300248 - Rezoning - County Review & Recommendation**

Application Details:

Applicant and Owner:	Cynthia Bungert
Request:	Rezoning - County
Parcel:	080097200 (0.44 acres)
Location:	West of Wisconsin State Trunk Highway 76 TOWN OF ELLINGTON
Public Hearing:	July 25, 2023 at 10:30 AM

Background & Analysis:

A County Rezoning request was received from Cynthia Bungert, property owner, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone parcel 080097200 (0.44 acres) from the Residential Single-Family District (RSF) to Residential Two-Family District (RTF) to accommodate a duplex use.

Table 1 presents the existing land use and zoning district patterns and characteristics surrounding the site. The proposed duplex is compatible with the surrounding land use and zoning district patterns.

Table 1. Surrounding Land Use and Zoning District Patterns, Relative to Subject Site

Area Adjacent to Subject Site	Existing Zoning District	Existing Land Use
North	Local Commercial	Commercial
South	General Agriculture	Agriculture
East	Local Commercial	Residential
West	Residential Single-Family	Residential

The property is located within 300 feet of a navigable stream and a small portion of the very SW corner of the lot contains floodplain. These environmental conditions are not a significant concern as the applicant is not proposing to add on to the existing building. If an addition to the existing building is proposed in the future, a permit may be required.

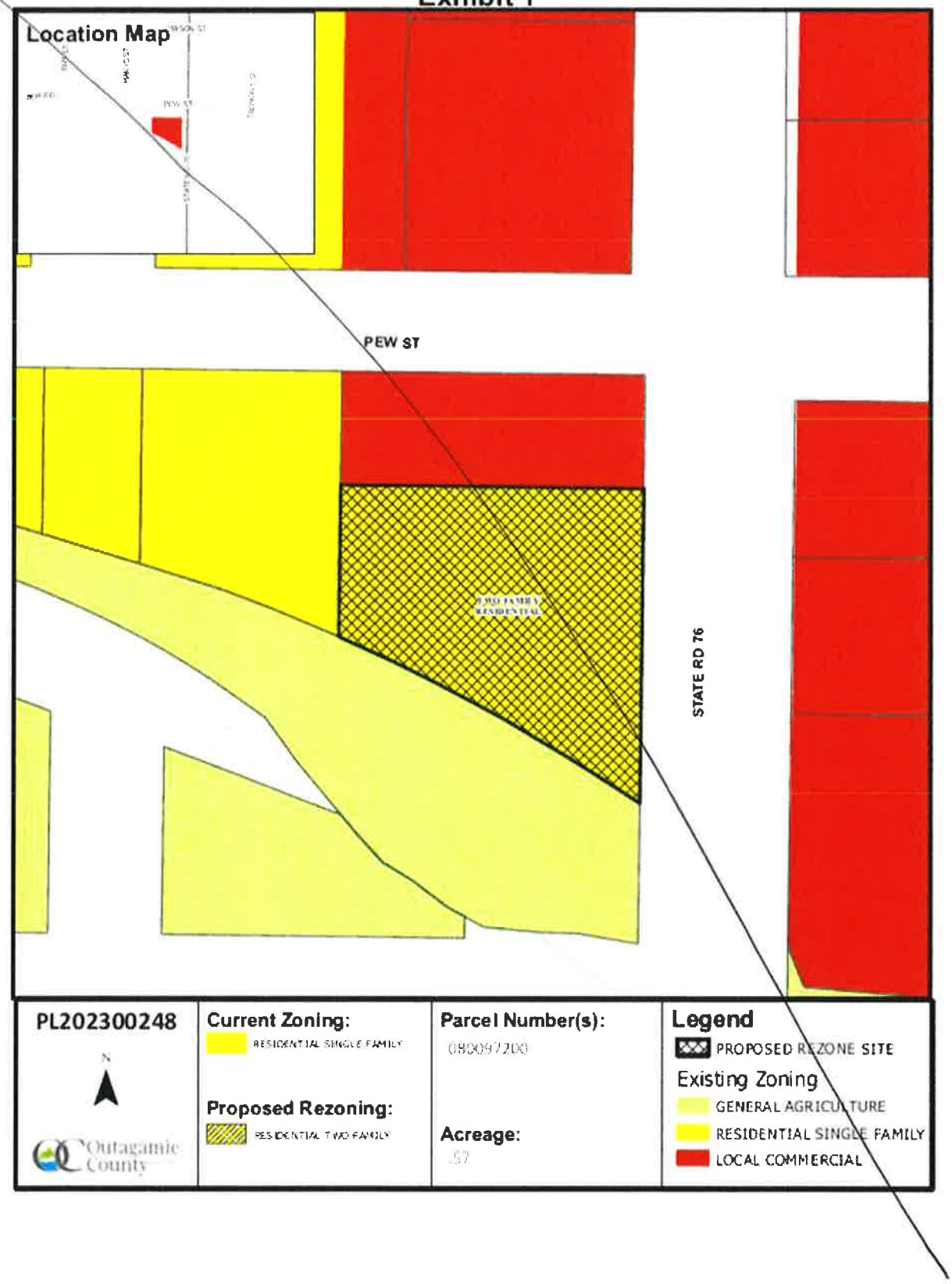
The Ellington Town Board reviewed this rezoning request on September 14, 2023 and recommended it for approval.

The Town of Ellington's general zoning is administered by the County and the County is statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3) Wis. Stats. County staff has identified the proposed rezone to be consistent with the County Comprehensive Plan as Outagamie County Comprehensive Plan designates this area as "Community Mixed Use." This designation allows a range of residential uses, including duplexes.

Staff Recommendation:

Based on our review and the above analysis of this proposed Rezoning – County, Staff recommends to: approve the proposed rezoning of parcel 080097200 from the from the Residential Single-Family District (RSF) to Residential Two-Family District (RTF).

Exhibit 1


Location Map
PEW ST
STATE RD 76
PL202300248
N
Outagamie County
Current Zoning:
RESIDENTIAL SINGLE FAMILY
Proposed Rezoning:
RESIDENTIAL TWO FAMILY
Parcel Number(s):
Acreage:
.57
Legend
PROPOSED REZONE SITE
Existing Zoning
GENERAL AGRICULTURE
RESIDENTIAL SINGLE FAMILY
LOCAL COMMERCIAL

Outagamie County

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4730
www.outagamie.org

TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

Town (or Applicable Village):	Ellington
Request:	Rezoning
Applicant or Petitioner Name:	Cynthia Rangert
Applicant Contact Information (Preferred):	9208350618
Site Parcel Number(s):	080917200
Site Address (if applicable):	N3633 St Rd 76 Harrison
Pre-Application Meeting Number (if applicable)	
Description of the Request: *(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)*	Rezone parcel from single family to multi-family

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of Ellington ☑, at a legally convened meeting of the Board held on 09/14/2022, voted to ☑ Approve ☑ the Rezoning ☑ request.

Rachael Ufgerst — Clerk Signature

09-14-22 — Date

Motion Outcome by a Vote of:	3	☑ For	0	☑ Against
General Comments/Reasons for the Decision: *(See next page for instructions. If needed, you may include additional pages.)*				

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 ORDINANCE # Z-3--2023-24

Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to adopt the petition of Jim Sehloff, applicant on behalf of PHH Investment Company, owner, to rezone parcels 200004800 and 200004903 from the General Agriculture District and Local Commercial District to the Residential Single-Family District, and rezone parcel 200005200 from the General Agriculture District and Residential Single-Family District to the Residential Single-Family District in the Town of Vandenbroek, as detailed on the ordinance and attachments.

MOTION: Approve to adopt the petition of Jim Sehloff, applicant on behalf of PHH Investment Company, owner, to rezone parcels 200004800 and 200004903 from the General Agriculture District and Local Commercial District to the Residential Single-Family District, and rezone parcel 200005200 from the General Agriculture District and Residential Single-Family District to the Residential Single-Family District in the Town of Vandenbroek, as detailed on the ordinance and attachments.

MADE BY: Lautenschlager SECONDED BY: Weinberg

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ORDINANCE NO.: Z-3—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY ZONING ORDINANCE. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 59.69 of the Wisconsin State Statutes.

Outagamie County Planning Staff Rezoning Review recommends approval. Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the following ordinance is presented by the Agriculture, Extension Education, Zoning, and Land Conservation Committee to the County Board.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does recommend adoption of the petition of Jim Sehloff, applicant on behalf of PHH Investment Company, owner, to rezone parcels 200004800 and 200004903 from the General Agriculture District (AGD) and Local Commercial District (CL) to the Residential Single-Family District (RSF), and rezone parcel 200005200 from the General Agriculture District (AGD) and Residential Single-Family District (RSF) to the Residential Single-Family District (RSF). The location of the site is East of STH 55, Town of Vandenbroek, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in the Town of Vandenbroek upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and the execution and recording of the above stated deed covenants, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a certified copy of this ordinance to the Town of Vandenbroek Clerk, the Outagamie County Zoning Administrator and the Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 8th day of August, 2023.

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **July 11, 2023**
RE: **PL202300279 - Rezoning - County Review & Recommendation**

Application Details:

Applicant and Owner:	Jim Sehloff, Applicant on Behalf of PHH Investment Company (owners)
Request:	Rezoning - County
Parcels:	200004800, 200004903, and 200005200
Location:	East of STH 55 TOWN OF VANDENBROEK
Public Hearing:	July 25, 2023 at 10:30 AM

Background & Analysis:

A County Rezoning request was received from Jim Sehloff, Applicant on behalf of PHH Investment Company, property owners, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone parcels 200004800, 200004903, and 200005200 (totaling about 33.37 acres) accordingly:

- Parcels 200004800 and 200004903 from the General Agriculture District (AGD) and the Local Commercial District (CL) to the Residential Single-Family District (RSF).
- Parcel 200005200 from the AGD and the RSF to the RSF.

The purpose of the rezoning request is to accommodate single-family residential uses via a 16-lot platted residential subdivision.

Table 1 presents the existing land use and zoning district patterns surrounding the site. The proposal is compatible with adjacent RSF zoned land to the west as well as residential plats in the general vicinity (particularly along Buchanan Road, less than a quarter mile to the west).

Table 1. Surrounding Land Use and Zoning District Patterns, Relative to Subject Site

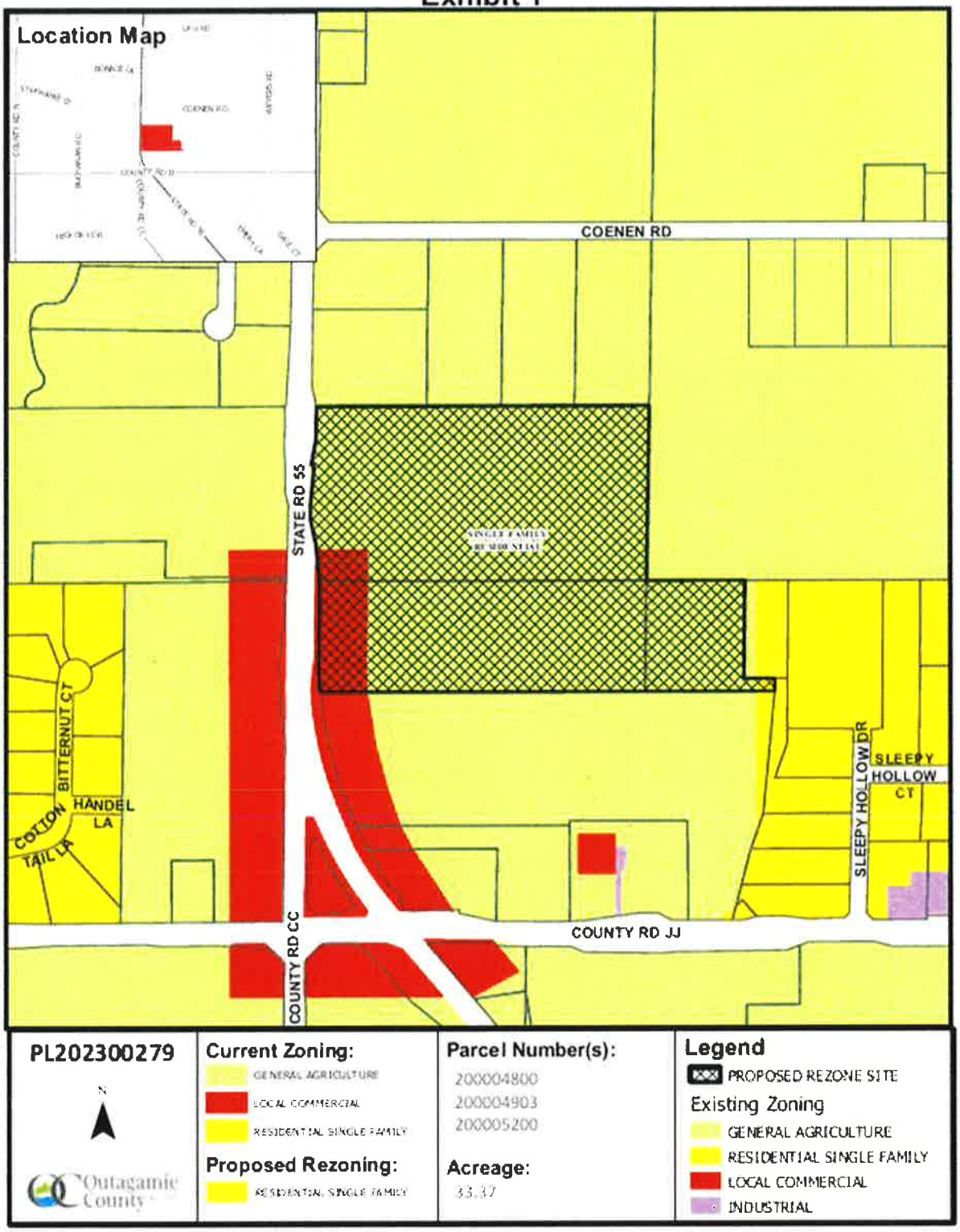
Area Adjacent to Subject Site	Existing Zoning District	Existing Land Use
North	AGD	Residential
South	AGD, CL, and RSF	Agriculture and Commercial
East	AGD and RSF	Agriculture, Residential, Forest Land

Area Adjacent to Subject Site	Existing Zoning District	Existing Land Use
West	AGD and CL	Agriculture, Residential, Forest Land

Hydric soils are present across all three parcels; mapped DNR wetlands are present on parcel 200004800. Steep slopes are present on parcel 200004800. A navigable stream meanders through parcel 200004800 and a majority share of that parcel is within the 300-foot stream buffer; a portion of parcel 200004903 is as well. Floodplain is also present on parcel 200004800. That said, the concept design appears to avoid development within these environmentally sensitive areas.
The Vandenbroek Town Board reviewed this rezoning request on May 10, 2023 and recommended it for approval.
The Town of Vandenbroek's general zoning is administered by the County and the County is statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3) Wis. Stats. County staff has identified the proposed rezone to be consistent with the County Comprehensive Plan as Outagamie County Comprehensive Plan designates this area as "Rural Character." This designation allows for a range of *potential* uses which includes platted residential subdivisions. In addition, a portion of each of the three parcels is designated as "Town Center / Highway Mixed Use" in the County Comprehensive Plan. This designation allows for a diversity of residential uses as *typical* uses.

Staff Recommendation:
Based on our review and the above analysis of this proposed Rezoning – County, Staff recommends to: approve the proposed rezoning of parcels 200004800, 200004903, and 200005200 to the Residential Single-Family District (RSF).

Exhibit 1


Location Map
COENEN RD
STATE RD 55
SINGLE FAMILY RESIDENTIAL
BITTERNUT CT
HANDEL LA
COCLON TAIL LA
SLEEPY HOLLOW DR
SLEEPY HOLLOW CT
COUNTY RD JJ
COUNTY RD CC
PL202300279
N
Outagamie County
Current Zoning:
GENERAL AGRICULTURE
LOCAL COMMERCIAL
RESIDENTIAL SINGLE FAMILY
Proposed Rezoning:
RESIDENTIAL SINGLE FAMILY
Parcel Number(s):
200004800
200004903
200005200
Acreage:
33.37
Legend
PROPOSED REZONE SITE
Existing Zoning
GENERAL AGRICULTURE
RESIDENTIAL SINGLE FAMILY
LOCAL COMMERCIAL
INDUSTRIAL

TOWN OF Vandenbroek
OUTAGAMIE COUNTY

I hereby certify that the Town Board of Vandenbroek, at a legally convened Meeting of the Town Board held on the 10th day of May, 2023, voted to **approve** or **deny** (please circle one) the following request:

- [X] Rezoning Request
- [ ] Special Exception
- [ ] Conditional Use
- [ ] Variance
- [ ] Appeal
- [X] Other Preliminary Plat

Petitioner: _____

File Number: _____

05/10/23
Dated

Town Clerk

Return to: **ZONING ADMINISTRATION**
3RD FLOOR OUTAGAMIE CO ADMINISTRATION BLDG
410 S WALNUT ST
APPLETON WI 54911

Retain a copy for Town's file.

Note: This form must accompany your application and must be filled out by the Town, and signed.

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammon	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 ORDINANCE # Z-4--2023-24

Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to adopt the petition of Jim Sehloff, applicant, on behalf of Dale & Amy Coenen, owners, to rezone parcel 080071906, 16.42 acres, from the General Agriculture District to the Residential Single-Family District in the Town of Ellington, as detailed on the ordinance and attachments.

MOTION: Approve to adopt the petition of Jim Sehloff, applicant, on behalf of Dale & Amy Coenen, owners, to rezone parcel 080071906, 16.42 acres, from the General Agriculture District to the Residential Single-Family District in the Town of Ellington, as detailed on the ordinance and attachments.

MADE BY: VanderHeiden SECONDED BY: Lautenschlager

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ORDINANCE NO.: Z-4—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY ZONING ORDINANCE. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 59.69 of the Wisconsin State Statutes.

Outagamie County Planning Staff Rezoning Review recommends approval. Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the following ordinance is presented by the Agriculture, Extension Education, Zoning, and Land Conservation Committee to the County Board.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does recommend adoption of the petition of Jim Sehloff, applicant, on behalf of Dale & Amy Coenen, owners, to rezone parcel 080071906, 16.42 acres, from the General Agriculture District (AGD) to the Residential Single-Family District (RSF). The location of the site is North of Grandview Road, Town of Ellington, Outagamie County, WI, as depicted on the attached review and map, which by reference is made a part hereof, and

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in the Town of Ellington upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and the execution and recording of the above stated deed covenants, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a certified copy of this ordinance to the Town of Ellington Clerk, the Outagamie County Zoning Administrator and the Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 8th day of August, 2023.

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **July 11, 2023**
RE: **PL202300290 - Rezoning - County Review & Recommendation**

Application Details:

Applicant and Owner:	Jim Sehloff, Applicant on Behalf of Amy and Dale Coenen (owners)
Request:	Rezoning - County
Parcel:	080071906 (16.42 acres)
Location:	North of Grandview Road TOWN OF ELLINGTON
Public Hearing:	July 25, 2023 at 10:30 AM

Background & Analysis:

A County Rezoning request was received from Jim Sehloff, Applicant on behalf of Amy and Dale Coenen, property owners, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone parcel 080071906 (16.42 acres) from the General Agriculture District (AGD) to the Residential Single-Family District (RSF). The rezoning proposal coincides with a two-lot county plat to accommodate two single-family residential uses.

Table 1 presents the existing land use and zoning district patterns and characteristics surrounding the site. The proposed residential uses are compatible with the adjacent residential development as well as the residential plats in proximity to the subject site to the east and west.

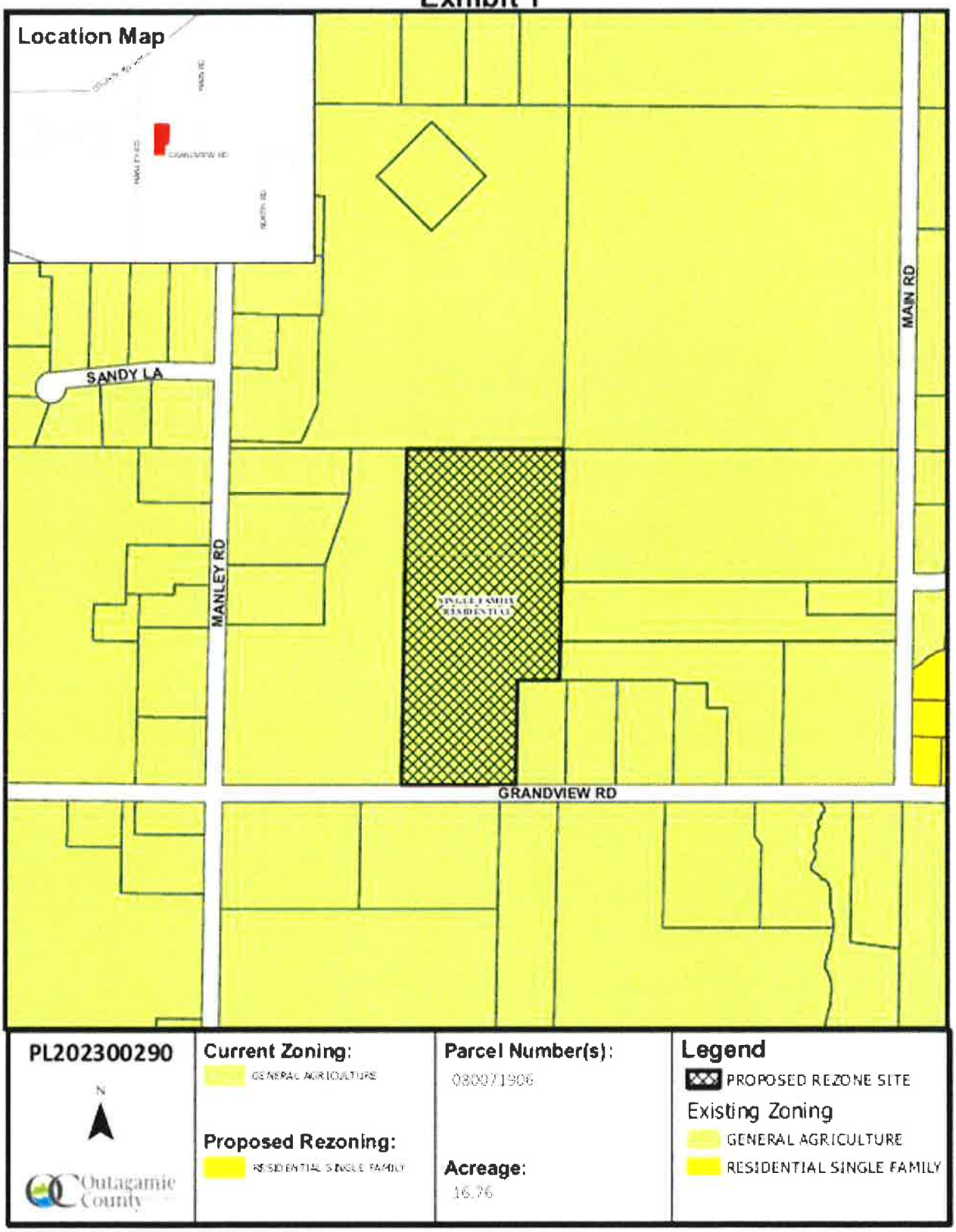
Table 1. Surrounding Land Use and Zoning District Patterns, Relative to Subject Site

Area Adjacent to Subject Site	Existing Zoning District	Existing Land Use
North	General Agriculture (AGD)	Residential
South	General Agriculture (AGD)	Residential
East	General Agriculture (AGD)	Residential and Agriculture
West	General Agriculture (AGD)	Agriculture

A very minor portion of the NW corner of the parcel contains mapped DNR wetlands. A portion of the NW corner of the parcel is located within 300 ft of a navigable stream. These environmental conditions do not pose a significant concern.
The parcel is highlighted in Wisconsin Historical Society's Archaeological Site Inventory Map with the following comment: "The current status of the site is unknown and additional investigation may need to be completed. Please consult with WHS Staff."
The Ellington Town Board reviewed this rezoning request on May 31, 2023 and recommended it for approval.
The Town of Ellington's general zoning is administered by the County and the County is statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3) Wis. Stats. County staff has identified the proposed rezone to be consistent with the County Comprehensive Plan as Outagamie County Comprehensive Plan designates this area as "Rural Character." This designation allows for a range of potential uses including platted residential subdivisions.

Staff Recommendation:
Based on our review and the above analysis of this proposed Rezoning – County, Staff recommends to: approve the proposed rezoning of parcel 080071906 (16.42 acres) from the General Agriculture District (AGD) to the Residential Single-Family District (RSF).

Exhibit 1


Location Map
SANDY LA
MANLEY RD
MAIN RD
GRANDVIEW RD
PL202300290
N
Outagamie County
Current Zoning:
GENERAL AGRICULTURE
Proposed Rezoning:
RESIDENTIAL SINGLE FAMILY
Parcel Number(s):
080071906
Acreage:
16.76
Legend
PROPOSED REZONE SITE
Existing Zoning
GENERAL AGRICULTURE
RESIDENTIAL SINGLE FAMILY

Outagamie County

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

Town (or Applicable Village):	Ellington
Request:	Rezoning
Applicant or Petitioner Name:	Dale Coenen
Applicant Contact Information (Preferred):	dcoenen@azco-inc.com
Site Parcel Number(s):	080071906
Site Address (if applicable):	Grandview Road
Pre-Application Meeting Number (if applicable):	NA
Description of the Request: *(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)*	Rezoning for a 2 lot subdivision due to max splits

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of Ellington, at a legally convened meeting of the Board held on 05/31/0223, voted to Approve ☑ the Rezoning request:

Rachael Vogt — Clerk Signature

6-1-23 — Date

Motion Outcome by a Vote of:	3	☑ For	0	☑ Against
General Comments/Reasons for the Decision: *(See next page for instructions. If needed, you may include additional pages.)*	The Ellington Town Board made a motion to approve the proposed rezoning of the Coenen property along Grandview Rd, to subdivision, due to the maximum splits on the parcel.			

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 ORDINANCE # B--2023-24

Legislative/Audit and Human Resources Committee. Approve the updated language amendments in Chapter 2, Section 2-49, Rule 6, of the Code of Ordinances as pertains to the appearance of non-board members, as detailed on the ordinance and attachments.

MOTION:

Approve the updated language amendments in Chapter 2, Section 2-49, Rule 6, of the Code of Ordinances as pertains to the appearance of non-board members.

MADE BY: Spears SECONDED BY: Konetzke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ORDINANCE NO.: B—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Legislative/Audit and Human Resources Committee is requesting to amend the Outagamie County Board Rules. The amendments include updating language in Section 2-49, Rule 6, as pertains to the appearance of non-board members.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve the following amendments to Chapter 2 of the Outagamie County Code of Ordinances (additions are underlined and in italics; deletions are struck through):

Section 2-49. Rule 6 – Appearance of non-Board members.

While the County Board is in session, nonmembers may only address the assembly or be on the Board floor under the following conditions:

(1) *Public participation.*

a. Public participation is limited to *Outagamie County residents, owners of businesses in Outagamie County, or Outagamie County property taxpayers. Participation is limited solely to* only matters listed on the agenda and for a total of 15 minutes, which may be extended to 30 minutes at the discretion of the Chair. Individual speakers are limited to three minutes per speaker. In the event the Board Chair determines that a virtual county board meeting is necessary, members of the public wishing to speak must register with the Legislative Services Office by 5:00 p.m. on the day of the county board meeting. If no member of the public registers in advance, public participation may be suspended by the Board Chair.

b. *All members of the public in attendance at the Board meeting shall conduct themselves in a manner which is respectful to the business conducted by the Board. Any member of the public, whether during public participation or otherwise, who acts unreasonably loud, boisterous, lewd, violent, otherwise disorderly, or interferes with the Board conducting business, shall be removed from the Board room and will be subject to any appropriate civil or criminal penalty.*

c. *All members of the public shall remain in the area designated by the Board and may not enter the Board floor unless allowed during public comment or by permission of the Chair.*

(2) *Administration*. Department heads and other County employees shall not address the County Board unless allowed to do so by unanimous consent or two third vote of those County Board members present granted by the County Board.

(3) *Special order of business.* A special order of business has been set to the agenda of the County Board stipulating the individual to be heard and the subject of the address.

(4) *Unanimous consent.* Unanimous consent is granted by the County Board in those cases where individuals have not been placed upon the agenda. If no Supervisor objects, the County Board Chair shall grant such privilege. Failing unanimous consent, a motion to suspend the rules, requiring a three-fourths vote of the members present, may be accepted by the Chair.

BE IT FURTHER ORDAINED, that this ordinance shall be in effect upon completion of publication in accordance with Wisconsin Statutes, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Corporation Counsel and Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 8th day of August 2023

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive

Sec. 2-49. Rule 6—Appearance of non-Board members.

While the County Board is in session, nonmembers may only address the assembly or be on the Board floor under the following conditions:

(1) ~~(1)~~ *Public participation.*

a. Public participation is limited to Outagamie County residents, owners of businesses in Outagamie County, or Outagamie County property tax payers. Participation is limited solely to~~to only~~ matters listed on the agenda and for a total of 15 minutes, which may be extended to 30 minutes at the discretion of the Chair. Individual speakers are limited to three minutes per speaker. In the event the Board Chair determines that a virtual county board meeting is necessary, members of the public wishing to speak must register with the Legislative Services Office by 5:00 p.m. on the day of the county board meeting. If no member of the public registers in advance, public participation may be suspended by the Board Chair.

b. All members of the public in attendance at the board meeting shall conduct themselves in a manner which is respectful to the business conducted by the board. Any member of the public, whether during public participation or otherwise, who acts unreasonably loud, boisterous, lewd, violent, otherwise disorderly, or interferes with the board conducting business, shall be removed from the board room and will be subject to any appropriate civil or criminal penalty.

a.c All members of the public shall remain in the area designated by the board and may not enter the board floor unless allowed during public comment or by permission of the Chair.

(2) *Administration.* Department heads and other County employees shall not address the County Board unless allowed to do so by unanimous consent or two third vote of those County Board members present granted by the County Board.

(3) *Special order of business.* A special order of business has been set to the agenda of the County Board stipulating the individual to be heard and the subject of the address.

(4) *Unanimous consent.* Unanimous consent is granted by the County Board in those cases where individuals have not been placed upon the agenda. If no Supervisor objects, the County Board Chair shall grant such privilege. Failing unanimous consent, a motion to suspend the rules, requiring a three-fourths vote of the members present, may be accepted by the Chair.

(Code 1992, § 2.03(6); Ord. No. B-1995-1996, 4-18-1995; Ord. No. C-1995-1996, 5-9-1995; Ord. No. D-1995-1996, § 2.03, 5-9-1995; Ord. of 8-8-1995; Ord. No. M-1995-96, 10-24-1995; Ord. No. A-1996-1997, 1-23-1996; Ord. of 4-16-1996; Ord. No. C-1996-1997, 5-14-1996; Ord. No. F-1996-97, 5-28-1996; Ord. No. A-1997-1998, 5-13-1997; Ord. No. F-1997-1998, 8-12-1997; Ord. No. G-1997-1998, 8-12-1997; Ord. of 4-21-1998, § 2.03(d); Ord. of 5-25-1999, § 2.03(18); Ord. No. A-2001-2002, § 2.03, 5-8-2001; Ord. No. A-2002-2003, § 2.03(6), 4-16-2002; Ord. No. A-2018-19, 5-22-2018; Ord. No. I-2019-20, 3-10-2020; Ord. No. A-2021-22 , 5-11-2021)

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

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MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 RESOLUTION # 36--2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail in Parcel 8 of Transportation Project Plat 6240-30-21 – 4.02, recorded as Document 2279508 in Outagamie County, as detailed on the attachments.

MOTION: Approve to authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail in Parcel 8 of Transportation Project Plat 6240-30-21 – 4.02, recorded as Document 2279508 in Outagamie County, as detailed on the attachments.

MADE BY: Culbertson SECONDED BY: Hammen

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 36—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The State of Wisconsin Department of Transportation (Wi DOT) is requesting a temporary limited easement on the Newton Blackmour State Trail in the Village of Black Creek (the village), Outagamie County, Wisconsin. The project includes asphalt resurfacing, pedestrian curb ramp upgrades and storm sewer repair in the village, guardrail replacement in the rural area north of the village, and some culvert repairs. The easement is needed for the Wi DOT to construct and improve the curb ramp area on the west side of STH 47 and for the trail detour area on the east side of STH 47 which is needed during upgrade to the trail.

NOW THEREFORE, the following resolution is presented by the Property, Airport, Recreation and Economic Development Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail in Parcel 8 of Transportation Project Plat 6240-30-21 – 4.02, recorded as Document 2279508 recorded in Outagamie County, Wisconsin; said land is shown on the attached State of Wisconsin Correspondence/Memorandum, Statement to Construction Engineer, and Temporary Limited Easement which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Parks Director and Wisconsin Department of Transportation, 944 Vanderperren Way, Green bay, WI 54304.

Dated this 8th day of August 2023.

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____
County Executive

CORRESPONDENCE/MEMORANDUM — State of Wisconsin

DATE: June 20, 2023 FILE REF: DOT 6240-30-21 Parcel 8

TO: Loren Dieck, Director of Parks, Outagamie County

FROM: Renee Kerska – Real Estate Specialist – SOD
Mike Duke – Recreational Liaison – Green Bay

SUBJECT: COVER MEMO – HIGHWAY RESURFACE PROJECT

1. Type of Transaction: Temporary Limited Easement
2. Name of Grantees: State of Wisconsin Dept of Transportation
3. Property Name and County: Newton Blackmour State Trail, Outagamie County
4. Acreage: .04 acres
5. Background and Justification:

The department has been contacted by Wisconsin Department of Transportation (Wi DOT) regarding their proposed resurface project beginning at Burdick Street in the Village of Black Creek and ends just south of Shady Road near the Shawano County line. In addition to the asphalt resurfacing, the project scope includes pedestrian curb ramp upgrades and storm sewer repair in the village, guardrail replacement in the rural area north of the village, and some culvert repairs.

The proposed project impacting department lands is located on the Newton Blackmour State Trail in the SE 1/4 of the SE 1/4 of Section 8 and the SW 1/4 of the SW 1/4 of Section 9, Township 23 North, Range 17 East, Village of Black Creek, Outagamie County Wisconsin. The Temporary Limited Easement (TLE) is needed for Wi DOT to construct and improve the curb ramp area on the west side of STH 47 and for the trail detour area on the east side of STH 47 which is needed during upgrade to the trail.

The proposed project includes reconstructing the east curb ramp at the Newton-Blackmour State Trail crossing of STH 47. The existing curb ramp is not fully ADA-compliant, posing an accessibility barrier to impaired trail users. To address this issue the curb ramp, detectable warning field, short-paved trail approach and approaching sidewalk would be replaced to be fully compliant with ADA standards. This would provide a permanent benefit to all trail users by increasing accessibility to this recreational facility. To maintain trail connectivity during curb ramp reconstruction, a temporary detour would be provided around the work area. The detour would follow a grassed area immediately south of the existing trail crossing. The roadway plans would include the trail detour construction details and signing. The highway contractor would be responsible for constructing/maintaining/removing the detour as well as the associated detour signing. The temporary trail detour surface would be a minimum of 8' wide and consist of compacted gravel with temporary barricades along both sides for trail delineation. A temporary curb ramp would be provided for crossing STH 47 outside of the work area. Proposed improvements near the trail detour crossing include storm sewer and sidewalk replacement. This work would be staged and scheduled to avoid conflicts with the in-use trail detour. The duration of permanent trail curb ramp reconstruction is expected to be approximately 1 week in the summer of 2024, and contract documents would require completion within 5 continuous days of the week to avoid weekend trail use. After the trail detour is no longer needed, the gravel surface would be removed and grassed area restored to pre-construction conditions.

The department's Environmental Analysis & Review Specialist have reviewed NHI and BRRTS with no concerns for NHI. BRRTS has identified a number of sites within the Village limits. Often the department's

Printed on Recycled Paper

R&R Hydrogeologists are involved with DOT projects of this type or construction project. There are no sites identified in the project location.

Please see attached document for details. If you have any questions, please let me know.

Renee Kerska

STATEMENT TO CONSTRUCTION ENGINEER

RE1528 11/2022 s. 84.09 IA,'Js.Stats.

Wisconsin Department of Transportation

Provide copies to: project engineer and owner

Owner Name(s) State of Wisconsin, Department of Natural Resources, a Wisconsin state agency	**Property Address** Newton Blackmour State Trail Black Creek,\i\1154'10(1 **Mailing Address** 427 E Tower Dr. Suite 100, Wautoma, WI 54982	**Area code - phone** **Home:** Cell: **Work:**
Tenant, if any **Newton Blackmour State Trail Manager:** **Loren Dieck** **Director of Parks**	**Property Address** Newton Blackmour State Trail 13/ack Creek. WI 5416(1 **Mailing Address** **Email:** Loren.Dieck@outagamie.org	**Work: (920)832-4791**

- **All commitments agreed upon between negotiator and property owner are listed below.**
- **All commitments are subject to approval of.**
- **Basic concepts of construction project have been explained to owner.**
- **No other commitments, either verbal or implied, are valid.**

Commitments made (fences, driveways, trees, drainage or other items):

See additional terms and conditions listed on the TLE: (LaTS 39381)

Other matters of interest and owner concerns:
Contractor in charge of project needs to be in contact with Outagamie County Director of Parks, Loren Dieck, who has management responsibilities for the Newton Blackmour State Trail regarding project area effecting the state trail such as; construction start dates, coordination with trail detour signs, notices in papers, any questions with trail upgrade materials, construction and restoration of trail detour etc.

Terry H. Bay 6/28/23
Property Owner Signature **Date**

Negotiator Signature **Date**

Terry H. Bay, Bureau Director Facilities and Lands
Property Owner Signature **Date**

Joua Dorner
Print Negotiator Name

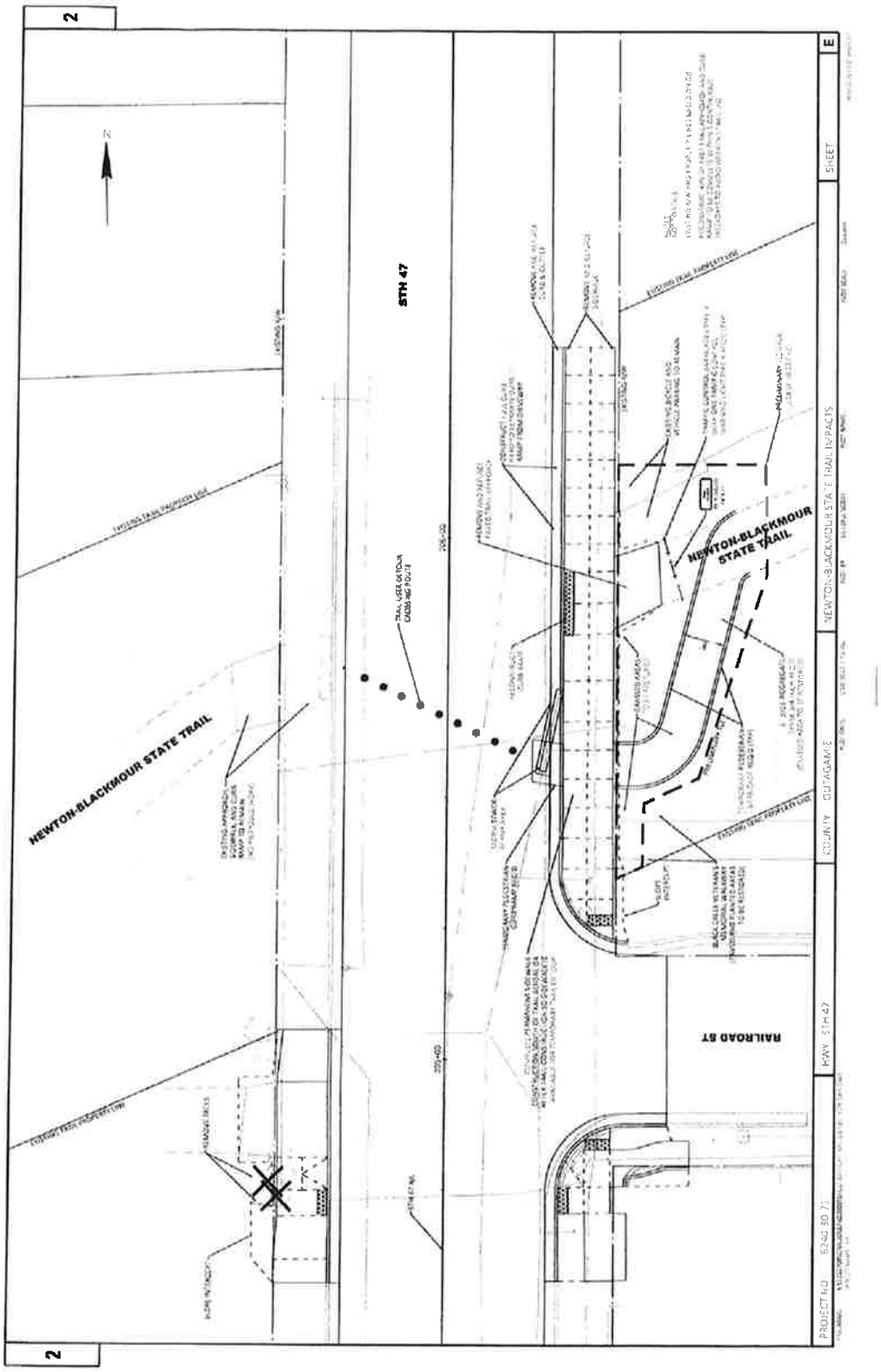
Commitments Approved:

Approving Authority Signature and Title **Date**

Print Approving Authority Name

QJ1 0 1 19 8 5

Project ID	County	Parcel No
6240-30-21	Outagamie	8


STH 47
NEWTON-BLACKMOUR STATE TRAIL
NEWTON-BLACKMOUR STATE TRAIL
RAILROAD ST
NEWTON-BLACKMOUR STATE TRAIL IMPACTS
COUNTY GUTTENBERG
HWY STH 47
SHEET
PROJECT NO 5240-30-71

TEMPORARY LIMITED EASEMENT

Wisconsin Department of Transportation
Exempt from fee: s. 77.25(2r) Wis. Stats.
Exempt from filing transfer form [s. 77.21(1), 77.22(1) Wis. Stats.]
RE1577 11/2022

THIS EASEMENT, made by **State of Wisconsin, Department of Natural Resources, a Wisconsin state agency** GRANTOR, conveys a temporary limited easement as described below to the **Wisconsin Department of Transportation**, GRANTEE, for the sum of **Two Thousand Eight Hundred and 00/100 Dollars ($2,800.00)** for the purpose of **construction**.

This space is reserved for recording data

Return to
Wisconsin Department of Transportation
944 Vanderperren Way
Green Bay, WI 54304 LaTS 39381

Parcel Identification Number/Tax Key Number

Additional terms and conditions:

1. **Conditions of Construction and Maintenance.** Relating to installation, construction, operation, maintenance, removal and replacement work within the Easement Area, work shall be completed as follows:
   a. Other than as otherwise permitted herein, the Trail should remain open for public use at all times. Trail closures will not be allowed during snowmobile season and may not be allowed at certain times during bicycling season depending on planned events, activities, or volume of use. All closures must be coordinated with the Grantor's Trail Manager. Any Trail closure of more than 1 day may be done only with prior written permission of the Grantor's Trail Manager.
   b. If the Trail must be blocked at any time due to safety, a flag person must be present or appropriate signage must be installed such that Trail users are informed of the blockage and an acceptable detour (if needed) must be provided by the Grantee so users can pass through safely. Grantee shall not use the Trail for backing of any equipment unless a flag person is present and directing Trail traffic.
   c. Warning signs, lights, or such other safety markers as necessary shall be placed informing Trail users of any construction work or as otherwise directed by the Grantor's Trail Manager.
   d. If needed, as determined by the Grantor's Trail Manager, Grantee shall place passable barricades at entry points for trail users that require trail users to substantially reduce their speed and proceed single file. Barricade points must include signs stating that construction activities are taking place along the Trail, listing a reduced speed limit, and indicating 2-way, single-file traffic.
   e. All excavated open holes must be adequately marked at all times by the Grantee and warning signs must be placed and maintained by Grantee a safe distance ahead in both directions.
   f. All excavated holes shall be filled in and made level with the original grade by the Grantee prior to project activity completion.
   g. Insofar as is practicable and when the Grantor requests other than during the initial construction or due to an emergency situation, the Grantee shall schedule any construction work in an area used for recreational purposes at times when the ground is frozen in order to prevent or reduce soil compaction. All work will be conducted to minimize soil disturbance. All rutting will be repaired, and the Premises restored as promptly as possible by Grantee following its work. If soils are not frozen or stable to a point that avoids rutting, timber mats, mud tracks, or equivalent must be utilized to access installation, construction, maintenance, removal or replacement locations.
   h. Any and all ground settling or Trail surface damage caused by the exercise of the Grantee's rights within a 2-year period from the date of installation or of any maintenance is the sole responsibility of the Grantee and must be restored or repaired to pre-construction or better conditions using the same type and quality materials as approved by the Grantor's Trail Manager. Upon failure to perform by the Grantee within 20 days of notification by the Grantor's Trail Manager of needed repairs or restoration, repairs or restoration may be contracted by the Grantor's Trail Manager and the Grantee shall be liable for all costs associated with such repairs and restoration.
   i. Grantee shall not park or store any vehicles or equipment on the Trail at any time unless authorized in writing by Grantor or Grantor's Trail Manager.

2. AREMA Compliance. The Premises may be encumbered by federal or state railroad interest and subject to future restoration and reconstruction of the right-of-way for rail purposes consistent with Section 208 of the National Trails System Act Amendment of 1983, Publ. L. No. 98-11 (16 U.S.C. 1247(d)) or Wis. Stat. s. 85.09, including possible termination of this Easement, and subject to reservations, exceptions and leases,

agreements and permits authorized by the former railroad company or the Grantor prior to the execution of this Easement. Grantor shall provide written notice of the necessity for the reestablishment of railroad, which may result in the termination of this Easement upon the discretion of the railroad. Grantee shall: (1) not materially change the grade or topography of the Trail or the Easement Area; (2) not construct and install or remove any permanent improvement which violates American Railway Engineering and Maintenance-of-Way Association ("AREMA"), or its successors' published practices and procedures or would make such reestablishment of railroad impracticable; and (3) not allow the installation of any facility, above or below grade that does not conform to AREMA's standards or clearances for railroad.

LEGAL DESCRIPTION IS ATTACHED AND MADE A PART OF THIS DOCUMENT BY REFERENCE.

The undersigned certify that this instrument is being executed pursuant to a resolution of the board of directors (or shareholders, if authorized by law) of GRANTOR corporation.

CORPORATE ACKNOWLEDGEMENT:

State of Wisconsin, Department of Natural Resources, a Wisconsin state agency
Corporation Name

6-28-23
Date

Terry H. Bay 6/28/23
Officer Signature Date

Terry H. Bay, Bureau Director Facilities and Lands
Print Name and Title

Officer Signature Date

Print Name and Title

County Consent to Temporary Limited Easement

Board Chairperson Date

County Clerk Date

County Executive Date

State of Wisconsin)
) ss.
Dane County)
On the above date, this instrument was acknowledged before me by the named person(s).

The signer was: X Physically in my presence, OR

___ In my presence involving the use of communication technology.

Connie M. Scott
Signature, Notary Public, State of Wisconsin

Connie M. Scott
Print Name, Notary Public, State of Wisconsin

5-3-27
Date Commission Expires

NOTARY PUBLIC CONNIE M. SCOTT STATE OF WISCONSIN

QJ1037491

This instrument was drafted by
Wisconsin Department of Transportation

Project ID
6240-30-21

Parcel No.
8

LEGAL DESCRIPTION

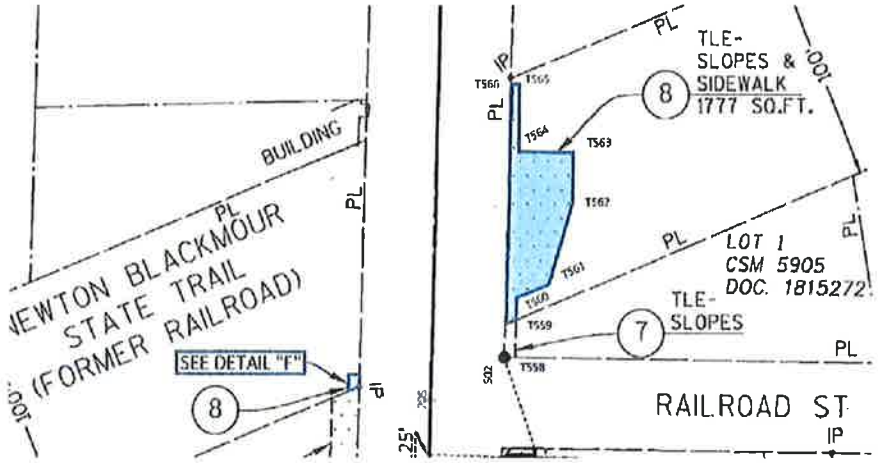
Parcel 8 of Transportation Project Plat 6240-30-21 – 4.02, recorded as Document 2279508 recorded in Outagamie County, Wisconsin.

Property interests and rights of said Parcel 8 consist of:

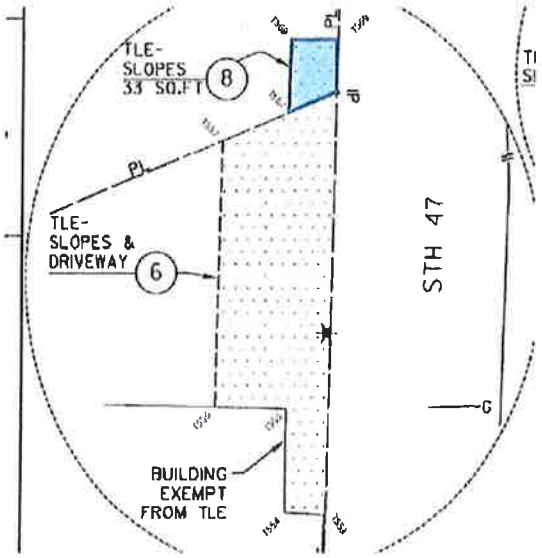
Temporary Limited Easement

The Temporary Limited Easement shall be released upon finalization of Transportation Project identified above.

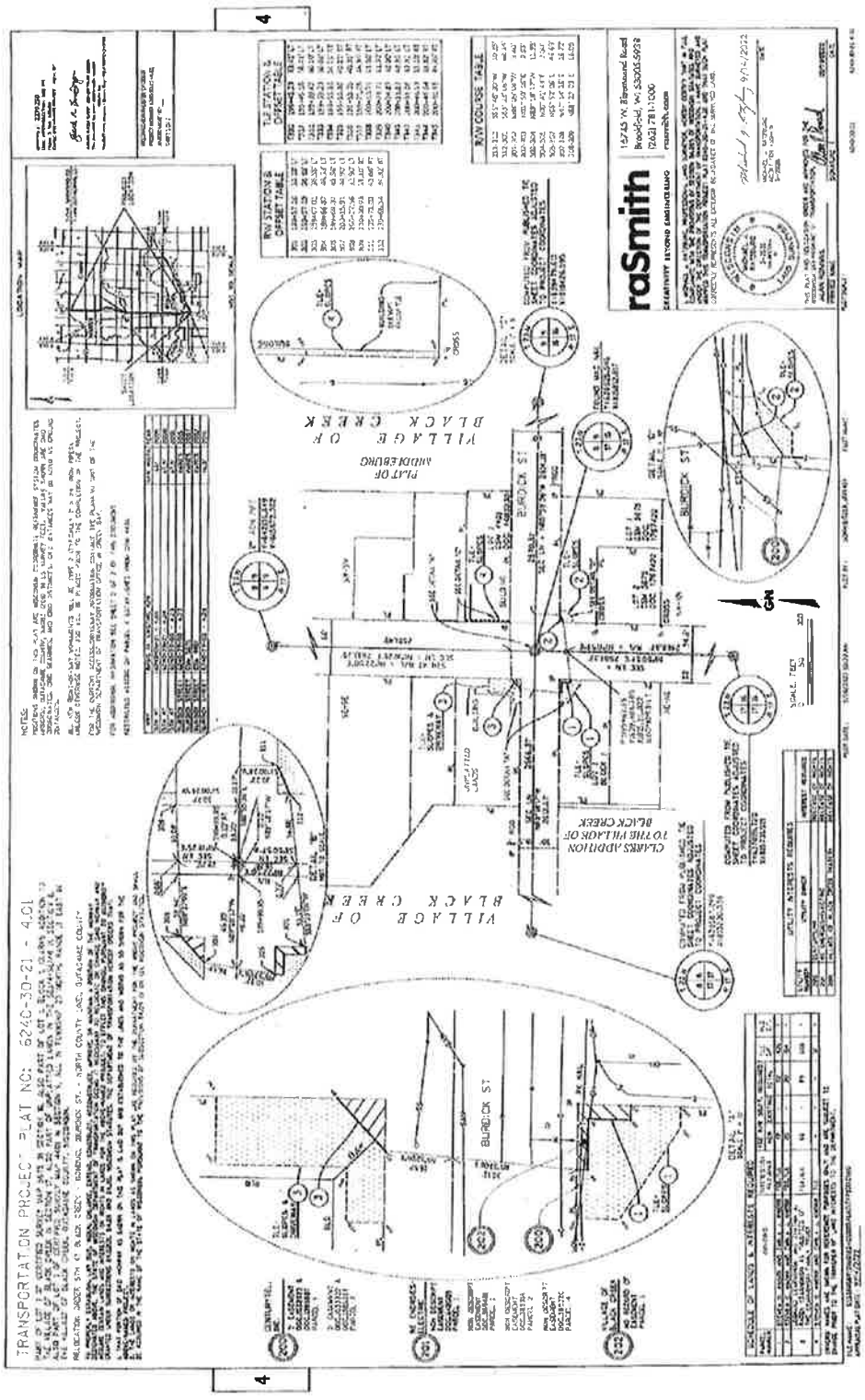
Parcel 8 – WDNR

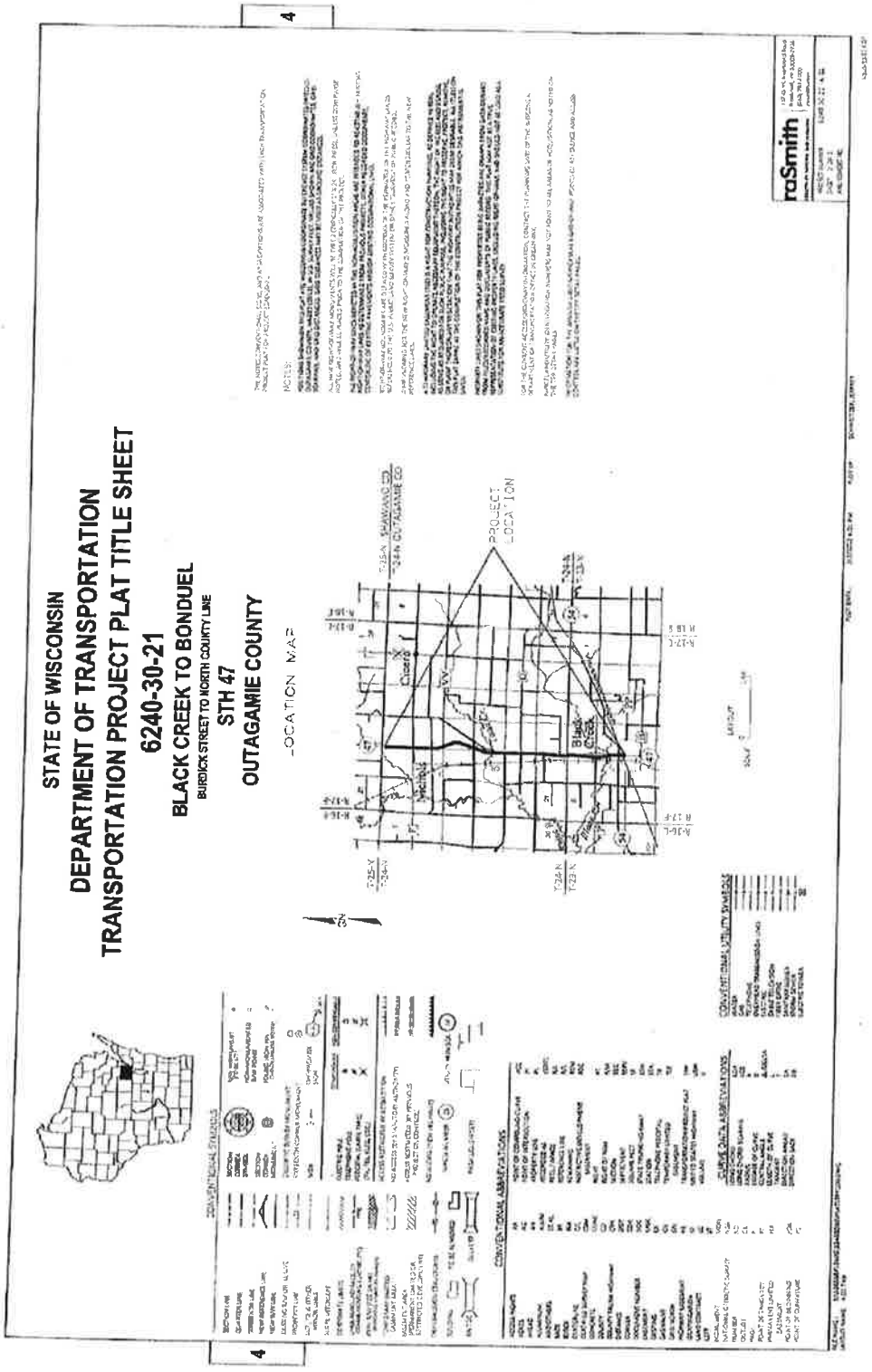


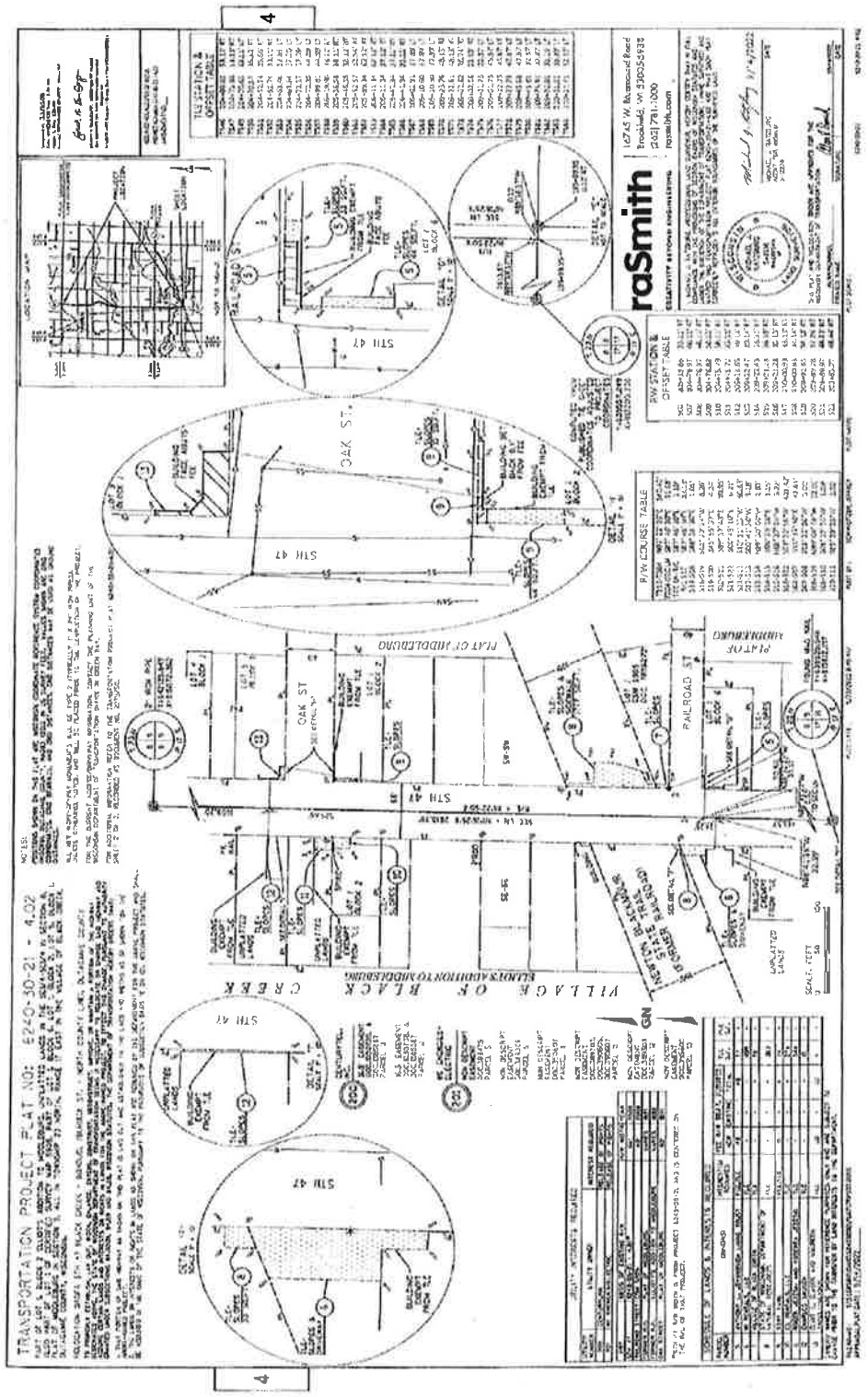
Detail F

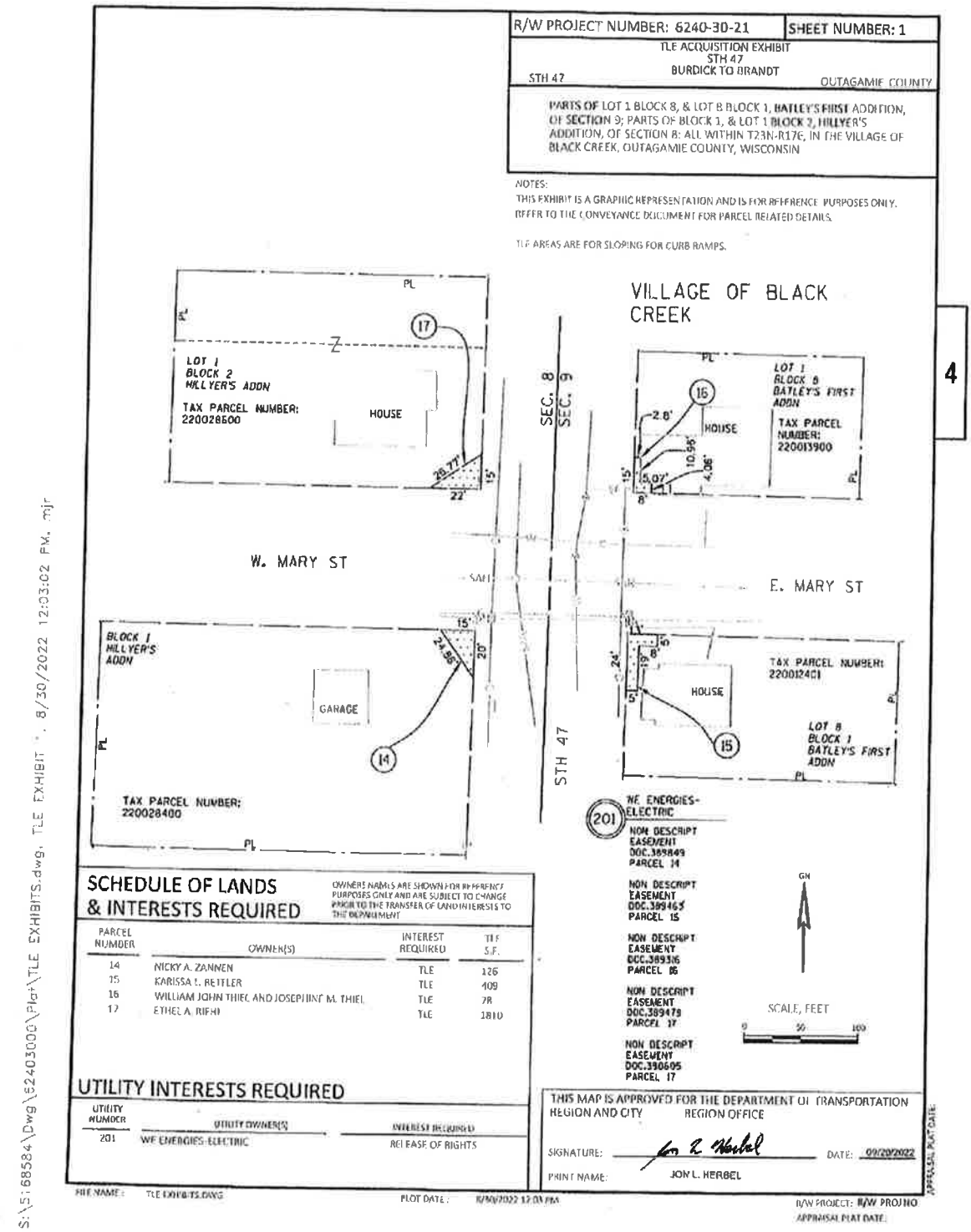


SCHEDULE OF LANDS		INTERESTS REQUIRED					
PARCEL NUMBER		INTEREST(S) REQUIRED	FEE R/W SQ.FT. REQUIRED			TLE S.F.	PLE S.F.
			NEW	EXISTING	TOTAL		
8	STATE OF WISCONSIN, DEPARTMENT OF NATURAL RESOURCES	TLE	-	-	-	1810	-

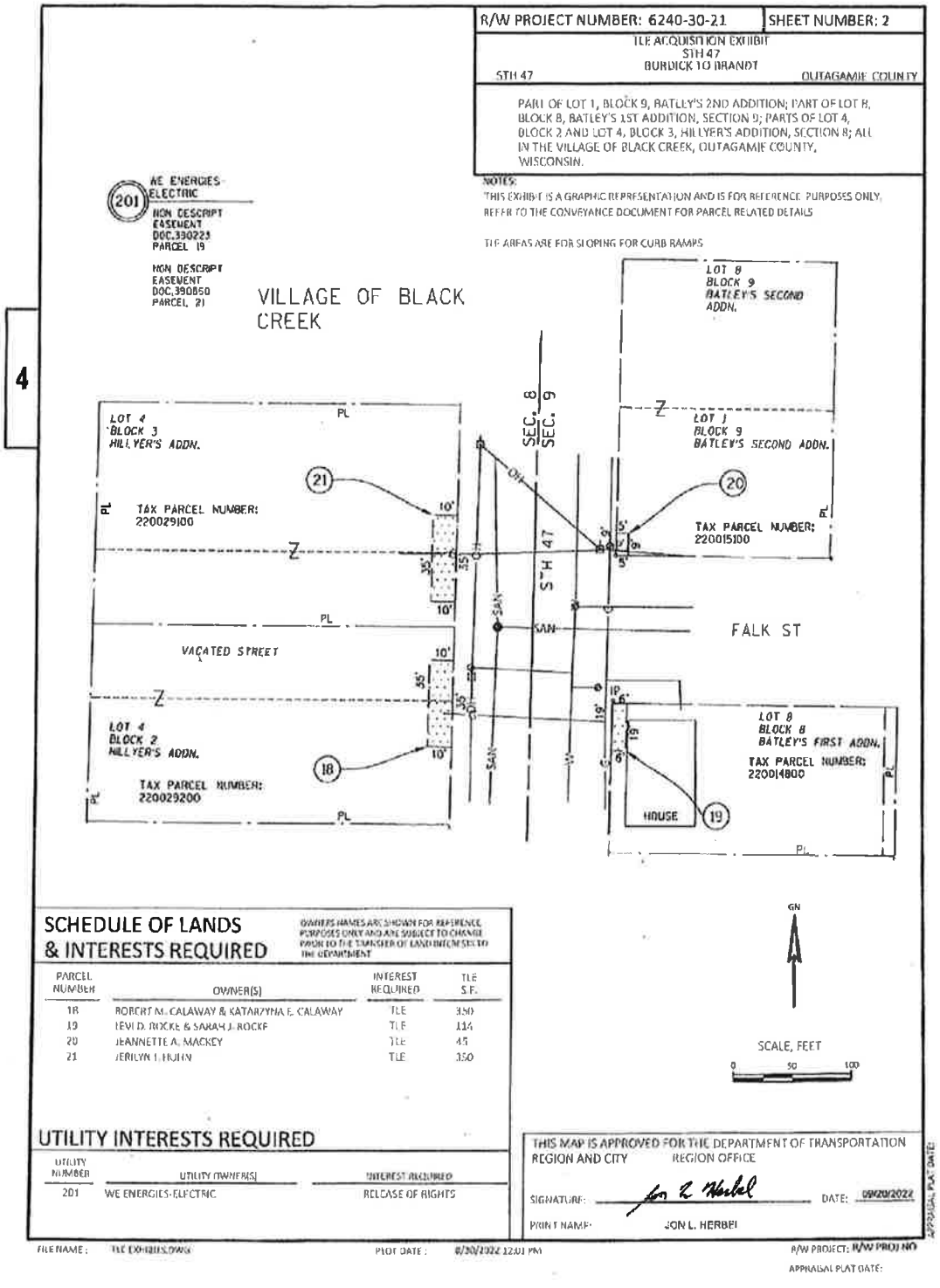

TRANSPORTATION PROJECT PLAT NO: 5240-30-21 - 4.01
VILLAGE OF BLACK CREEK
BURDICK ST
CLARKS ADDITION TO THE VILLAGE OF BLACK CREEK
raSmith

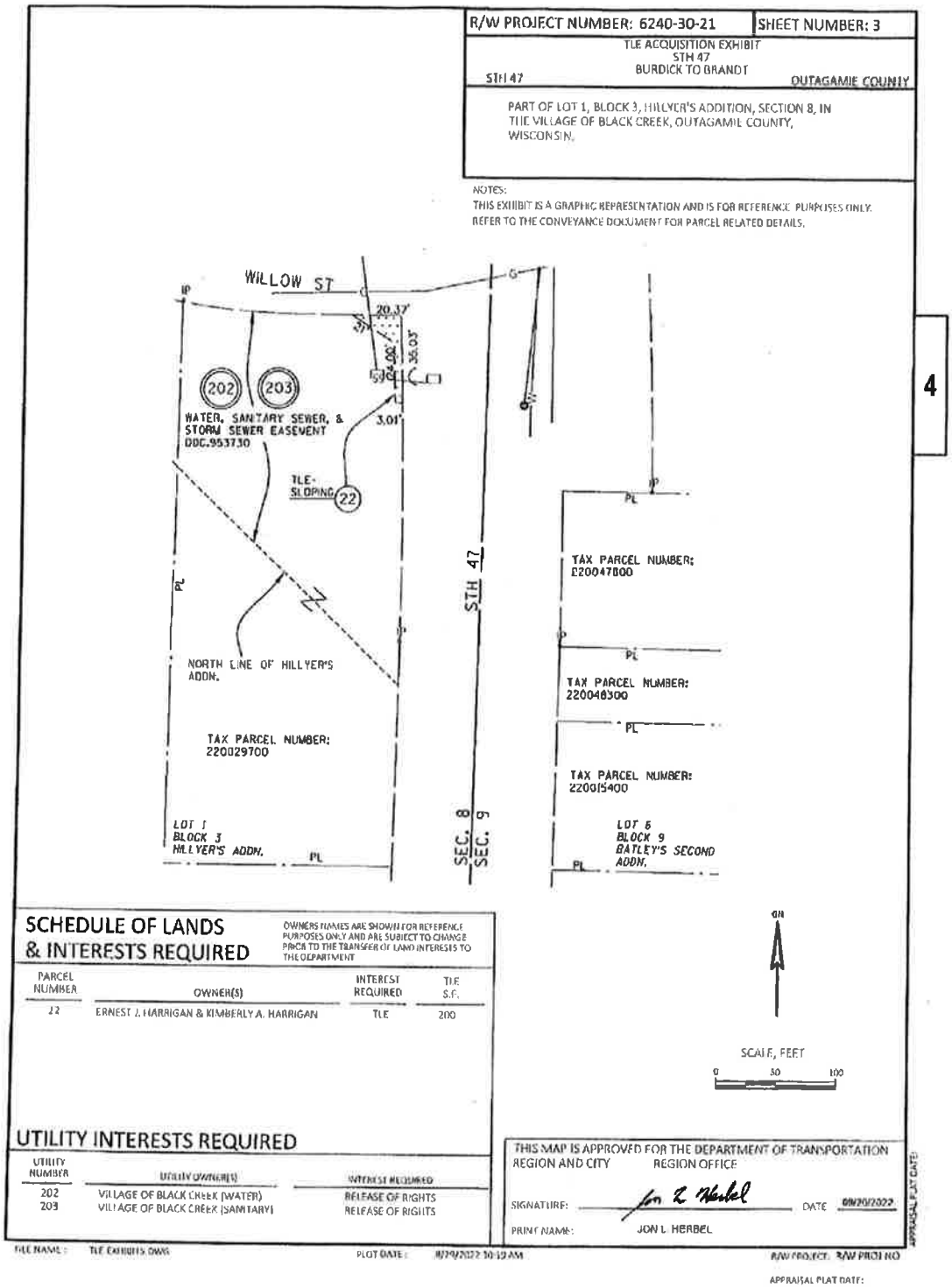

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
TRANSPORTATION PROJECT PLAT TITLE SHEET
6240-30-21
BLACK CREEK TO BONDUEL
BURDICK STREET TO NORTH COUNTY LINE
STH 47
OUTAGAMIE COUNTY
LOCATION MAP
PROJECT LOCATION
raSmith


TRANSPORTATION PROJECT PLAT NO: 6240-30-21 - 4.02
OAK ST.
RAILROAD ST
VILLAGE OF BLACK CREEK
STH 47
raSmith


R/W PROJECT NUMBER: 6240-30-21
SHEET NUMBER: 1
TLE ACQUISITION EXHIBIT
STH 47
BURDICK TO BRANDT
STH 47
OUTAGAMIE COUNTY
PARTS OF LOT 1 BLOCK 8, & LOT 8 BLOCK 1, BATLEY'S FIRST ADDITION, OF SECTION 9; PARTS OF BLOCK 1, & LOT 1 BLOCK 2, HILLYER'S ADDITION, OF SECTION 8: ALL WITHIN T23N-R17E, IN THE VILLAGE OF BLACK CREEK, OUTAGAMIE COUNTY, WISCONSIN
NOTES:
THIS EXHIBIT IS A GRAPHIC REPRESENTATION AND IS FOR REFERENCE PURPOSES ONLY. REFER TO THE CONVEYANCE DOCUMENT FOR PARCEL RELATED DETAILS.
TLE AREAS ARE FOR SLOPING FOR CURB RAMPS.
VILLAGE OF BLACK CREEK
LOT 1 BLOCK 2 HILLYER'S ADDN
TAX PARCEL NUMBER: 220028600
HOUSE
LOT 1 BLOCK 8 BATLEY'S FIRST ADDN
TAX PARCEL NUMBER: 220013900
W. MARY ST
E. MARY ST
SEC. 8
SEC. 9
BLOCK 1 HILLYER'S ADDN
GARAGE
TAX PARCEL NUMBER: 220028400
TAX PARCEL NUMBER: 220012401
LOT 8 BLOCK 1 BATLEY'S FIRST ADDN
STH 47
WE ENERGIES-ELECTRIC
NON DESCRIPT EASEMENT DOC.389849 PARCEL 14
NON DESCRIPT EASEMENT DOC.389463 PARCEL 15
NON DESCRIPT EASEMENT DOC.389316 PARCEL 16
NON DESCRIPT EASEMENT DOC.389479 PARCEL 17
NON DESCRIPT EASEMENT DOC.390695 PARCEL 17
SCALE, FEET
SCHEDULE OF LANDS & INTERESTS REQUIRED
OWNERS NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS TO THE DEPARTMENT
PARCEL NUMBER | OWNER(S) | INTEREST REQUIRED | TLE S.F.
14 | NICKY A. ZANNEN | TLE | 126
15 | KARISSA L. RETTLER | TLE | 109
16 | WILLIAM JOHN THIEL AND JOSEPHINE M. THIEL | TLE | 78
17 | ETHEL A. RIEHL | TLE | 1810
UTILITY INTERESTS REQUIRED
UTILITY NUMBER | UTILITY OWNER(S) | INTEREST REQUIRED
201 | WE ENERGIES-ELECTRIC | RELEASE OF RIGHTS
THIS MAP IS APPROVED FOR THE DEPARTMENT OF TRANSPORTATION
REGION AND CITY REGION OFFICE
SIGNATURE:
PRINT NAME: JON L. HERBEL
DATE: 09/20/2022
FILE NAME: TLE EXHIBITS.DWG
PLOT DATE: 8/30/2022 12:03 PM
R/W PROJECT: R/W PROJ NO
APPRAISAL PLAT DATE:
S:\S\68584\Dwg\6240300\Plat\TLE EXHIBITS.dwg, TLE EXHIBIT *, 8/30/2022 12:03:02 PM, mjr

4


R/W PROJECT NUMBER: 6240-30-21
SHEET NUMBER: 2
TLE ACQUISITION EXHIBIT
STH 47
BURDICK TO BRANDT
STH 47
OUTAGAMIE COUNTY
PART OF LOT 1, BLOCK 9, BATLEY'S 2ND ADDITION; PART OF LOT 8, BLOCK 8, BATLEY'S 1ST ADDITION, SECTION 9; PARTS OF LOT 4, BLOCK 2 AND LOT 4, BLOCK 3, HILLYER'S ADDITION, SECTION 8; ALL IN THE VILLAGE OF BLACK CREEK, OUTAGAMIE COUNTY, WISCONSIN.
NOTES:
THIS EXHIBIT IS A GRAPHIC REPRESENTATION AND IS FOR REFERENCE PURPOSES ONLY. REFER TO THE CONVEYANCE DOCUMENT FOR PARCEL RELATED DETAILS
TLE AREAS ARE FOR SLOPING FOR CURB RAMPS
WE ENERGIES ELECTRIC
NON DESCRIPT EASEMENT DOC.390223 PARCEL 19
NON DESCRIPT EASEMENT DOC.390850 PARCEL 21
VILLAGE OF BLACK CREEK
LOT 8 BLOCK 9 BATLEY'S SECOND ADDN.
LOT 4 BLOCK 3 HILLYER'S ADDN.
LOT 1 BLOCK 9 BATLEY'S SECOND ADDN.
TAX PARCEL NUMBER: 220029100
TAX PARCEL NUMBER: 220015100
SEC. 8
SEC. 9
STH 47
FALK ST
VACATED STREET
LOT 4 BLOCK 2 HILLYER'S ADDN.
TAX PARCEL NUMBER: 220029200
LOT 8 BLOCK 8 BATLEY'S FIRST ADDN.
TAX PARCEL NUMBER: 220014800
HOUSE
SCHEDULE OF LANDS & INTERESTS REQUIRED
OWNERS NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND FROM SELLER TO THE DEPARTMENT
PARCEL NUMBER | OWNER(S) | INTEREST REQUIRED | TLE S.F.
18 | ROBERT M. CALAWAY & KATARZYNA E. CALAWAY | TLE | 350
19 | LEVI D. ROCKE & SARAH J. ROCKE | TLE | 114
20 | JEANNETTE A. MACKEY | TLE | 45
21 | JERILYN I. HUHN | TLE | 350
UTILITY INTERESTS REQUIRED
UTILITY NUMBER | UTILITY OWNER(S) | INTEREST REQUIRED
201 | WE ENERGIES-ELECTRIC | RELEASE OF RIGHTS
GN
SCALE, FEET
0 50 100
THIS MAP IS APPROVED FOR THE DEPARTMENT OF TRANSPORTATION
REGION AND CITY
REGION OFFICE
SIGNATURE:
DATE: 08/30/2022
PRINT NAME: JON L. HERBEL
FILE NAME: TLE EXHIBITS.DWG
PLOT DATE: 8/30/2022 12:01 PM
R/W PROJECT: R/W PROJ NO
APPRAISAL PLAT DATE:
S:\5168584\Dwg\6240300\Plat\TLE EXHIBITS.dwg, TLE EXHIBIT 2, 8/30/2022 12:01:47 PM, mjr


R/W PROJECT NUMBER: 6240-30-21
SHEET NUMBER: 3
TLE ACQUISITION EXHIBIT
STH 47
BURDICK TO BRANDT
STH 47
OUTAGAMIE COUNTY
PART OF LOT 1, BLOCK 3, HILLYER'S ADDITION, SECTION 8, IN THE VILLAGE OF BLACK CREEK, OUTAGAMIE COUNTY, WISCONSIN.
NOTES:
THIS EXHIBIT IS A GRAPHIC REPRESENTATION AND IS FOR REFERENCE PURPOSES ONLY. REFER TO THE CONVEYANCE DOCUMENT FOR PARCEL RELATED DETAILS.
WILLOW ST
20.37'
36.03'
202
203
WATER, SANITARY SEWER, & STORM SEWER EASEMENT DOC.953730
3.01'
TLE-SLOPING
22
PL
NORTH LINE OF HILLYER'S ADDN.
TAX PARCEL NUMBER: 220029700
LOT 1 BLOCK 3 HILLYER'S ADDN.
STH 47
SEC. 8
SEC. 9
TAX PARCEL NUMBER: 220047000
TAX PARCEL NUMBER: 220048300
TAX PARCEL NUMBER: 220015400
LOT 6 BLOCK 9 BATLEY'S SECOND ADDN.
SCHEDULE OF LANDS & INTERESTS REQUIRED
OWNERS NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS TO THE DEPARTMENT
PARCEL NUMBER | OWNER(S) | INTEREST REQUIRED | TLE S.F.
22 | ERNEST J. HARRIGAN & KIMBERLY A. HARRIGAN | TLE | 200
UTILITY INTERESTS REQUIRED
UTILITY NUMBER | UTILITY OWNER(S) | INTEREST REQUIRED
202 | VILLAGE OF BLACK CREEK (WATER) | RELEASE OF RIGHTS
203 | VILLAGE OF BLACK CREEK (SANITARY) | RELEASE OF RIGHTS
GN
SCALE, FEET
0 50 100
THIS MAP IS APPROVED FOR THE DEPARTMENT OF TRANSPORTATION
REGION AND CITY REGION OFFICE
SIGNATURE:
DATE 09/30/2022
PRINT NAME: JON L. HERBEL
FILE NAME: TLE EXHIBITS.DWG
PLOT DATE: 9/29/2022 10:19 AM
R/W PROJECT: R/W PROJ NO
APPRAISAL PLAT DATE:

4

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 RESOLUTION # 37--2023-24

Finance Committee. Approve to disallow the claim submitted by Gary Steward, on file in the County Clerk's Office and that no action of this claim may be brought against the County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

MOTION: Approve to disallow the claim submitted by Gary Steward, on file in the County Clerk's Office and that no action of this claim may be brought against the County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

MADE BY: Miller SECONDED BY: Croatt

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 37—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

A Notice of Injury and Claim for Damages was filed on July 10, 2023 by Gary Steward in the Outagamie County Clerk's Office. Upon review of this matter by Wisconsin Municipal Mutual Insurance Company and the Finance Committee, a recommendation was made that the claim be disallowed.

NOW THEREFORE, the following resolution is presented by the Finance Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does disallow the claim submitted by Gary Steward that has been placed on file in the office of the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to Gary Steward, Outagamie County Jail, by certified mail, return receipt requested as a notice of disallowance, Wisconsin Municipal Mutual Insurance Company, 4781 Hayes Road, Suite 201, Madison, WI 53704, the Outagamie County Corporation Counsel, and the Outagamie County Risk Administrator.

Dated this 8th day of August 2023

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____

Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____

County Executive

WISCONSIN MUNICIPAL MUTUAL INSURANCE COMPANY
4781 Hayes Road, Suite 201 | Madison, WI 53704 • www.wmmic.com
Telephone: 608.246.3336 | Toll Free: 866.823.4217 | Facsimile: 608.852.8647

Chuck Schroeder
320 S. Walnut Street
Appleton, Wisconsin 54911

July 13, 2023

RE: Claimant: Gary Steward
Claim number: GLOC00002803
Our Insured: Outagamie County
Date of Loss: 4/7/2023

Dear Chuck Schroeder,

The above referenced claim was filed on //10/2023. Following a review of the information and an investigation of the facts, it has been determined that Outagamie County has no liability for this claim. Please issue a formal disallowance and provide a copy of this disallowance to WMMIC.

This claim will be closed on the date of receipt of the disallowance.

A copy of this letter has been placed in the claim file for reference. If you should have any further questions, please contact me.

Sincerely,

Cheyenne MacKenzie
Senior Claims Representative
Wisconsin Municipal Mutual Insurance Company
(608) 721-7189
cmackenzie@wmmic.com

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 RESOLUTION # 38--2023-24

Health and Human Services Committee. Authorize and approve the line items to increase the Brewster Village Equipment Replace/Repair fund by $1,500,000 and decrease the Brewster Village Cash by $1,500,000, to replace equipment and maintain the building, as detailed on the attached fiscal note.

MOTION: Authorize and approve the line items to increase the Brewster Village Equipment Replace/Repair fund by $1,500,000 and decrease the Brewster Village Cash by $1,500,000, to replace equipment and maintain the building, as detailed on the attached fiscal note.

MADE BY: Gabrielson SECONDED BY: Thompson

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 38—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The 2022 adopted budget did not report how Brewster Village budgeted surplus dollars would be allocated. The budget surplus for 2022 was approximately $1,500,000. Brewster Village is requesting the funds be moved to the Equipment Repair/Replacement fund, which is utilized to replace equipment and maintain the building.

NOW THEREFORE, the following resolution is presented by the Health and Human Services Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Brewster Village Equipment Replace/Repair fund line item by $1,500,000 and decreasing the Brewster Village Cash line item by $1,500,000, as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Health and Human Services Director and the Outagamie County Finance Director.

Dated this 8th day of August 2023

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8 10 '23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request to move 2022 budget surplus to Equipment Repair/Replacement fund

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The 2022 adopted budget did not state how budgeted surplus dollars would be allocated. The budget surplus for 2022 was approximately $1,500,000.00. Brewster Village is requesting the funds be moved to the Equip Repair/Replacement fund, which is utilized to replace equipment and maintain the building.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☐ None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially ( )
4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a ( )
5. Is the proposal to accept additional revenues only? yes ( ) no ( )
6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no ( )
7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
	Cash	1000000.1110	($1,500,000.00)
Brewster Village	Equip Replace/Repair fund	5010000.1710	$1,500,000.00

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a ( )
9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost _____ Annual Revenue _____

Fiscal Note Prepared by: _____

For Financial Services purposes only	
Reviewed By: Kent Ritchie	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 07/19/2023	
Comments:	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 RESOLUTION # 39--2023-24

Health and Human Services Committee. Authorize and approve the line items to increase the Brewster Village Revenue Stabilization by $400,000 and decrease the Brewster Village Cash by $400,000, for anticipated 2024 wage increases, as detailed on the attached fiscal note.

MOTION: Authorize and approve the line items to increase the Brewster Village Revenue Stabilization by $400,000 and decrease the Brewster Village Cash by $400,000, for anticipated 2024 wage increases, as detailed on the attached fiscal note.

MADE BY: Gabrielson SECONDED BY: Spears

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 39—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The 2021 adopted budget did not report how Brewster Village budget surplus dollars would be allocated. Brewster Village is requesting the 2021 budget surplus of $400,000 be moved to the Revenue Stablization fund in anticipation of 2024 wage increases.

NOW THEREFORE, the following resolution is presented by the Health and Human Services Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Brewster Village Revenue Stabilization line item by $400,000 and decreasing the Brewster Village Cash line item by $400,000, as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Health and Human Services Director and the Outagamie County Finance Director.

Dated this 8th day of August 2023

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request to move 2021 budget surplus to Revenue Stabilization fund

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)
The 2021 budget did not state how budget surplus dollars would be allocated. Brewster Village is requesting the 2021 budget surplus of $400,000 be moved to the Revenue Stabilization fund in anticipation of 2024 wage increases.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☒ None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no ( )

6. Does this request modify/adjust the current year budget? yes ( ) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
	Cash	1000000.1110	($400,000.00)
Brewster Village	Revenue Stabilization	5017100.1710	$400,000.00

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost _____ Annual Revenue _____

Fiscal Note Prepared by: _____

For Financial Services purposes only

Reviewed By: Kent R Ritchie

Date: 07/06/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 8 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 RESOLUTION # 40--2023-24

Highway, Recycling and Solid Waste Committee. Approve to establish the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the County Code of Ordinances, and authorize the formation of the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county.

MOTION: Approve to establish the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the County Code of Ordinances, and authorize the formation of the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county.

MADE BY: Hagen SECONDED BY: Clegg

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 40—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Outagamie County Board of Supervisors adopted Resolution 20—2023-24 which accepted the 2023 Outagamie County Facilities and Land Use Plan for the Outagamie County Department of Recycling and Solid Waste and Highway Department.

This resolution requests that implementation of the 2023 Outagamie County Facilities and Land Use Plan for the Outagamie County Department of Recycling and Solid Waste and Highway Department be declared a public works project, and further authorizes the formation of the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee.

NOW THEREFORE, the following resolution is presented by the Highway, Recycling and Solid Waste Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does establish the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the Outagamie County Code of Ordinances, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize formation of the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Recycling and Solid Waste Director, the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Executive, and the Outagamie County Finance Director.

Dated this 8th day of August 2023

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8-10-23 Vetoed: _____

Signed: _____
County Executive

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 RESOLUTION # 41--2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to establish the Appleton International Airport Terminal Expansion Project as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the County Code of Ordinances, and authorize the formation of the Appleton International Airport Terminal Expansion Project Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county.

MOTION: Approve to establish the Appleton International Airport Terminal Expansion Project as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the County Code of Ordinances, and authorize the formation of the Appleton International Airport Terminal Expansion Project Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county.

MADE BY: Culbertson SECONDED BY: Klemp

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 41—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Appleton International Airport (ATW) will be undergoing a Terminal Expansion Project (the Project). The Project will include a 4-gate concourse expansion to accommodate significant growth witnessed at ATW and update building systems that are 20 plus years old. The Project will include approximately 50,000 square feet of concourse expansion for passengers, including mother's rooms, Service Animal Relief Area (SARA), and sensory rooms. Additionally, the project will allow larger aircraft fleet by elevating the new construction for easier access to aircraft sills and creating greater taxiway separation to the north.

The project will provide needed gates for current and future growth of ATW air carriers, additional hold rooms and space for passengers, and ancillary service for mother's room, SARA, sensory rooms plus the replacement of significantly aging infrastructure.

This resolution requests that the Appleton International Airport Terminal Expansion Project be declared a public works project, and further authorizes the formation of the Appleton International Airport Terminal Expansion Project Oversight Committee.

NOW THEREFORE, the following resolution is presented by the Property, Airport, Recreation and Economic Development Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does establish the Appleton International Airport Terminal Expansion Project as a public works project whose total cost will exceed $1,500,000 in accordance with Section 50-87 of the Outagamie County Code of Ordinances, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize formation of the Appleton International Airport Terminal Expansion Project Oversight Committee who shall oversee all phases of the project to ensure that the project is proceeding in the best interest of the county, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Appleton International Airport Director, the Outagamie County Executive, the Outagamie County Purchasing Coordinator, and the Outagamie County Finance Director.

Dated this 8th day of August 2023.

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____
County Executive

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 RESOLUTION # 42--2023-24

Public Safety Committee. Approve the request to transfer $25,000 from the Small Department Vacation/Sick Leave Payout Fund to the line items of the Circuit Courts Salaries by $23,000 and Fringe Benefits by $2,000, and increase the Fund Balance Applied by $25,000, and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by $25,000, and increase the Fund Balance Assigned by $25,000, for a retirement payout and to hire a new Judicial Assistant, as detailed on the attachments.

MOTION: Approve the request to transfer $25,000 from the Small Department Vacation/Sick Leave Payout Fund to the line items of the Circuit Courts Salaries by $23,000 and Fringe Benefits by $2,000, and increase the Fund Balance Applied by $25,000, and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by $25,000, and increase the Fund Balance Assigned by $25,000, for a retirement payout and to hire a new Judicial Assistant, as detailed on the attachments.

MADE BY: Patience SECONDED BY: Lamers

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 42—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Each Outagamie County Judge has an assigned Judicial Assistant (JA) to provide administrative support to the courts. The Branch II JA announced her retirement effective July 14 and has approximately $29,000 due in payout of vacation and sick leave compensation. It is necessary to hire a new JA immediately to allow the new JA to cross train with other assistants, and to maintain court operations in Branch II. The request is for $25,000 from the Small Department Sick and Vacation Payout fund to offset the cost of the salary and fringe benefits required for the payout and to hire a new JA.

The current balance of the Small Department Sick and Vacation Payout fund is $504,906.

NOW THEREFORE, the following resolution is presented by the Public Safety Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the request to transfer $25,000 from the Small Department Vacation/Sick Leave Payout Fund to the Circuit Courts Salaries line item for $23,000 and Fringe Benefits line item for $2,000, and increase the Fund Balance Applied line item by $25,000, and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts line item by $25,000, and increase the Fund Balance Assigned line item by $25,000 as noted on the attached fiscal note and Small Departments Vacation and Sick Leave Payout Budget Request Form, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Chief Judge and the Outagamie County Finance Director.

Dated this 8th day of August 2023

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____
County Executive

SMALL DEPARTMENTS VACATION AND SICK LEAVE PAYOUT BUDGET REQUEST FORM

Department	**Circuit Courts**
Department Head	**Carrie Schneider**
Date	**7/5/23**
Position Vacated	**Judicial Assistant - Sheri del Plaine**
Vacation and Sick Payout Estimate	**$29,161.90**
Budgeted Transfer Request Amount	**$25,000**

Since there is only one JA assigned to each Judge and the fact that Judge Lonergan (Branch II) will be on maternity leave during this same time; cross training is critical for maintaining court operations. In order to provide cross training and cover the payout and salary of the new JA, assistance from the small department fund is being requested.

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for transfer from small department sick and vacation payout fund for Circuit Courts

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Judicial Assistants (JA) serve the courts by providing administrative support to their assigned Judge. Each Judge, has their own Judicial Assistant. The JA assigned to Branch 2 has announced her retirement effective July 14th and has approximately $29,000 due in payout of vacation and sick leave compensation. It is necessary to hire a new JA immediately to allow that JA to cross train with other assistants, and to maintain court operations in Branch 2. $25,000.00 is requested from the small department sick leave/vacation payout to offset the cost of the salary and fringe benefits required to both make the payout, and hire the new JA.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

LINE ITEM (i.e. Salaries, Supplies, Etc.)	COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	(DECREASE) AMOUNT
Salaries	1002500.5100	23,000
Fringe Benefits	1002500.5200	2,000
Fund Balance Applied	1002223.8955	25,000
Committed Fund Balance for Small Dept Vac/Sick Payouts	1000000.3870	(25,000)
Fund Balance Assigned	1000000.389	25,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Liza Klitzka

For Financial Services purposes only

Reviewed By: Kent Ritchie, Interim Finance Director, and Kyle Sargent, Corporation Counsel Kent Ritchie

Date: 7/11/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number — Amount

RECEIVED

JUL 18 2023

Legislative Services
Outagamie County

Comments:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION:

ADOPT & LOCK IN Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023

APPOINTMENTS Criminal Justice Coordinating Council
Board of Adjustments
Administrative Review Appeals Board
Land Information Council

ORDINANCE # Z-3, Z-4, B, C--2023-24

RESOLUTION # Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24

Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MOTION: Reconsideration of Criminal Justice Coordinating Council Appointment, Board of Adjustments Appointment, Administrative Review Appeals Board Appointment, Land Information Council Appointment, Ordinance No. Z-3, Z-4, B, C--2023-24 & Resolution Z-3, 36, 37, 38, 39, 40, 41, 42--2023-24.

MADE BY: Croatt SECONDED BY: Cooke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 8, 2023 ORDINANCE # C--2023-24

Highway, Recycling and Solid Waste Committee. Approve to designate CTH F between West Town line and Grandy Road, and CTH I between CTH F to the north County line, and CTH M between South Town line to CTH F, in the Town of Maine, as an ATV/UTV route, as detailed on the attachments.

MOTION: Approve to designate CTH F between West Town line and Grandy Road, and CTH I between CTH F to the north County line, and CTH M between South Town line to CTH F, in the Town of Maine, as an ATV/UTV route, as detailed on the attachments.

MADE BY: Nejedlo SECONDED BY: Hagen

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder				x
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede				x
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	0
ABSTAIN	0
ABSENT	7
TOTAL	36

APPROVED x
DEFEATED

ORDINANCE NO.: C—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on roadways designated by Outagamie County and referred to as "routes." Wis. Stat. §23.33(8)(b)1 gives a town, village, or city the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV/UTV route.

The Town of Maine has submitted an application to the Outagamie County Highway Commissioner to designate the following county highways as an ATV/UTV route:

- CTH F between West Town line to Grandy Road (see attached map)
- CTH I between CTH F to the north County line (see attached map)
- CTH M between South Town line to CTH F (see attached map)

The Town of Maine has completed said requirements of Outagamie County Code of Ordinance Sec. 50-353(4)(a)(ii) and submitted the following documents with the application:

- A map showing the proposed ATV/UTV route on the county highway system.
- A map showing any existing or future ATV/UTV routes leading to the proposed route.
- A statement explaining why the proposed route should be designated as an ATV/UTV route.
- Documentation that items required in Ordinance 50-353 Sec. 4(a)(i)1-3 were completed by the Municipality.
- A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
- Regulations set forth in Ordinance Sec. 50-353(5) were adopted by the Town of Maine on June 7, 2023.

The Outagamie County Highway Commissioner has completed a review as detailed in Ordinance Sec. 50-353(4)(b) and is recommending approval. The Outagamie County Highway, Recycling and Solid Waste Committee is recommending approval.

NOW THEREFORE, the following ordinance is presented by the Highway, Recycling and Solid Waste Committee to the County Board.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve designating CTH F between West Town line and Grandy Road, and CTH I between CTH F to the north County line, and CTH M between South Town line to CTH F, said sections in the Town of Maine, as an ATV/UTV route as detailed on the attached Memorandums and map, which are made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, and the Town of Maine.

Dated this 8th day of August 2023

Duly and officially adopted by the County Board on: August 8, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8/10/23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

Find us on @Outagamie County Highway Department

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean Steingraber, Outagamie County Highway Commissioner
DATE: 8/8/2023
RE: Town of Maine – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Maine
Request:	ATV/UTV Route Designation
Highway:	CTH F
Limits:	West Town line to Grandy Rd
Public Hearing Date:	06/07/2023 Held by Town of Maine
Written Notice Sent to Property Owners on:	05/20/2023 by Town of Maine
Official Action to Apply for Route Taken on:	06/07/2023 by Town of Maine
Regulations Adoption Date:	06/07/2023 by Town of Maine

Background:
The Town of Maine has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by Town of Maine.
5. A statement that the Town of Maine will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Maine board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 740 AADT
Speed Limit(s): 55 MPH
Vision Clearance: Site distance meets requirements.
Pavement and Shoulder Conditions: No issues.
Other Safety/Operational Factors: None.

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Maine\CTH F\ATV UTV Engineering Memo - CTH F.docx

Outagamie County Est. 1851

Find us on @Outagamie County Highway Department

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean Steingraber, Outagamie County Highway Commissioner
DATE: 8/8/2023
RE: Town of Maine – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Maine
Request:	ATV/UTV Route Designation
Highway:	CTH I
Limits:	CTH F to the north County line
Public Hearing Date:	06/07/2023 Held by Town of Maine
Written Notice Sent to Property Owners on:	05/20/2023 by Town of Maine
Official Action to Apply for Route Taken on:	06/07/2023 by Town of Maine
Regulations Adoption Date:	06/07/2023 by Town of Maine

Background:
The Town of Maine has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by Town of Maine.
5. A statement that the Town of Maine will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Maine board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 620 AADT
Speed Limit(s): 55 MPH
Vision Clearance: Site distance meets requirements.
Pavement and Shoulder Conditions: No issues.
Other Safety/Operational Factors: None.

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Maine\CTH I\ATV UTV Engineering Memo CTH I.docx

Outagamie County Est. 1851

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

Find us on @Outagamie County Highway Department

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean Steingraber, Outagamie County Highway Commissioner
DATE: 8/8/2023
RE: Town of Maine – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Maine
Request:	ATV/UTV Route Designation
Highway:	CTH M
Limits:	South Town line to CTH F
Public Hearing Date:	06/07/2023 Held by Town of Maine
Written Notice Sent to Property Owners on:	05/20/2023 by Town of Maine
Official Action to Apply for Route Taken on:	06/07/2023 by Town of Maine
Regulations Adoption Date:	06/07/2023 by Town of Maine

Background:
The Town of Maine has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

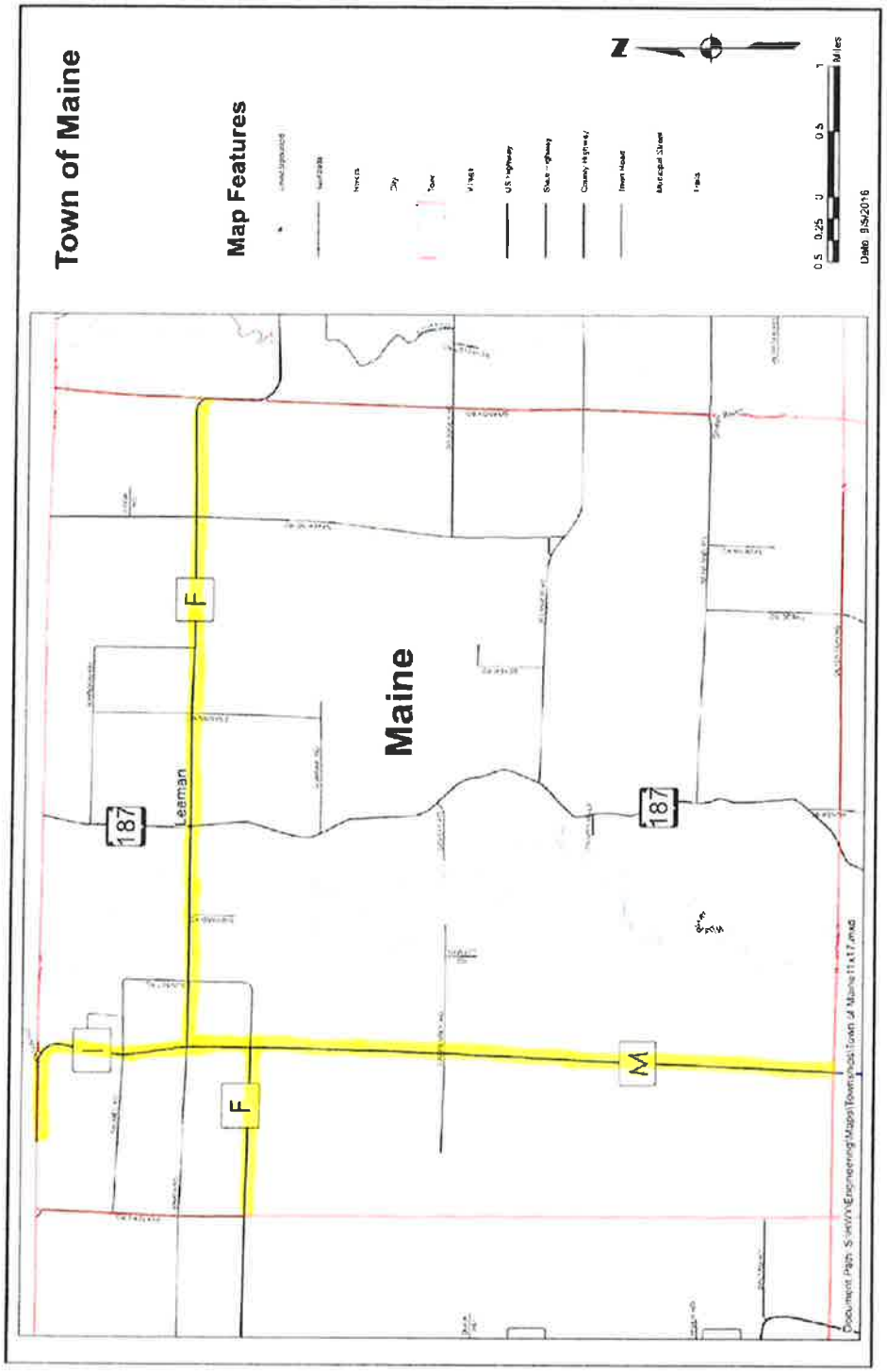
1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by Town of Maine.
5. A statement that the Town of Maine will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Maine board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 600 AADT
Speed Limit(s): 55 MPH
Vision Clearance: Site distance meets requirements.
Pavement and Shoulder Conditions: No issues.
Other Safety/Operational Factors: None.

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Maine\CTH M\ATV UTV Engineering Memo - CTH M.docx


Town of Maine
Map Features
Maine
Leeman
187
187
F
F
M
Miles
Date: 8/5/2016

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the August 8, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on August 8, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 8th Day of August, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: September 8, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, August 22, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. by teleconference.

ROLL CALL: 30 present, 6 absent. Members present: Thompson, Miller, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Hermes, MacDonald, Schroeder, Croatt, Cooke, Santonato, Cuff, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Koury, and Lautenschlager. Members Absent: Smith, Wegand, Spears, Hagen, Thyssen, and Rettler.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Smith, Supervisor Spears, and Supervisor Rettler. No objections; so ordered.

MINUTES OF THE AUGUST 8, 2023 COUNTY BOARD MEETING
Supervisor Patience moved, seconded by Supervisor Culbertson, to approve the minutes of the August 8, 2023, County Board meeting.

VOICE VOTE CARRIED WITH TWENTY-SIX (26) YES AND FOUR (4) ABSTENTIONS (MCCABE, MONFILS, SCHROEDER, AND THIEDE). MINUTES OF THE AUGUST 8, 2023, COUNTY BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have all Appointments, Ordinances and Resolutions that are on the agenda locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle all reconsiderations and lock ins at the end of the meeting as noted.

Supervisor MacDonald requested Ordinance No. D—2023-24 to be separated for reconsideration.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

August 22, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	06/20/2023	Polk County	Resolution No. 27-23 Resolution Supporting a Restitution Court Program	Public Safety Committee

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.
- Chairperson Nooyen offered a reminder that everyone should keep muted unless speaking.
- Supervisors should have received an email including the August IT training session. This IT training session needs to be completed within 19 days of receipt.

Supervisor Hagen announced arrival to the meeting at 7:07 p.m.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.
APPOINTMENTS – None.

UNFINISHED BUSINESS

County Executive Nelson nomination for appointment of Alison Bong as Finance Director.

At the August 8, 2023, County Board meeting, the nomination for the appointment of Alison Bong as Finance Director was held in Legislative/Audit and Human Resources Committee.

Supervisor Konetzke moved, seconded by Supervisor MacDonald for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. ALISON BONG IS APPOINTED AS FINANCE DIRECTOR.

Substitute Ordinance No. Z-2—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to adopt the petition of Cynthia Bungert, property owner, to rezone parcel 080097200, from the Residential Single-Family District to Residential Two-Family District in the Town of Ellington, as detailed on the ordinance and attachments.

The original Ordinance No. Z-2—2023-24 was previously distributed to the County Board members at the August 8, 2023, County Board meeting and a motion was made to refer back to Agriculture, Extension Education, Zoning, and Land Conservation Committee.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. SUBSTITUTE ORDINANCE NO. Z-2–2023-24 IS ADOPTED.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. 43—2023-24 – Finance Committee. Approve the "Initial Resolution Authorizing General Obligation Bonds in an amount not to exceed $25,000,000 for Airport Projects", as noted on the resolution and attached fiscal note.

Supervisor Miller moved, seconded by Supervisor Croatt, for adoption.

VOICE VOTE CARRIED WITH THIRTY (30) YES AND ONE (1) NO (THIEDE). RESOLUTION NO. 43—2023-24 IS ADOPTED.

Ordinance No. D—2023-24 – Highway, Recycling and Solid Waste Committee. Approve the amendment to Chapter 50, Section 30-353, All-terrain vehicles and utility terrain vehicles of the Outagamie County Code of Ordinances, as noted on the ordinance and attachments.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

VOICE VOTE CARRIED WITH TWENTY-SEVEN (27) YES AND FOUR (4) NO (MACDONALD, THIEDE, FERGUSON, AND SANTONATO). ORDINANCE NO. D—2023-24 IS ADOPTED.

RECONSIDERATION OF ORDINANCE NO. D—2023-24.

Supervisor Hagen moved, seconded by Supervisor Clegg, to reconsider the above listed ordinance.

Vote for reconsideration. VOICE VOTE CARRIED WITH THIRTY (30) YES AND ONE (1) NO (MACDONALD). ORDINANCE NO. D —2023-24 IS RECONSIDERED.

Vote for lock in. VOICE VOTE CARRIED WITH TWENTY-NINE (29) YES AND TWO (2) NO (MACDONALD, FERGUSON). ORDINANCE NO. D —2023-24 IS ADOPTED & LOCKED IN.

RECONSIDERATION OF THE FINANCE DIRECTOR APPOINTMENT, SUBSTITUTE ORDINANCE NO. Z-2—2023-24 AND RESOLUTION NO. 43—2023-24.

Supervisor Lawrence moved, seconded by Supervisor Nejedlo, to reconsider the above listed appointment, ordinance and resolution.

Vote for reconsideration. VOICE VOTE CARRIED UNANIMOUSLY. FINANCE DIRECTOR APPOINTMENT, SUBSTITUTE ORDINANCE NO. Z-2—2023-24 AND RESOLUTION NO. 43—2023-24 ARE RECONSIDERED.

Vote for lock in. VOICE VOTE CARRIED UNANIMOUSLY. FINANCE DIRECTOR APPOINTMENT, SUBSTITUTE ORDINANCE NO. Z-2—2023-24 AND RESOLUTION NO. 43—2023-24 ARE ADOPTED & LOCKED IN.

REPORTS – None.

ADJOURNMENT
Supervisor Klemp moved, seconded by Supervisor Hammen to adjourn until September 12, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:52 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 22, 2023

APPOINTMENTS Finance Director
SUBSTITUTE
ORDINANCE # Z-2--2023-24
RESOLUTION # 43--2023-24

ADOPT & LOCK IN Finance Drector Appointment, Substitute Ordinance No. Z-2--2023-24 & Resolution No. 43--2023-24.

MOTION:

ADOPT & LOCK IN Finance Drector Appointment, Substitute Ordinance No. Z-2--2023-24 & Resolution No. 43--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 22, 2023

APPOINTMENTS Finance Director
SUBSTITUTE
ORDINANCE # Z-2--2023-24
RESOLUTION # 43--2023-24

Reconsideration of Finance Drector Appointment, Substitute Ordinance No. Z-2--2023-24 & Resolution No. 43--2023-24.

MOTION:

Reconsideration of Finance Drector Appointment, Substitute Ordinance No. Z-2--2023-24 & Resolution No. 43--2023-24.

MADE BY: Lawrence SECONDED BY: Nejedlo

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	0
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 22, 2023 RESOLUTION # 43--2023-24

Finance Committee. Approve the "Initial Resolution Authorizing General Obligation Bonds in an amount not to exceed $25,000,000 for Airport Projects", as noted on the resolution and attached fiscal note.

MOTION: Finance Committee. Approve the "Initial Resolution Authorizing General Obligation Bonds in an amount not to exceed $25,000,000 for Airport Projects", as noted on the resolution and attached fiscal note.

MADE BY: Miller SECONDED BY: Croatt

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DS	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede		x		
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	30
NAY	1
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 43—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***3/4 MAJORITY – 27 VOTES***

"INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED $25,000,000 FOR AIRPORT PROJECTS"

The Outagamie County Board of Supervisors hereby finds and determines that it is necessary, desirable and in the best interest of Outagamie County to raise funds for the public purpose of paying the costs of the design and construction of terminal concourse modifications including adding an additional concourse to the end of Appleton International Airport (collectively, the "Project"), and there are insufficient funds on hand to pay said costs.

The Outagamie County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes.

Counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation bonds for such public purposes.

The Outagamie County Board of Supervisors hereby finds and determines that general obligation bonds in the aggregate amount of not to exceed $25,000,000 (the "Bonds") should be issued to pay costs of the Project, and it is now necessary and desirable to authorize their issuance.

It is the expectation that a $10,000,000 portion of the Bonds will be paid from the tax levy or other sources of funds of Outagamie County and a $15,000,000 portion of the Bonds will be paid from revenues derived from the operation of Appleton International Airport which will be used to abate Outagamie County's tax levy.

NOW THEREFORE, the following resolution is presented by the Finance Committee to the County Board.

BE IT RESOLVED, that that the Outagamie County Board of Supervisors does approve this initial resolution as prepared by the Outagamie County Bond Counsel authorizing general obligation bonds in an amount not to exceed $25,000,000 to finance the Project, and

BE IT FURTHER RESOLVED, by the Outagamie County Board of Supervisors, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Airport Bonds in an amount not to exceed $25,000,000 for the public purpose of paying the cost of the Project; and

BE IT STILL FURTHER RESOLVED, due to the current adopted budget including Debt Proceeds of only $20,000,000 for this project and the total now requested is $25,000,000, that the Outagamie County Board of Supervisors does approve of increasing the Concourse Addition Capital Outlay line item and Concourse Addition Debt Proceeds (Bonds) line item by $5,000,000 each, as detailed in the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Appleton International Airport Director.

Dated this 22nd day of August 2023

Duly and officially adopted by the County Board on: August 22, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8.23.23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for approval for Initial Bonding Resolution for Airport Concourse Expansion Project and Request to adjust budget for additional bonding amount.

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

This request is for an Initial Bonding Resolution authorizing General Obligation (GO) Bonds in an amount not to exceed $25,000,000 for the purposes of funding the costs to expand the current concourse at the Airport. $10,000,000 of this bond issue amount will be repaid using general government funding (tax levy, sales tax or other general government funding) and the remaining $15,000,000 will be repaid with Airport revenues (passenger facility charges or other airport revenues). The 2023 Adopted budget included a total of $20,000,000 in bonding for this project as an estimate. Due to the costs of the project increasing, the 2023 bonding now requested is a total of $25,000,000. Therefore, we are also requesting to increase the budget for the project costs as well as the bond proceeds by $5,000,000.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (X) n/a ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Concourse Addition	Capital Outlay	5000478.6226	5,000,000
Concourse Addition	Debt Proceeds (Bonds)	5000478.8445	5,000,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact?

Annual Cost: Principal in Interest amounts to be included in future years budgets

Annual Revenue: To match principal and interest amounts

Fiscal Note Prepared by: Abe Weber/Katie Horan

For Financial Services purposes only	
Reviewed By: *KENT W. RITCHIE*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 08/09/2023	
Comments:	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 22, 2023 ORDINANCE: D--2023-24

ADOPT & LOCK IN Ordinance No. D--2023-24

MOTION:

ADOPT & LOCK IN Ordinance No. D--2023-24

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson		x		
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald		x		
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	29
NAY	2
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 22, 2023 ORDINANCE: D--2023-24

Reconsideration of Ordinance No. D--2023-24

MOTION:

Reconsideration of Ordinance No. D--2023-24

MADE BY: Hagen SECONDED BY: Clegg

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald		x		
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	30
NAY	1
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE August 22, 2023 ORDINANCE # D--2023-24

Highway, Recycling and Solid Waste Committee. Approve the amendment to Chapter 50, Section 30-353, All-terrain vehicles and utility terrain vehicles of the Outagamie County Code of Ordinances, as noted on the ordinance and attachments.

MOTION: Highway, Recycling and Solid Waste Committee. Approve the amendment to Chapter 50, Section 30-353, All-terrain vehicles and utility terrain vehicles of the Outagamie County Code of Ordinances, as noted on the ordinance and attachments.

MADE BY: Hagen SECONDED BY: Clegg

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith				x
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson		x		
12	McCabe	x			
13	Wegand				x
14	Hermes	x			
15	MacDonald		x		
16	Schroeder	x			
17	Croatt	x			
18	Spears				x

DST	NAME	AYE	NAY	BSTAI	ABSENT
19	Cooke	x			
20	Santonato		x		
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede		x		
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen				x
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	27
NAY	4
ABSTAIN	0
ABSENT	5
TOTAL	36

APPROVED	x
DEFEATED	

ORDINANCE NO.: D—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wis. Stats. §23.33 allows all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on highways. This same statute allows Counties to enact ordinances allowing the use of ATVs and UTVs on roadways designated by the County referred to as "routes."

Wis. Stats. §23.33(8)(b)1 allows a town, village, city of county the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV route. In any circumstance in which the proposed route is one which is on or across a state highway, the local government entity must seek Department of Transportation (DOT) approval.

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing ATVs and UTVs to operate on roadways designated by Outagamie County and referred to as "routes."

There has been interest from constituents to modify the ordinance as pertains to speed limits and operating hours in order to maintain consistency throughout the county. The Outagamie County Highway, Recycling and Solid Waste Committee recommends updating language in Section 50-353 of the Outagamie County Code of Ordinances.

NOW THEREFORE, the following ordinance is presented by the Highway, Recycling and Solid Waste Committee to the County Board.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve the following amendments to Chapter 50 of the Outagamie County Code of Ordinances (additions are underlined and in italics; deletions are struck through and in red):

Sec. 30-353. All-terrain vehicles and utility terrain vehicles.

(5) *Regulation of ATVs and UTVs.* Except as otherwise provided herein, the statutory provisions of Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64, which create, describe, and define regulations with respect to ATVs and UTVs, are adopted and, by reference, made a part of this Code as if fully set forth herein.

(a) Operator and rider requirements. Any person who operates or rides as a passenger on an ATV or UTV on a roadway that is an ATV/UTV route in Outagamie County designated pursuant to Wis. Stats. § 23.33(8)(b)1, or an ATV/UTV route in Outagamie County designated pursuant to Wis. Stats. § 23.33(8)(c), must meet the following requirements:

(i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64 are adopted and incorporated by reference in this section.

(ii) No person may operate an ATV or UTV without having attained the age of 16.

(iii) No person may operate an ATV or UTV without a valid driver's license.

(iv) All operators shall have a liability insurance policy in force on any ATV or UTV operated on an ATV/UTV route or route. The liability insurance policy must have the following minimum coverages:

a. $10,000.00 for property damage

b. $25,000.00 for the injury or death of one person

c. $50,000.00 for the injury or death of more than one person

(b) Rules of operation. The operation of an ATV or UTV on a roadway that is an ATV/UTV route in Outagamie County designated pursuant to Wis. Stats. § 23.33(8)(b)1, or an ATV/UTV route in Outagamie County designated pursuant to Wis. Stats. § 23.33(8)(c), is subject to the following rules of operation:

(i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stats. § 23.33(3) and NR§64 are adopted and incorporated in this section.

(ii) Operators may only operate on a designated ATV/UTV route signed in accordance with Wis. Stats. § 23.33(8)(e).

(iii) Speed limits.

a. Operators on ATV/UTV routes shall observe ~~a speed limit not to exceed 35 miles per hour or~~ the posted speed limit on the roadway~~, whichever is less~~.

(iv) Operators shall ride in single file in the roadway. Roadway is defined in the same manner as defined in Wis. Stats. § 340.01(54).

(v) ~~Operators may not operate an ATV or UTV on an ATV/UTV route at any time before or after operating hours. Operating hours are designated as sunrise and sunset.~~

(vi) All ATVs and UTVs must operate with fully functional headlamps, tail lamps, and brake lights.

(vii) Every ATV or UTV shall be equipped, maintained, and operated to prevent excessive or unusual noise. No person shall operate an ATV or UTV on an ATV/UTV route unless the vehicle is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation.

BE IT FURTHER ORDAINED, that this ordinance shall be in effect upon completion of publication in accordance with Wisconsin Statutes, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, the Outagamie County Corporation Counsel, and Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 22nd day of August 2023

Duly and officially adopted by the County Board on: August 22, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 8.23.23 Vetoed: _____

Signed: _____
County Executive

Sec. 50-353. All-terrain vehicles and utility terrain vehicles.

(1) *Intent.* To create uniform procedures and requirements for the use and operation of all-terrain vehicles and utility terrain vehicles on Outagamie County highways.

(2) *Definitions.* In this section, words and phrases used herein shall have the meaning as defined by Wis. Stats. § 23.33(1), unless otherwise defined herein. All-terrain vehicles (hereinafter referred to as ATVs) shall have the definition given in Wis. Stats. § 340.01(2g). Utility terrain vehicles (hereinafter referred to as UTVs) shall have the definition given in Wis. Stats. § 23.33(1)(ng). Any reference to a Wisconsin Statute Section or Administrative Code Regulation is a reference to that specific chapter, section, code, or its successor chapter, section, or code. Any future amendments, revisions, or modifications of the statutes or administrative code incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of all-terrain vehicles.

(3) *Statutory authority.* Outagamie County is authorized to designate county highways as ATV/UTV routes pursuant to Wis. Stats. §§ 23.33(8)(b) and 59.02, and is authorized to enact ordinances regulating ATVs and UTVs on designated routes pursuant to Wis. Stats. § 23.33(11)(a).

(4) *Designating ATV/UTV Routes.*

(a) Application process for route designation. The commissioner shall develop policies and procedures for consideration of ATV/UTV routes in accordance with the requirements of Wis. Stats. § 23.33, Wis. Admin. Code NR § 64, and the provisions of this section.

(i) Municipalities. Any town, village, or city in Outagamie County may, by application to the highway commissioner, request that portions of county highways be designated as ATV/UTV routes. Applications shall be completed as prescribed by the commissioner and must be in compliance with the policies and procedures developed by the commissioner for the designation of ATV/UTV routes. The town, village, or city must further affirm that the municipality will pay for the costs to make, install, and maintain ATV/UTV route signs. Prior to application, municipality shall:

1. Hold a public hearing on the proposed ATV/UTV route, with publication by Class 2 Notice under Wis. Stats. ch. 985. Notice of public hearing shall include the time and location of the hearing, a map depicting the proposed route, and details on how public comment can be submitted in addition to verbal comment at the public hearing.
2. Provide written notice, by mail, to property owners abutting the proposed ATV/UTV route's County Highway right-of-way by including, at minimum, a copy of the public hearing notice described in [subsection] (4)(a)(i)1.
3. Take official action, during a public meeting of municipality's governing board or designated committee, to authorize said municipality to apply for ATV/UTV route designation.

(ii) Application requirements. An application for designation of an ATV/UTV route shall, at a minimum, include the following:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in [subsection] 4(a)(i)1-3 were completed by municipality.

5. A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.

6. Any municipality in which the segment of a county roadway being proposed as an ATV/UTV route exists must have adopted the regulations in subsection (5) set forth below for the application to be considered.

(b) Duties and powers of highway commissioner.

(i) The commissioner shall administer, at minimum, an annual ATV/UTV route designation application process. Such process shall include administrative review and evaluation of proposed routes based on safety and operational considerations, such as traffic volume, roadway speed limits, topography, vision clearance issues, pavement and shoulder conditions, and other factors related to operational safety and efficacy. Commissioner shall summarize said evaluation and provide a recommendation to the highway, recycling and solid waste committee for their consideration of route designation by ordinance.

(ii) The commissioner shall ensure that all routes designated pursuant to this section are properly posted. Payment for signage production, installation, and future maintenance for designated routes shall be at the cost of the requesting municipality.

(iii) The commissioner shall establish the official ATV/UTV route opening and closing dates for each year. Dates shall be posted on the Outagamie County website in a place visible to the public.

(iv) All routes established pursuant to this section shall be reviewed annually by the commissioner to consider the continued value, efficacy, safety, and need for the ATV/UTV routes. In the event the commissioner believes the route is no longer safe or is otherwise inappropriate, Commissioner shall seek a modification of the ordinance allowing designation of that route through the highway recycling and solid waste committee which may advance its recommendation to amend the ordinance to the County Board of Supervisors.

(c) Route adoption, modification and termination procedures.

(i) The highway, recycling and solid waste committee shall on an annual basis, at minimum, consider ATV/UTV route designation applications received by the highway commissioner, to include the highway commissioner's review and recommendation per [subsection] 4(b)(i).

(ii) Upon review of ATV/UTV routes under consideration, the highway, recycle, and solid waste committee shall authorize an ordinance be drafted for any ATV/UTV routes they find worthy of designation. Said ordinance can incorporate any terms, conditions and/or modifications of proposed routes as recommended by the highway commissioner and/or based on factors identified by the highway, recycling and solid waste committee during their review.

(iii) An ATV/UTV route that is created by section shall not officially become effective until said route is officially opened by the highway commissioner, indicated by the erection of signage.

(iv) The county board of supervisors may rescind or modify the designation of an ATV/UTV route by enactment of an ordinance rescinding or modifying the designation.

(5) *Regulation of ATVs and UTVs.* Except as otherwise provided herein, the statutory provisions of Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64, which create, describe, and define regulations with respect to ATVs and UTVs, are adopted and, by reference, made a part of this Code as if fully set forth herein.

(a) Operator and rider requirements. Any person who operates or rides as a passenger on an ATV or UTV on a roadway that is an ATV/UTV route in Outagamie County designated pursuant to Wis. Stats. § 23.33(8)(b)1, or an ATV/UTV route in Outagamie County designated pursuant to Wis. Stats. § 23.33(8)(c), must meet the following requirements:

(i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64 are adopted and incorporated by reference in this section.

(ii) No person may operate an ATV or UTV without having attained the age of 16.

(iii) No person may operate an ATV or UTV without a valid driver's license.

(iv) All operators shall have a liability insurance policy in force on any ATV or UTV operated on an ATV/UTV route or route. The liability insurance policy must have the following minimum coverages:

a. $10,000.00 for property damage

b. $25,000.00 for the injury or death of one person

c. $50,000.00 for the injury or death of more than one person

(b) Rules of operation. The operation of an ATV or UTV on a roadway that is an ATV/UTV route in Outagamie County designated pursuant to Wis. Stats. § 23.33(8)(b)1, or an ATV/UTV route in Outagamie County designated pursuant to Wis. Stats. § 23.33(8)(c), is subject to the following rules of operation:

(i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stats. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stats. § 23.33(3) and NR§64 are adopted and incorporated in this section.

(ii) Operators may only operate on a designated ATV/UTV route signed in accordance with Wis. Stats. § 23.33(8)(e).

(iii) Speed limits.

a. Operators on ATV/UTV routes shall observe ~~a speed limit not to exceed 35 miles per hour or~~ the posted speed limit on the roadway~~, whichever is less~~.

(iv) Operators shall ride in single file in the roadway. Roadway is defined in the same manner as defined in Wis. Stats. § 340.01(54).

(v) ~~Operators may not operate an ATV or UTV on an ATV/UTV route at any time before or after operating hours. Operating hours are designated as sunrise and sunset.~~

(vi) All ATVs and UTVs must operate with fully functional headlamps, tail lamps, and brake lights.

(vii) Every ATV or UTV shall be equipped, maintained, and operated to prevent excessive or unusual noise. No person shall operate an ATV or UTV on an ATV/UTV route unless the vehicle is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation.

(c) Enforcement.

(i) Any act that is required or is prohibited by any statute or administrative code provision incorporated herein by reference is required or prohibited by this Code.

(ii) An officer of the state traffic patrol under Wis. Stats. § 110.07(1), inspector under Wis. Stats. § 110.07(3), conservation warden appointed by the department under Wis. Stats. § 23.10, county sheriff or municipal peace officer has authority and jurisdiction to enforce this section and ordinances enacted in accordance with this section.

(iii) No operator of an all-terrain vehicle or utility terrain vehicle may refuse to stop after being requested or signaled to do so by a law enforcement officer or a commission warden, as defined in Wis. Stats. § 939.22(5).

(d) Penalties.

(i) Any forfeiture for a violation of State Statute or Administrative Code adopted by reference in this section shall conform to the forfeiture permitted to be imposed for violation of said statutes or code provisions as set forth therein.

(ii) Any violation of a section of this section without a penalty specified by statute or administrative code shall be punishable as provided in Outagamie County Ordinance 1-10.

(6) *Severability*. The provisions of this section shall be deemed severable and it is expressly declared that Outagamie County would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

(Ord. No. C-2020-21 , 10-27-2020)

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the August 22, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on August 22, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 22nd Day of August, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: September 29, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, September 12, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 31 present, 5 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, MacDonald, Schroeder, Croatt, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, Thyssen, VanderHeiden, and Koury. Members Absent: Wegand, Hermes, Spears, Rettler, and Lautenschlager.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Wegand, Supervisor Spears, Supervisor Rettler, and Supervisor Lautenschlager. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE AUGUST 22, 2023 COUNTY BOARD MEETING
Supervisor Konetzke moved, seconded by Supervisor Patience, to approve the minutes of the August 22, 2023, County Board meeting.

Supervisor MacDonald requested a correction to the Establish Order of the Day in the minutes of the August 22, 2023 County Board Meeting.

ROLL CALL: 30 yes, 1 abstain (Thyssen), 5 absent. MINUTES OF THE AUGUST 22, 2023, BOARD MEETING ARE APPROVED AS CORRECTED.

Supervisor Hermes arrived at 7:02 p.m.

SPECIAL ORDER OF BUSINESS –

Lisa Lux, Human Resources Director and Malayna Halvorson Maes, McGrath Human Resources Group, will present the Total Rewards Project results, recommendations, and proposed 2024 Wage Schedule

Malayna Halvorson Maes, Senior Consultant of McGrath Human Resources Group, highlighted important items contained in the Total Rewards Project Final Report provided to all of the Supervisors:

- Project Scope: McGrath was asked to look at not only wages and benefits, but from a total rewards perspective.
- Total rewards perspective includes: wages, benefits, well-being, talent development, and recognition. The second highest rated item for retention is a positive work environment/culture, followed by challenging work and the ability to utilize their skills and talents.

- Compensation study methodology:
  - McGrath started with interviews with administration, human resources, department heads, and managers to gain an understanding of the operations within the department and the organizational chart. This was also a time for feedback on the current compensation model.
  - Employees were then asked to complete a position questionnaire.
  - McGrath solicited compensation data from 27 public comparable originations and analyzed this dataset to determine minimum, midpoint, maximum, and incumbent salary.
  - McGrath also collected compensation data from local private employers in the region.
  - Recommendations were then reviewed with Administration, Human Resources, and each Department Head prior to finalization.
- A chart of Public Comparable Organizations was provided and included in the Final Report.
- Malayna Halvorson Maes provided the market summary findings:
  - Comp ratio is the comparison of Outagamie County's salary range and/or salaries to the comparable market.
  - Alignment to the market rate is presented at 50% (comp ratio).
  - An acceptable comp ratio range is 45% or greater.
  - At Step 1, when compared to market minimums of the comparable market organizations, 48% were below average market minimum.
  - The trend continued when looking at the Step 5 average market midpoint, 60% were below average market midpoint.
  - This shows that the salary ranges are not keeping up with market.
  - When comparing the average incumbents, 60% are below average market incumbents. This is important as it shows how fast employees are progressing or how long employees are having to wait to get to market competitive wages.
  - There are currently inconsistencies between the steps and pay grades within the exempt and non-exempt structures. There was a desire to have the structures equitable for all employees. To accomplish this all positions were placed on a singular salary schedule (both exempt and non-exempt). The salary schedule has ten steps with a 3% increase between steps and approximately 7-10% increases between paygrades.
- Over 330 classifications (job titles) have been reduced to 260 classifications.
- Total Rewards offers future opportunities with benefits, well-being, talent development, and recognition. Malayna Halvorson Maes recommended that the County look at these opportunities in the future as well.
- Implementation:
  - Funding for the new wage schedule would be included in the 2024 budget.
  - All employees under the market minimum would be placed to Step 1.
  - All employees would be placed in their respective salary range to ensure a 3% salary increase in the first half of 2024.
  - Step increases planned for 2024.
  - Model would become effective 12/17/2023.
  - All employees will be on a step. There are no situations where employees are above step 10.
  - No employee will experience any hourly wage loss.
  - Tenure does not impact step placement. The market is based on the work being done not the amount of time an employee has been in the position.

Lisa Lux, Human Resources Director, discussed the implementation and funding for the Total Rewards Project in further detail:

- Action at this meeting is the approval of the new wage schedule structure. The funding for the new wage schedule is incorporated in the 2024 budget approval process.
- On November 6, 2023 the County Board will review the budget, including a piece of which will fund the new wage schedule.
- Total amount of the project is $4.3 million in increased revenues for the 2024 budget:
    - Extra $1.4 million in state shared revenues.
    - An additional $1.5 million in interest income projected for 2024 above 2023.
    - Net new construction estimated increase in levy of $1.4 million.
- Questions in regards to the budget will be addressed in the November budget meeting.
- Employee communications will be as follows:
    - Communication to employees was sent to all employees prior to the September 12th, 2023 County Board meeting sharing with employees the new wage schedule being presented.
    - Employees were invited to attend the September 12th, 2023 County Board meeting.
    - Zoom meetings will be scheduled with HR for all employees to review the new wage structure and to answer any questions regarding the new wage structure.
    - Individual communication templates for each employee will be created and presented by department leadership in early October.
    - New salary will be in effect for the pay period beginning 12/17/23.

Supervisor questions and comments followed.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have the Human Resources Director Appointment, Recycling and Solid Waste Director Appointment, and Resolution Nos. 44 and 45—2023-24 locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle all reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

September 12, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	06/28/2023	Winnebago County	Resolution No. 239-062023 Requesting the State of Wisconsin to Review and Revise the Compensation Rate for State Public Defenders and Require the State of Wisconsin to Reimburse Winnebago County the Hourly Rate That Has Been Appropriated by Wisconsin to Provide Required Counsel Coverage in Criminal Cases	Public Safety Committee
2	06/28/2023	Winnebago County	Resolution No. 237-062023 Urge the Wisconsin Legislature to Support Health Care Providers Referring Individuals to Aging and Disability Resource Centers for Options Counseling	Health and Human Services

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.

- Supervisors received an email August 21st with the most recent IT Security Training. This training was due last week. As of earlier today, there were eleven Supervisors that need to complete this training.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS –

County Executive Nelson nomination for appointment of Adam Westbrook as Human Resources Director.

Supervisor Konetzke moved, seconded by Supervisor Gabrielson for confirmation of the above-listed appointment.

ROLL CALL: 31 yes, 1 no (Hermes), 4 absent. ADAM WESTBROOK IS APPOINTED AS HUMAN RESOURCES DIRECTOR.

County Executive Nelson nomination for appointment of Gregory Parins as Recycling and Solid Waste Director.

Supervisor Hagen moved, seconded by Supervisor Nejedlo for confirmation of the above-listed appointment.

ROLL CALL: 32 yes, 4 absent. GREGORY PARINS IS APPOINTED AS RECYCLING AND SOLID WASTE DIRECTOR.

County Executive Nelson nomination for appointment of Fran Nelson to the Criminal Justice Coordinating Council, said term expiring April 30, 2025.

Supervisor Patience moved, seconded by Supervisor Konetzke for confirmation of the above-listed appointment.

ROLL CALL: 32 yes, 4 absent. FRAN NELSON IS APPOINTED TO THE CRIMINAL JUSTICE COORDINATING COUNCIL.

County Executive Nelson nomination for re-appointment of Kevin Coffey to the Heart of the Valley Metropolitan Sewerage Commission; said term expiring October 1, 2028.

Supervisor Konetzke moved, seconded by Supervisor MacDonald for confirmation of the above-listed reappointment.

ROLL CALL: 32 yes, 4 absent. KEVIN COFFEY IS REAPPOINTED TO THE HEART OF THE VALLEY METROPOLITAN SEWERAGE COMMISSION.

County Board Chair Nooyen nomination for appointments of Dean Culbertson (chair), Lee W. Hammen, Nadine Miller, and Dan Gabrielson to the Appleton International Airport Terminal Expansion Project Oversight Committee; said terms expiring April 2024.

Supervisor Croatt moved, seconded by Supervisor Cuff for confirmation of the above-listed appointments.

VOICE VOTE CARRIED UNANIMOUSLY. DEAN CULBERTSON (CHAIR), LEE W. HAMMEN, NADINE MILLER, AND DAN GABRIELSON ARE APPOINTED TO THE APPLETON INTERNATIONAL AIRPORT TERMINAL EXPANSION PROJECT OVERSIGHT COMMITTEE.

> County Board Chair Nooyen nomination for appointments of Joy Hagen (chair), Ron Klemp, Steve Thiede, and Dan Nejedlo to the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Plan Oversight Committee; said terms expiring April 2024.

Supervisor Krueger moved, seconded by Supervisor McCabe for confirmation of the above-listed appointments.

VOICE VOTE CARRIED WITH THIRTY-ONE (31) YES AND ONE (1) ABSTAIN (KLEMP). JOY HAGEN (CHAIR), RON KLEMP, STEVE THIEDE, AND DAN NEJEDLO ARE APPOINTED TO THE DEPARTMENT OF RECYCLING AND SOLID WASTE AND HIGHWAY DEPARTMENT FACILITY AND LAND USE PLAN OVERSIGHT COMMITTEE.

UNFINISHED BUSINESS – None.

NEW BUSINESS **–** ***NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.***

Resolution No. 44—2023-24 – Legislative/Audit and Human Resources Committee. Approve the Table of Organization requests (as detailed on the resolution and attachments) for the Health and Human Services Department sunset position additions, effective September 24, 2023, and the related budget adjustments for 2023 and 2024, as detailed on the resolution and attachments.

Supervisor Gabrielson moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 44—2023-24 IS ADOPTED.

Resolution No. 45—2023-24 – Legislative/Audit and Human Resources Committee. Approve the Total Rewards Compensation Study Final Report for Outagamie County, effective December 17, 2023, which will supersede previously-approved compensation schedules, with no budget adjustment needed, as the additional compensation will be included as part of the 2024 budget process.

Supervisor Konetzke moved, seconded by Supervisor Smith, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 45—2023-24 IS ADOPTED.

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Lawrence, to reconsider the above listed appointments and resolutions.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24 ARE ADOPTED & LOCKED IN.

ADJOURNMENT

Supervisor Lawrence moved, seconded by Supervisor Klemp to adjourn until September 26, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:53 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24 ARE ADOPTED & LOCKED IN.



VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Lock In of Appointments, Resolution Nos. 44, 45—2023-24

Lock in of Appointments, Resolution Nos. 44, 45—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER ABSENT

Outagamie County 5-23-23 County Board Meeting - September 12 2023 07:53:07 PM

May 23, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Lawrence, to reconsider the Human Resources Director Appointment, Recycling and Solid Waste Director Appointment and Resolution Nos. 44 and 45—2023-24.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24 ARE RECONSIDERED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Reconsideration of Appointments, Resolution Nos. 44, 45—2023-24

Reconsideration of Appointments, Resolution Nos. 44, 45—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	ABSENT

Outagamie County

5-23-23 County Board Meeting - September 12 2023 07:52:54 PM

May 23, 2023 County Board Meeting

OpenMeeting

Resolution No. 44—2023-24 – Legislative/Audit and Human Resources Committee. Approve the Table of Organization requests (as detailed on the resolution and attachments) for the Health and Human Services Department sunset position additions, effective September 24, 2023, and the related budget adjustments for 2023 and 2024, as detailed on the resolution and attachments.

Supervisor Gabrielson moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 44—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 44—2023-24

Legislative/Audit and Human Resources Committee. Approve the Table of Organization requests (as detailed on the resolution and attachments) for the Health and Human Services Department sunset position additions, effective September 24, 2023, and the related budget adjustments for 2023 and 2024, as detailed on the resolution and attachments.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER ABSENT

Outagamie County 5-23-23 County Board Meeting - September 12 2023 07:51:40 PM OpenMeeting

May 23, 2023 County Board Meeting

RESOLUTION NO.: 44—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Health and Human Services Department is requesting to approve an amendment to their Table of Organization for the following sunset position additions:

- One (1) full-time Community Health Educator – Substance Abuse Prevention
- Two (2) full-time Substance Use Program Assessors
- Two (2) full-time Substance Use Program Assistants
- Two (2) full-time Clinical Therapist II (Substance Abuse)
- One (1) full-time Clinical Therapist I (Substance Abuse)
- One (1) Full-time Supervisor Mental Health and Substance Use Services

The Community Health Educator – Substance Abuse Prevention position will provide needed support to lead the county-wide opioid efforts.

The Substance Use Program Assessor positions will provide State mandated Intoxicated Drive Assessments to meet court orders and complete a Driver's Safety Plan for individuals.

The Substance Use Program Assistant positions will provide a variety of duties related to the Intoxicated Driver's Program (IDP).

The Clinical Therapist I and II (Substance Abuse) positions will provide clinical assessments and treatment of consumers who are diagnosed with a substance use disorder.

The Supervisor Mental Health and Substance Use Services position will provide the clinical oversight and daily supervision of the AODA Clinical Therapist and Intoxicated Driver's Program (IDP) staff.

As part of the National Prescription Opiate Litigation, proceeds from settlements have been allocated to Outagamie County. Therefore, the position additions are budget neutral and do not require additional county funding.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the addition of one (1) full-time Community Health Educator – Substance Abuse Prevention sunset position; two (2) full-time Substance Use Program Assessor sunset positions; two (2) full-time Substance Use Program Assistant sunset positions; two (2) full-time Clinical Therapist II (Substance Abuse) sunset positions; one (1) full-time Clinical Therapist I (Substance Abuse) sunset position; and one (1) full-time Supervisor Mental Health and Substance Use Services sunset position, said positions effective September 24, 2023, for the Health and Human Services Department as noted on the attached Position Addition Forms, Job Descriptions, and Table of Organization, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the related budget adjustments for 2023 and 2024 as indicated on the attached fiscal note and Attachment A, Outagamie County – Health and Human Services Fiscal Impact – In Year Position Change Requests for the Years 2023 and 2024, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Health and Human Services Director, and the Outagamie County Finance Director.

Dated this 12th day of September 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: September 12, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 9.14.23

Vetoed: _____

Signed: _____
County Executive

POSITION ADDITION FORM		
Request Details		
Effective Date of Requested Change:	**9/24/2023**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2170100**	
Position Title:	**Community Health Educator - Substance Abuse Prevention**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Exempt**	
Pay Grade of Position:	**6**	
Estimated Starting Step:	**2**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	**Full Time:**	**1**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?		
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		

Position Justification

Briefly summarize why this position is needed, as well as areas of revenue and savings.

As part of the National Prescription Opiate Litigation, proceeds from settlements have started to be allocated to local governments, including Outagamie County. Local public health departments have a fundamental responsibility to promote and protect the health of people within our community. To support allowable use of settlement proceeds, a Community Health Educator position with a focus on Substance Abuse Prevention will provide needed support to lead our county-wide opioid efforts. The Public Health Division has existing infrastructure to add this position as Community Health Educators currently exist within the Community Health Unit. The primary role of the Community Health Unit, specifically the Community Health Educators, is to improve and reduce health disparities through applying principals at the community and population level. Community Health Educators focus on the factors that contribute to a population's overall health status. Due to these outlined responsibilities, a Community Health Educator position with a focus on Substance Abuse Prevention is a logical step towards Outagamie County implementing actions to support the use of the settlement funds. As Outagamie County considers options to utilize the settlement payments for treatment, prevention and other strategies, the Community Health Educator – Substance Abuse Prevention position will be a coordinator that will help direct a wide range of responsibilities, duties and tasks. Lastly, local public health departments are moving towards being the chief health strategist within the community in building strategic partnerships. The Community Health Educator – Substance Abuse Prevention position will have a key role in bridging our county as organization in impacting opioid abuse.

Fiscal Data		
How will this position be funded (choose from drop-down list)?		**Grants**
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**16,085**
Fringe Benefits	$	**4,383**
Travel/Training	$	-
Supplies - IT	$	**685**

Supplies - Other	$	1,417
Purchased Services - IT	$	2,635
Purchased Services - Other	$	-
Capital Outlay	$	2,342
TOTAL EXPENDITURES	$	27,547
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
Opoid Settlement Funds	$	(27,547)
	$	-
TOTAL COST SAVINGS/REVENUES	$	(27,547)
NET COUNTY COST (Levy/Fund Bal)	$	0
PARTIAL YEAR FUNDING - ANNUAL PROJECTION		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary	$	63,815
Fringe Benefits	$	33,899
Other Expenditures	$	-
TOTAL EXPENDITURES	$	97,714
Deleted Position (if applicable)		
Less Increased Revenue/Cost Savings (enter as negative)	$	-
NET COUNTY COST (Levy/Fund Bal)	$	97,714

Community Health Educator – Substance Abuse Prevention (DHHS-PH)

Position Purpose

The Community Health Educator – Substance Abuse Prevention position is supported by the Wisconsin Opioid Settlement Funds allocated to Outagamie County. This position will be within the Health and Human Services Department, Public Health Division, but role will include a comprehensive county-wide prevention approach.

Reporting to the Community Health Supervisor, the Community Health Educator will develop, implement and evaluate county-wide comprehensive health promotion and protection programs focused on opioid prevention. Provides technical assistance to professionals and the general public; conducts community health assessments, fosters collaboration, and markets public health programs.

The mission of Outagamie County Public Health is to PREVENT disease and injury, PROMOTE wellness, and PROTECT the health of the community.

This is an opportunity to become an active member of a local health department. The Community Health Educator – Substance Abuse Prevention position will challenge you to develop and apply skills to help ensure a safer and healthier community. Make an impact and become a part of our public health team.

Key Responsibilities

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Performs functions as specified by funding and/or public health priorities, including Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP).
- Promotes relationship building and collaborative partnerships to identify, analyze and address community health needs.
- Conducts and participates in the Community Health Assessment (CHA), to support the ongoing and systematic assessment of community needs and the distribution of health risks within the community and monitors progress towards health goals.
- Coordinates and participates in the Community Health Improvement Plan (CHIP) process.
- Coordinates the process for becoming compliant with National Public Health Accreditation standards.

- Plans, implements and evaluates the effectiveness of public health programs.
- Assists with the development and monitoring of disease and population surveillance systems and epidemiological studies.
- Incorporates quality improvement, strategic planning and performance management concepts and skills into all activities.
- Participates in health promotion and marketing efforts.
- Serves as a resource person in population based public health.
- Provides technical assistance and education to community groups, public agencies, professional organizations, and agency staff.
- Researches, prepares and submits grant applications to advance the work of the public health division and other community programs.
- Assists with division website maintenance.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned.

Education/Certifications/Experience Requirements

- Bachelor's degree in public health, health education, or closely related field and two years of full-time public health experience required.
- Master's degree, experience in grant writing and CHES certification preferred.
- Or, any combination of education and experience that provides equivalent knowledge, skills and abilities.

Required or Preferred Skills

- **Knowledge of the Core Competencies for Public Health Professionals. (http://www.phf.org/resourcestools/Pages/Core_Public_Health_Competencies.aspx). Developed by the Council on Linkages, the Core Competencies reflect skills that are desirable for professionals who deliver the Essential Public Health Services. The Core Competencies serve as the foundation for public health practices and are intertwined in the key responsibilities listed above.**
- Excellent verbal and written communication skills; ability to communicate in a clear, concise manner, tailoring the message to intended audience.

- Ability to select valid sources of health data and familiarization with and utilization of computerized health databases.
- Ability to utilize/gather primary and secondary sources of health and demographic information.
- Ability to identify health disparities and determine health priorities.
- Ability to recruit community partners and program participants; establish and maintain effective working relationships with system partners.
- Competence in strategic planning.
- Knowledge and understanding of population based public health services, health education and health promotion techniques.
- Ability to develop creative concepts and innovative techniques to reach populations with appropriate health information.
- Ability to transport oneself to and from various locations in a timely and efficient manner.
- Ability to operate a variety of office equipment including personal computer, photocopier, fax machine, telephone, and the software programs utilized by the department.
- Ability to add, subtract, multiply, divide calculate decimals and percents, rates and knowledge of descriptive statistics.
- Ability to use and interpret counseling, nutrition, and other medical terminology.
- Good public speaking ability.
- Ability to lift, carry, push and move objects up to 20 pounds, understanding and utilizing proper body mechanics.

POSITION ADDITION FORM		
Request Details		
Effective Date of Requested Change:	**9/24/2023**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2066565**	
Position Title:	**Substance Use Program Assessors**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Exempt**	
Pay Grade of Position:	**Grade 2**	
Estimated Starting Step:	**Step 3**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? Enter number of positions.	**Full Time:**	**2**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?	**Contracting**	
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
Outagamie County HHS is required under State mandate to provide Intoxicated Driver Assessments that are court ordered for individuals convicted of Operating While Under the Influence of a substance (OWI). The Substance Use Assessor provides these assessments to meet the court order and completes a Driver's Safety Plan for the individual. The Substance Use Assessor provides this assessment to the Department of Transportation and tracks the completion of this plan.		
Fiscal Data		
How will this position be funded (choose from drop-down list)?	**Grants**	
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**27,446**
Fringe Benefits	$	**8,884**
Travel/Training	$	**800**
Supplies - IT	$	**650**
Supplies - Other	$	**2,584**
Purchased Services - IT	$	**4,190**
Purchased Services - Other	$	**-**
Capital Outlay		
TOTAL EXPENDITURES	$	**44,554**

COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
IDP Fees	$	**(44,554)**
	$	-
TOTAL COST SAVINGS/REVENUES	$	**(44,554)**
NET COUNTY COST (Levy/Fund Bal)	$	-
PARTIAL YEAR FUNDING - ANNUAL PROJECTION		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary	$	**109,782**
Fringe Benefits	$	**35,536**
Other Expenditures	$	-
TOTAL EXPENDITURES	$	**145,318**
Deleted Position (if applicable)		
Less Increased Revenue/Cost Savings (enter as negative)	$	**(145,318)**
NET BUDGETARY IMPACT	$	**0**

OUTAGAMIE COUNTY
invites applications for the position of:

Substance Use Program Assessor

SALARY:

OPENING DATE:

POSITION PURPOSE:

The Substance Use Program Assessor works directly with individuals and families requesting substance use services or information. Functions as the main contact and coordinates services for the Intoxicated Driver's Program (IDP). Completes Intoxicated Driver's Assessments and Intoxicated Driver Safety Plans. Provides follow-up and case management services including but not limited to referrals for services, assessment and case managing for the Intoxicated Driver's Program and consumers within this program and Substance Use programming in general. Provides consultation with other county Divisions and other entities as needed. Works under the direction of the Clinical Director, assigned Substance Use/Mental Health Supervisor, and works within the State of Wisconsin scope of practice.

KEY RESPONSIBILITIES:

1. Assesses, diagnoses, and recommends treatment using ASAM, WAID and related placement criteria to ensure the consumer's needs are met, including Intoxicated Driver Assessments and Driver Safety Plans.
2. Works collaboratively with the consumer to develop a Driver's Safety Plan that addresses the needs of the consumer.
3. Ensures timely completion and submission of required forms to the Wisconsin Department of Transportation and courts; completion and submission of referral and clinical information when appropriate to contracted service providers.
4. Monitors consumer progress in completion of the Driver's Safety Plan.
5. Ensures compliance with federal, state, and county mandates including DHS 75 and DHS 62 and other applicable regulations.
6. Collaborates with multiple disciplines to effectively and efficiently provide consumer care and achieve desired outcomes.
7. Demonstrates an understanding of and sensitivity to cultural, environmental, and social factors that might impact the consumer and treatment experience.
8. Performs other duties as assigned.

EDUCATION/CERTIFICATIONS/EXPERIENCE REQUIREMENTS:

1. Associates degree with certification as a Substance Abuse Counselor (SAC) required. Training and completion of the Intoxicated Driver's Assessment certification will be provided if needed.
2. Ability to efficiently utilize technology, including electronic health records, office software, and related equipment.
3. Ability to comprehend and interpret a variety of documents, including consumer charts, medical, school records, professional literature, policy and procedure manuals, diagnostic manuals, etc.
4. Ability to prepare a variety of documents including consumer records, referrals, court reports, intake and assessment records, case notes, individual treatment plans, letters, and other correspondence, etc.
5. Ability to adhere to professional ethics and standards.
6. Communicate effectively with consumers and family members, community agencies and service providers, psychiatrists, physicians, and other medical professionals, attorneys and court personnel, Human Services personnel, school personnel, and others verbally and in writing.
7. Work well in a team environment displaying a supportive and positive attitude.
8. Demonstrated common sense, judgment, and communication skills and the ability to maintain confidentiality.

REQUIRED OR PREFERRED SKILLS:

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

POSITION ADDITION FORM		
Request Details		
Effective Date of Requested Change:	**9/24/2023**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2066565**	
Position Title:	**Substance Use Program Assistant**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Non-Exempt**	
Pay Grade of Position:	**18**	
Estimated Starting Step:	**1**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? Enter number of positions.	**Full Time:**	**2**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?	**Contracting**	
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:	**Psychologist**	
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		

• Adding an IDP program will create additional work across the System Support area both through in person visits as well as incoming phone calls from consumers as well as community providers. The Substance Use Program Assistant will help with the following: • Transcription of dictation from IDP and AODA staff. • Redacting all Release of Information records pulled pertaining to IDP and AODA records. • Scanning all IDP and AODA paperwork into Laserfiche. • Serving as a back up for front window customer service for IDP consumers. • Collecting fees for IDP assessments, receipting payments, as well as maintaining associated records of financial transactions. • Researching IDP and AODA Federal and State rules and regulations online to assist the IDP assessor and AODA staff stay current with program changes. • Coordinating training registration and hotel reservations for all IDP and AODA staff. Document staff training in TCM. • Process and pay mileage and other reimbursements for IDP and AODA staff. • Take minutes for any AODA/IDP related meetings or committees as needed. • Perform data entry of any supervion logs or other notes not submitted through transcription. • Compile requested data on IDP or AODA statistics or related data as required by the AODA supervisor or Division Manager. • Sort, stamp, and distribute all AODA related mail. • Mail out any letters or other correspondence to consumers regarding IDP or AODA related matters. • Monitor and maintain tasks associated with the IDP/AODA in box daily. • Schedule AODA funding apppointments with benefit specialists.

Fiscal Data		
How will this position be funded (choose from drop-down list)?		**Grants**
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**22,516**
Fringe Benefits	$	**8,166**
Travel/Training	$	**600**
Supplies - IT	$	**650**
Supplies - Other	$	**1,694**
Purchased Services - IT	$	**6,830**
Purchased Services - Other	$	-
Capital Outlay		
TOTAL EXPENDITURES	$	**40,456**
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
IDP Fees	$	**(40,456)**
	$	-
TOTAL COST SAVINGS/REVENUES	$	**(40,456)**
NET COUNTY COST (Levy/Fund Bal)	$	-

PARTIAL YEAR FUNDING - ANNUAL PROJECTION		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary	$	90,064
Fringe Benefits	$	32,664
Other Expenditures	$	-
TOTAL EXPENDITURES	$	122,728
Deleted Position (if applicable)		
Less Increased Revenue/Cost Savings (enter as negative)	$	(122,728)
NET BUDGETARY IMPACT	$	-

OUTAGAMIE COUNTY
POSITION DESCRIPTION
April 2023

POSITION TITLE: **Substance Use Program Assistant**

DEPARTMENT: Health and Human Services

PAY BASIS: Hourly (Non-Exempt)

PURPOSE AND SUMMARY:

Acts as the main initial contact for consumers involved with the Intoxicated Drivers Program (IDP) and the public regarding Substance Use (SU) services. Provides administrative support to Mental Health and Substance Use staff.

ESSENTIAL FUNCTIONS:

1. Provides information and educates consumers regarding their responsibilities and the timelines they need to follow as part of the Intoxicated Driver Program (IDP). Helps consumers and family members navigate through their options for Substance Use services. Keeps up to date on all IDP and Operating While Intoxicated (OWI) laws, fees and consumer requirements and shares that information with consumers so that they are well informed to make choices.

2. Provides information, education and intervention to consumers when immediate needs or crises arise and helps to connect them with appropriate services and staff. Coordinates efforts to solve client problems.

3. Tracks progress of IDP consumer's Driver Safety Plans, addresses consumer's needs related to Driver Safety Plans, maintains required Driver Safety Plan information with the Department of Transportation (DOT) and with courts.

4. Images confidential material, collateral information and legal documents, and maintains consumer information in Wisconsin DOT programs and internal consumer data bases.

ADDITIONAL ESSENTIAL DUTIES:

1. Provides administrative support to Mental Health and SU/IDP staff which may include a variety of highly confidential issues and sensitive materials; working with them on developing, updating and maintaining requested documents.
2. Coordinates consumer appointments, fees, and schedules of SU/IDP staff.
3. Types correspondence and other confidential material, as requested by professional staff.
4. Updates and maintains the reports.
5. Tracks and follows through on various types of consumer-related appointments and legal timeframes.
5. Effectively works and communicates with Clinical Director, supervisors, and staff; attends meetings as necessary.
6. Processes incoming and outgoing correspondence and confidential information in a variety of formats to include electronic, E-mail, postal mail to authorized persons and/or community agencies. Documents all activities.
7. Understands and ensures confidentiality of all consumer related information as required by Federal and State statutes and standards.

8. Addresses and resolves conflict and manages stress in a professional manner, including actively engaging in professional and personal activities which help mitigate the impact of secondary traumatic stress.
9. Performs other related duties as may be assigned.

WORK RELATIONSHIPS:

1. Reports to SU/MH Supervisor
2. Works regularly with Outagamie County Health and Human Services employees, consumers, and the public.

REQUIRED EDUCATION, EXPERIENCE, TRAINING, AND CERTIFICATION:

1. High school diploma required.
2. An Associate's degree in Administrative Management or Human Services related field or other complex office environment and training which provides the required knowledge, skills and abilities, preferred.

KNOWLEDGE, SKILLS, AND ABILITIES:

1. Ability to make necessary decisions and is a self-starter with demonstrated problem solving and organizational skills.
2. Ability to maintain a high degree of confidentiality regarding consumer/medical/IDP records.
3. Ability to communicate effectively and cordially with the general public, both in person and over the phone.
4. Ability to type 35 words per minute preferred.
5. Ability to establish and maintain productive and cohesive working relationships with fellow employees and supervisors.
6. Strong written and verbal communication and listening skills required.
7. Possess good working knowledge of a number of computer software packages to include, Microsoft Office Outlook, Word, Excel, PowerPoint and Access database. The ability to learn new software, problem solve issues and teach other staff.
8. Ability to operate various office equipment such as imaging equipment, copying machines and fax machines.
9. Ability to act calmly in emergency situations and under pressure, while able to effectively address and resolve conflict and to manage stress in a professional manner.
10. Knowledge and/or understanding in Trauma Informed Care principles and practices and a strong commitment to fostering a positive, healthy work culture.

PHYSICAL REQUIREMENTS:

1. Ability to perform most work from a sedentary position.
2. Ability to function in situations encountered in a normal office setting.
3. Ability to use standard office equipment including telephone, computer, printer, photocopier, and scanner.
4. Ability to travel to other County departments and locations.

Date: _____ _____

Director of Human Resources

POSITION ADDITION FORM		
Request Details		
Effective Date of Requested Change:	**9/24/2023**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2066090**	
Position Title:	**Clinical Therapist II (Substance Abuse)**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Exempt**	
Pay Grade of Position:	**9**	
Estimated Starting Step:	**2**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? Enter number of positions.	**Full Time:**	**2**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?	**Contracting**	
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:	**Psychologist**	
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
The Clinical Therapist II (Substance Abuse) is a master's level position providing clinical assessments and treatment of consumers who are diagnosed with a substance use disorder. These individuals may also be diagnosed with a co-occurring mental illness. Outagamie County serves consumers within the Comprehensive Community Services (CCS) and Community Support Program (CSP) where a number of these consumers require both substance use and mental health treatment. In order to meet these needs, staff trained and credentialed in substance use assessment and treatment are critical to the operation of these programs. Many of these individuals are also under mental health commitments that require Outagamie County to meet their treatment needs.		
Fiscal Data		
How will this position be funded (choose from drop-down list)?	**Grants**	
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**37,149**
Fringe Benefits	$	**17,965**
Travel/Training	$	**600**
Supplies - IT	$	**650**
Supplies - Other	$	**2,584**
Purchased Services - IT	$	**4,190**
Purchased Services - Other	$	-
Capital Outlay		

TOTAL EXPENDITURES	**$**	**63,137**
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
CCS Revenues	**$**	**(47,353)**
CSP Revenues	**$**	**(15,784)**
TOTAL COST SAVINGS/REVENUES	**$**	**(63,137)**
NET COUNTY COST (Levy/Fund Bal)	**$**	**0**
PARTIAL YEAR FUNDING - ANNUAL PROJECTION		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary	**$**	**148,595**
Fringe Benefits	**$**	**71,858**
Other Expenditures	**$**	-
TOTAL EXPENDITURES	**$**	**220,453**
Deleted Position (if applicable)		
Less Increased Revenue/Cost Savings (enter as negative)	**$**	**(220,453)**
NET BUDGETARY IMPACT	**$**	-

Outagamie County Est. 1851

Clinical Therapist II (DHHS-MH)

Class Code: 6600-2

Bargaining Unit:

OUTAGAMIE COUNTY
Established Date: Apr 5, 2017
Revision Date: August 3, 3023

SALARY RANGE

$72,426.00 - $91,021.00 Annually

POSITION PURPOSE:

Under the general supervision of the respective Supervisor, the Clinical Therapist II provides professional psychotherapeutic services associated with evidence-based practices and psychosocial rehabilitative services to individuals and families.

KEY RESPONSIBILITIES:

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

Generates and maintains accurate clinical documentation as required by established standards and internal departmental policies.

Develops and maintains positive relationships with other Health and Human Services Divisions, medical and human service agencies in the County and State.

Maintains licensure in Wisconsin by meeting all requirements of defined discipline.

Maintains regular and predictable attendance, works overtime/extra hours as required.

Provides on-call services as assigned.

Maintains productivity standards as defined by Division standards.

Investigates and provides services to allegedly abused or neglected adults.

Makes clinical assessments of consumers, family dynamics, medical and psychological histories, and formulates individualized outcome based treatment plans.

Manages consumers with varying degrees of mental health needs in a clinically effective and ethical manner.

Responds to daytime crisis service needs, makes preliminary emergent psychosocial assessment based on available information, provides short term psychotherapy and makes referrals as appropriate.

EDUCATION/CERTIFICATIONS/EXPERIENCE REQUIREMENTS:

Clinical Therapist II:

Master's degree in Social Work, Psychology, human services related field.

Licensure in the State of Wisconsin as Licensed Professional Counselor, Licensed Marriage and Family Therapist, or Licensed Clinical Social Worker.

Three or more years' experience as fully licensed practitioner.

Substance Abuse certification and experience assessing and working with dually diagnosed consumers is preferred.

One to two years of supervised experience with crisis intervention and/or adult protective services is preferred for assignment to Crisis Unit.

REQUIRED OR PREFERRED SKILLS:

Knowledge of and demonstrated ability to conform to goals, policies, and procedures of the Department as well as the Outagamie County Work Rules and Terms of Employment.

Ability to transport oneself to and from various locations in a timely and efficient manner.

Ability to operate a variety of office equipment including computers and software utilized by the Department.

Ability to add, subtract, multiply, divide, calculate decimals and percent's, and make use of the principles of descriptive statistics.

Ability to comprehend and interpret a variety of documents including clinical, hospital, and other medical records, policy and other manuals.

Ability to communicate effectively with consumers, multidisciplinary staff, law enforcement, legal professionals, school personnel, general public and others verbally and in writing.

Ability to adhere to professional ethics and standards.

Knowledge and appreciation of cultural issues and differences.

Skills in organization including paperwork management, time management, and prioritization of crisis demands.

Ability to make public presentations and provide community speaking engagements when needed.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

POSITION ADDITION FORM		
Request Details		
Effective Date of Requested Change:	**9/24/2023**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2066090**	
Position Title:	**Clinical Therapist I (Substance Abuse)**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Exempt**	
Pay Grade of Position:	**7**	
Estimated Starting Step:	**1**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	**Full Time:**	**1**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?	**Contracting**	
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:	**Psychologist**	
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
The Clinical Therapist I (Substance Abuse) is a master's level position providing clinical assessments and treatment of consumers who are diagnosed with a substance use disorder. These individuals may also be diagnosed with a co-occurring mental illness. Outagamie County serves consumers within the Comprehensive Community Services (CCS) and Community Support Program (CSP) where a number of these consumers require both substance use and mental health treatment. In order to meet these needs, staff trained and credentialed in substance use assessment and treatment are critical to the operation of these programs. Many of these individuals are also under mental health commitments that require Outagamie County to meet their treatment needs.		
Fiscal Data		
How will this position be funded (choose from drop-down list)?	**Grants**	
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**16,966**
Fringe Benefits	$	**4,512**
Travel/Training	$	**300**
Supplies - IT	$	**325**
Supplies - Other	$	**318**
Purchased Services - IT	$	**2,095**
Purchased Services - Other	$	**-**
Capital Outlay		

TOTAL EXPENDITURES	$	**24,516**
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
CCS Revenues	$	**(18,387)**
CSP Revenues	$	**(6,129)**
TOTAL COST SAVINGS/REVENUES	$	**(24,516)**
NET COUNTY COST (Levy/Fund Bal)	$	**0**
PARTIAL YEAR FUNDING - ANNUAL PROJECTION		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary	$	**67,311**
Fringe Benefits	$	**34,410**
Other Expenditures	$	-
TOTAL EXPENDITURES	$	**101,721**
Deleted Position (If applicable)		
Less Increased Revenue/Cost Savings (enter as negative)	$	**(101,721)**
NET COUNTY COST (Levy/Fund Bal)	$	**0**

Outagamie County Est. 1851

Clinical Therapist I (DHHS-MH)

Class Code: 6600-2

Bargaining Unit:

OUTAGAMIE COUNTY
Established Date: Apr 5, 2017
Revision Date: August 3, 3023

SALARY RANGE

$65,666.00 - $82,472.00 Annually

POSITION PURPOSE:

Under the general supervision of the respective Supervisor, the Clinical Therapist I provides professional psychotherapeutic services associated with evidence-based practices and psychosocial rehabilitative services to individuals and families.

KEY RESPONSIBILITIES:

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

Generates and maintains accurate clinical documentation as required by established standards and internal departmental policies.

Develops and maintains positive relationships with other Health and Human Services Divisions, medical and human service agencies in the County and State.

Maintains licensure in Wisconsin by meeting all requirements of defined discipline.

Maintains regular and predictable attendance, works overtime/extra hours as required.

Provides on-call services as assigned.

Maintains productivity standards as defined by Division standards.

Investigates and provides services to allegedly abused or neglected adults.

Makes clinical assessments of consumers, family dynamics, medical and psychological histories, and formulates individualized outcome based treatment plans.

Manages consumers with varying degrees of mental health needs in a clinically effective and ethical manner.

Responds to daytime crisis service needs, makes preliminary emergent psychosocial assessment based on available information, provides short term psychotherapy and makes referrals as appropriate.

EDUCATION/CERTIFICATIONS/EXPERIENCE REQUIREMENTS:

Clinical Therapist I:

Master's degree in Social Work, Psychology, human services related field.

Certification in the State of Wisconsin as an Advanced Practice Social Worker, Licensed Professional Counselor - In Training, or Licensed Marriage and Family Therapist - In Training.

Under 3 year's licensure as Licensed Professional Counselor, Licensed Marriage and Family Therapist, or Licensed Clinical Social Worker.

Substance Abuse certification and experience assessing and working with dually diagnosed consumers is preferred.

One to two years of supervised experience with crisis intervention and/or adult protective services is preferred for assignment to Crisis Unit.

REQUIRED OR PREFERRED SKILLS:

Knowledge of and demonstrated ability to conform to goals, policies, and procedures of the Department as well as the Outagamie County Work Rules and Terms of Employment.

Ability to transport oneself to and from various locations in a timely and efficient manner.

Ability to operate a variety of office equipment including computers and software utilized by the Department.

Ability to add, subtract, multiply, divide, calculate decimals and percent's, and make use of the principles of descriptive statistics.

Ability to comprehend and interpret a variety of documents including clinical, hospital, and other medical records, policy and other manuals.

Ability to communicate effectively with consumers, multidisciplinary staff, law enforcement, legal professionals, school personnel, general public and others verbally and in writing.

Ability to adhere to professional ethics and standards.

Knowledge and appreciation of cultural issues and differences.

Skills in organization including paperwork management, time management, and prioritization of crisis demands.

Ability to make public presentations and provide community speaking engagements when needed.

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POSITION ADDITION FORM		
Request Details		
Effective Date of Requested Change:	9/24/2023	
Department:	Health and Human Services	
Department Head:	John Rathman	
Cost Center Number:	2066090	
Position Title:	Supervisor Mental Health and Substance Use Services	
Sunset Position? (Yes or No)	Yes	
Exempt (Salaried) or Non-Exempt (Hourly):	Exempt	
Pay Grade of Position:	10	
Estimated Starting Step:	1	
Position exists in current the Table of Organization?	No	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	Full Time:	1
	Part Time:	
If Part Time position, how many hours per week will this position be working?	Hours:	
What other alternatives were considered?	Contracting	
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		

Position Justification
Briefly summarize why this position is needed, as well as areas of revenue and savings.
The Supervisor Mental Health and Substance Use Services provides the clinical oversight and daily supervision of the AODA Clinical Therapists and the Intoxicated Driver's Program (IDP) staff. Outagamie County is mandated to provide IDP services as well as substance use programming to meet the needs of Outagamie County residents under DHS 75.50 and DHS 62. Revenue for this position will be generated through clinical assessments and on-going clinical services billed to available consumer resources. Moveover, this supervisor assists in the supervision of all mental health division staff as needed.

Fiscal Data		
How will this position be funded (choose from drop-down list)?		Grants
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	19,105
Fringe Benefits	$	5,673
Travel/Training	$	-
Supplies - IT		
Supplies - Other		
Purchased Services - IT	$	175
Purchased Services - Other	$	-
Capital Outlay	$	3,668
TOTAL EXPENDITURES	$	28,621

COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
IDP Program	$	**(11,448)**
CCS Revenue	$	**(1,431)**
CSP Revenue	$	**(1,431)**
Substance Use Cost Savings	$	**(14,311)**
TOTAL COST SAVINGS/REVENUES	$	**(28,621)**
NET COUNTY COST (Levy/Fund Bal)	$	-
PARTIAL YEAR FUNDING - ANNUAL PROJECTION		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary	$	**76,420**
Fringe Benefits	$	**22,692**
Other Expenditures		
TOTAL EXPENDITURES	$	**99,112**
Deleted Position (if applicable)		
Less Increased Revenue/Cost Savings (enter as negative)	$	**(99,112)**
NET COUNTY COST (Levy/Fund Bal)	$	-

OUTAGAMIE COUNTY
POSITION DESCRIPTION
April, 2023

POSITION TITLE: **Supervisor Mental Health and Substance Use Services**

DEPARTMENT: Health and Human Services – MH/AODA Division

PAY BASIS: Salaried

Position Purpose:

Reporting to the Clinical Director/Manager: The Supervisor Mental Health and Substance Use Services administers programs and supervises the day to day activities of the assigned staff in the provision of services.

Key Responsibilities:

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Provides clinical supervision to Clinical Therapists, Substance Use Program Assessors, Substance Use Program Assistants and mental health staff as needed.
- Coordinates the Intoxicated Driver's Program (IDP) and oversees IDP services, training and supervision of IDP staff.
- Participate in the hiring of staff.
- Monitors performance and training needs of staff.
- Prepares timely performance evaluations.
- Participates in the review and development of agency programs, policies, and procedures.
- Ensures compliance with State Statutes, Administrative Codes, clinical and ethical standards, County and Department policies, and other laws and regulations.
- Provides after-hours crisis consultation and after-hours crisis services if needed.
- Coordinates assigned unit services with other Health and Human Services staff and outside agencies.
- Provides assessment and treatment to consumers as necessary.
- Performs other duties as assigned.

REQUIRED EDUCATION, EXPERIENCE, TRAINING, AND CERTIFICATION:

1. Master's Degree in social work, psychology, human services or a closely related field.
2. Certification by Department of Safety and Professional Services as a Licensed Clinical Social Worker or Licensed Professional Counselor.
3. Certification as an Independent Clinical Substance Abuse Supervisor. A Clinical Substance Abuse Supervisor – In Training will be considered depending on experience.
4. One to 3 years of supervisory experience preferred.
5. Prior experience working directly with persons with diverse needs, such as mental health, drug and alcohol, corrections related, court related preferred.
6. Current valid Wisconsin driver's license.

KNOWLEDGE, SKILLS, AND ABILITIES:

1. Knowledge of community resources to meet consumer needs.
2. Knowledge of state and federal regulations governing substance use disorders service provision and outpatient clinics.
3. Ability to read, understand and interpret statutes, ordinances, court documents and other legal writings.
4. Ability to assist with the preparation, implementation and management of the Substance Use Program, Intoxicated Driver Program and the Prevention Programs and budgets.
5. Ability to work effectively with SU treatment facilities in order to successfully meet program needs and needs of consumers.
6. Strong written and communication skills.
7. Computer skills including facility with Microsoft Office applications and ability to learn and use software.
8. Working knowledge and understanding of Trauma Informed Care preferred.
9. Ability to effectively address and resolve conflict and to manage stress in a professional manner.
10. Ability to transport oneself and others to and from various locations in a timely and efficient manner.
11. Ability to use standard office equipment including personal computer, photocopier, fax and telephone.

FUND: HEALTH & HUMAN SERVICES 206 COST CENTER NAME: HEALTH & HUMAN SERVICES

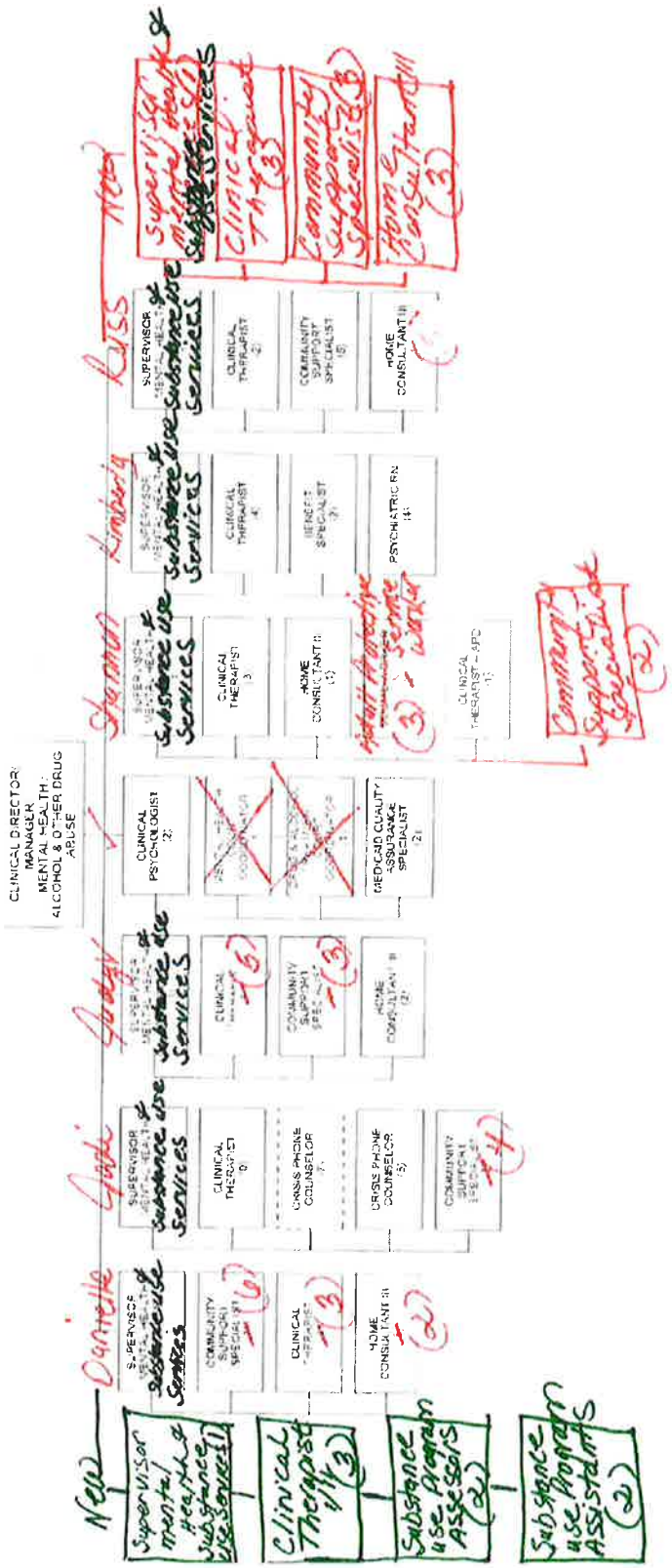
DEPARTMENT NAME: HEALTH & HUMAN SERVICES

POSITION COUNT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT
COMMUNITY HEALTH								
COST CENTER 2061010								
COMMUNITY HEALTH EDUCATOR	2	0	2	0	2	0	3	0
EMERGENCY PREPAREDNESS PLANNER	1	0	1	0	1	0	1	0
EPIDEMIOLOGIST	1	0	1	0	1	0	1	0
MANAGER: PUBLIC HEALTH	1	0	1	0	1	0	1	0
COMMUNITY HEALTH SUPERVISOR							1	0
COMMUNICATIONS SPECIALIST							1	0
~~SENIOR SUPPORT SPECIALIST~~ Administrative Specialist	3	0	3	0	3	0	3	0
COST CENTER TOTALS	9	0	9	0	9	0	11	0
COST CENTER 2061020								
BREAST FEEDING PEER COUNSELOR	0	1	0	1	0	1	0	1
BILINGUAL HEALTH AIDE	2	0	2	0	2	0	2	0
COMMUNITY HEALTH AIDE	0	0	0	0	0	0	0	0
NUTRITIONIST	4	0	4	0	4	0	4	0
WIC SUPERVISOR	1	0	1	0	1	0	1	0
COST CENTER TOTALS	7	1	7	1	7	1	7	1
COST CENTER 2061050								
ENVIRONMENTAL HEALTH SANITARIAN	3	1	3	1	3	1	3	1
ENVIRONMENTAL HEALTH SANITARIAN SUPERVISOR	1	0	1	0	1	0	1	0
~~ENRINMENTAL~~ Environmental HEALTH TECH (TEMP)					1	0	1	0
PUBLIC HEALTH AIDE	1	0	1	0	1	0	1	0
COST CENTER TOTALS	5	1	5	1	6	1	6	1

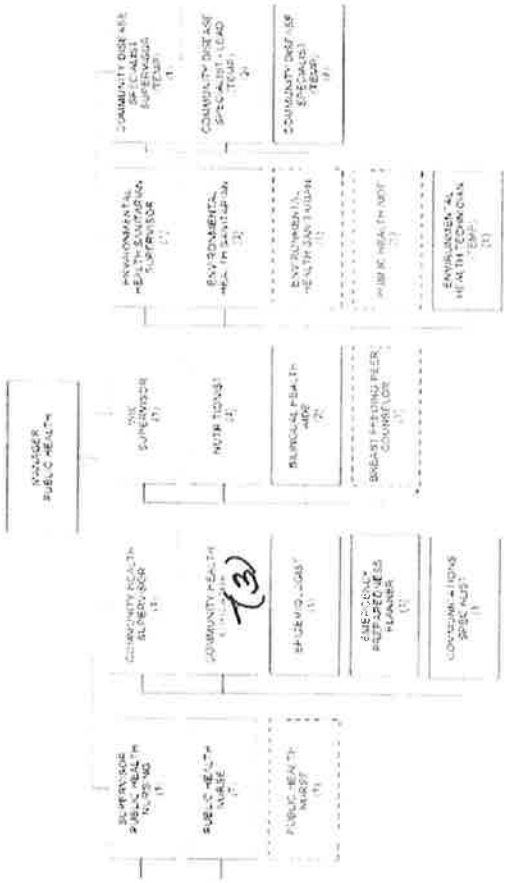
FUND: HEALTH & HUMAN SERVICES 206 COST CENTER NAME: HEALTH & HUMAN SERVICES

DEPARTMENT NAME: HEALTH & HUMAN SERVICES COST CENTER NUMBER: 2067020, 2066090

POSITION COUNT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT	2024 FT-PT
MENTAL HEALTH, ALCOHOL AND DRUG ABUSE									
COST CENTER 2066090									
ACCOUNT ASSOCIATE I ~~Account Associate III~~	1	0	1	0	1	0	1	0	1 - 0
BENEFIT SPECIALIST	0	0	2	0	2	0	2	0	
BILINGUAL HEALTH AIDE	0	0	0	0	0	0	0	0	
BILLING ASSOCIATE	2	0	2	0	2	0	2	0	
CLINICAL DIRECTOR/MANAGER: MENTAL HEALTH/ ALCOHOL & OTHER DRUG ABUSE	1	0	1	0	1	0	1	0	
CLINICAL PSYCHOLOGIST	2	0	2	0	2	0	2	0	
CLINICAL THERAPIST	19	0	19	0	21	0	~~24~~	0	
~~DRUG & ALCOHOL TREATMENT COURT COORD.~~	1	0	1	0	1	0	1	0	
HOME CONSULTANT III	14	0	12	0	12	0	12	0	13 - 0
HUMAN SERVICES SPECIALIST	0	1	0	1	0	1	0	1	
MEDICAID QUALITY ASSURANCE SPECIALIST	1	0	2	0	2	0	2	0	
~~MENTAL HEALTH COURT COORDINATOR~~	1	0	1	0	1	0	1	0	0 - 0
OFFICE SUPERVISOR	1	0	1	0	1	0	1	0	
~~SENIOR SUPPORT SPECIALIST~~ Administrative Specialist	6	3	6	3	6	3	6	3	
SOCIAL WORKER I-V	0	0	0	0	0	0	0	0	
SUPERVISOR: ACCOUNTING SYSTEMS	1	0	1	0	1	0	1	0	
SUPERVISOR: MENTAL HEALTH ~~SERVICES~~ & Substance Use Services	6	0	6	0	6	0	~~7~~	0	1 - 0
COMMUNITY SUPPORT SPECIALIST	16	0	17	0	20	0	20	0	- 0
PSYCHIATRIC RN	4	0	4	0	4	0	4	0	
ADULT PROTECTIVE SERVICES WORKER					2	0	2	0	3 - 0
DIVISION ASSISTANT					1	0	1	0	
CRISIS PHONE COUNSELOR	4	9	4	9	4	9	4	9	
Records Specialist							1 - 0		1 - 0
Substance Use Program Assessors							2 - 0		
Substance Use Program Assistants							2 - 0		


CLINICAL DIRECTOR MANAGER MENTAL HEALTH ALCOHOL & OTHER DRUG ABUSE
SUPERVISOR
CLINICAL PSYCHOLOGIST
CLINICAL THERAPIST
HOME CONSULTANT
PSYCHIATRIC RN
CLINICAL THERAPIST - APD
GEDCAP QUALITY ASSURANCE SPECIALIST
COMMUNITY SUPPORT SPECIALIST
CRISIS PHONE COUNSELOR
Substance use services
Clinic
Day Hrs
Crisis
Hospital
Psychiatric Service
Clinic Management
Home Consultant
Supervisor mental health substance use services (1)
Clinical Therapist (3)
Substance use Program Assessors (2)
Substance use Program Assistants (2)

HHS MH 82



HS - PH 83

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Department of Health and Human Services Request for Multiple In-Year Position Additions 2023

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Department of Health and Human Services is requesting approval for several in-year requests (as identified in Attachments A and B) along with the related budget adjustment for 2023 (all effective 10/01/2023). The fiscal analysis (for years 2023 and 2024) is included on Attachment A, along with the related budget adjustment. The adjustment is budget neutral as the full cost will be funded with either intergovernmental revenue, charges for services or expenditure reductions. Additional detail related to each position addition is provided on Attachment B.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (X)
   MH Contracted Staff costs included in MH-Contracted Alcohol and Other Drug Abuse cost center

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
   If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.) SEE ATTACHMENT A

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost $787,046 (net)
   Annual Revenue $787,046 (offset)

Fiscal Note Prepared by: Betty Gehring

For Financial Services purposes only

Reviewed By: Kent Ritchie

Date: 08/17/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

ATTACHMENT A

Outagamie County - Health and Human Services
Fiscal Impact - In Year Position Change Requests
For the Years 2023 and 2024

Fiscal Impact:

New Positions (Additions)	2023 Impact	2024 Impact
Supervisor Mental Health & Substance Use Services (MH)	$ 28,621	$ 99,112
Clinical Therapist I (MH)	24,516	101,721
Clinical Therapist II - 2 (MH)	63,137	220,453
Substance Use Program Assessors - 2 (IDP)	44,554	145,318
Substance Use Program Assistants - 2 (IDP)	40,456	122,728
Community Health Educator (Opioid Settlement)	27,547	97,714
(Increase)/Decrease in Charge for Services	(186,974)	(639,778)
(Increase)/Decrease in Intergovernmental Grants	(27,547)	(97,714)
(Increase)/Decrease in Purchased Services	(14,310)	(49,556)
	$ -	$ -

2023 Budget Adjustment:

Cost Center Name	Line Item	Account Number Including Cost Center	Increase/ (Decrease) Amount
Mental Health Provided	Salary	2066090.5100	$ 65,578
Mental Health Provided	Benefits	2066090.5200	$ 25,881
Mental Health Provided	Travel Training	2066090.5300	$ 900
Mental Health Provided	Supplies	2066090.5400	$ 3,877
Mental Health Provided	Purchased Services	2066090.5500	$ 6,460
Mental Health Provided	Capital Outlay Furniture	2066090.6000	$ 3,668
Mental Health Provided	Charges for Services - CCS Revenue	2066090.4410.69	$ (67,171)
Mental Health Provided	Charges for Services - CSP Revenue	2066090.4410.15	$ (23,344)
MH Contract Alcohol & Other Drug Abuse	Purchased Services	2066560.5500	$ (14,311)
Intoxicated Driver Program	Salary	2066565.5100	$ 57,604
Intoxicated Driver Program	Benefits	2066565.5200	$ 19,319
Intoxicated Driver Program	Travel Training	2066565.5300	$ 1,400
Intoxicated Driver Program	Supplies	2066565.5400	$ 5,578
Intoxicated Driver Program	Purchased Services	2066565.5500	$ 11,020
Intoxicated Driver Program	Capital Outlay Furniture	2066565.6000	$ -
Intoxicated Driver Program	Charges for Services - IDP Fees	2066565.4310.01	$ (96,458)
Opioid Settlement	Salary	2170100.5100	$ 16,085
Opioid Settlement	Benefits	2170100.5200	$ 4,383
Opioid Settlement	Supplies	2170100.5400	$ 2,102
Opioid Settlement	Purchased Services	2170100.5500	$ 2,634
Opioid Settlement	Capital Outlay Furniture	2170100.6000	$ 2,342
Opioid Settlement	Fund Balance Applied	2170100.8955	$ (27,547)
		Net Change	$ -

2024 Budget Adjustment: **Will be incorporated into 2024 Budget**

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Lock In of Appointments, Resolution Nos. 44, 45—2023-24

Lock in of Appointments, Resolution Nos. 44, 45—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER ABSENT

Outagamie County

5-23-23 County Board Meeting - September 12 2023 07:53:07 PM

May 23, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Lawrence, to reconsider the Human Resources Director Appointment, Recycling and Solid Waste Director Appointment and Resolution Nos. 44 and 45—2023-24.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, RECYCLING AND SOLID WASTE DIRECTOR APPOINTMENT AND RESOLUTION NOS. 44 AND 45—2023-24 ARE RECONSIDERED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Reconsideration of Appointments, Resolution Nos. 44, 45—2023-24

Reconsideration of Appointments, Resolution Nos. 44, 45—2023-24 — **Passed By Majority Vote**

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER ABSENT

Outagamie County 5-23-23 County Board Meeting - September 12 2023 07:52:54 PM OpenMeeting

May 23, 2023 County Board Meeting

Resolution No. 45—2023-24 – Legislative/Audit and Human Resources Committee. Approve the Total Rewards Compensation Study Final Report for Outagamie County, effective December 17, 2023, which will supersede previously-approved compensation schedules, with no budget adjustment needed, as the additional compensation will be included as part of the 2024 budget process.

Supervisor Konetzke moved, seconded by Supervisor Smith, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 45—2023-24 IS ADOPTED.



VOTE RESULTS — 32 YES | 0 NO | 0 ABSTAIN | 4 ABSENT

Resolution No. 45—2023-24

Legislative/Audit and Human Resources Committee. Approve the Total Rewards Compensation Study Final Re… 17, 2023, which will supersede previously-approved compensation schedules, with no budget adjustment needed, as the additional compensation will be included as part of the 2024 budget process.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER ABSENT

Outagamie County — 5-23-23 County Board Meeting - September 12 2023 07:52:23 PM
May 23, 2023 County Board Meeting — OpenMeeting

RESOLUTION NO.: 45—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County engaged the services of McGrath Human Resources Group as part of the Total Rewards Classification and Compensation Study which included the completion of a market analysis of county positions and introduction of a new wage schedule, which will help the County attract and retain employees in the rapidly changing labor market. The inventory of the County's current compensation, benefits, and related opportunities it provides its employees, based on the Total Rewards Model, included Wages (base pay and variable pay), Benefits, Well-being, Talent Development, and Recognition.

A single salary schedule has been developed for the County. Both exempt and non-exempt positions will be included in order for the County to better manage a singular system. There are 20 Pay Grades (reduced from 58) with 7% - 10% between the Pay Grades. Each Pay Grade has 10 steps, each with a 3% adjustment between each step. Step 5 is identified as the average Market Rate, although all steps are aligned to the average market. Overall, the Salary Range from Minimum to Maximum is 30%. Step adjustments are recommended annually based upon acceptable and documented performance indicators. The recommended salary schedule was developed with 2023 market data to maintain competitiveness with the existing market The County should not need to make any range adjustments until 2024.

During the course of the Study, there was an opportunity to better align job titles with responsibilities. The recommendations have reduced the number of classifications from over 330 to 260, inclusive of levels within a classification.

At this time, no budget adjustment is required as the monies needed for the additional compensation will be included as part of the 2024 budget process.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the attached Total Rewards Compensation Study Final Report for Outagamie County, Wisconsin, which by reference is made a part hereof, effective December 17, 2023, which will supersede previously-approved compensation schedules, with no budget adjustment needed, as the additional compensation will be included as part of the 2024 budget process, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Finance Director, and the Outagamie County Executive, who, in accordance with Sec. 59.03 Wis. Stats., shall be charged with the duty of distributing said compensation schedule to affected departments for compliance.

Dated this 12th day of September 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: September 12, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 9.14.23 Vetoed: _____

Signed: _____
County Executive

McGrath
HUMAN RESOURCES GROUP

Total Rewards Compensation Study Final Report

for

Outagamie County, Wisconsin

September 2023



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Introduction

The intent of the Project Summary is to provide an overview of the most important issues and opportunities identified by the Consulting team during the Study. Recipients of this Report are highly encouraged to read the document in its entirety to gain an understanding of the recommendations presented within the Report. This introduction alone does not provide enough context or information upon which to base decisions or to evaluate the recommendations provided.

McGrath Human Resources Group, Inc., an organization that specializes in public sector consulting, was commissioned by Outagamie County to conduct a Total Rewards Classification and Compensation Study.

The Consultants would like to extend appreciation to the County Executive, County Board Chair, Human Resources Director, Department Heads, and employees for their time, cooperation, and sharing of information and perceptions with McGrath Human Resources Group.

The Consultants utilized the following steps to develop their recommendations:

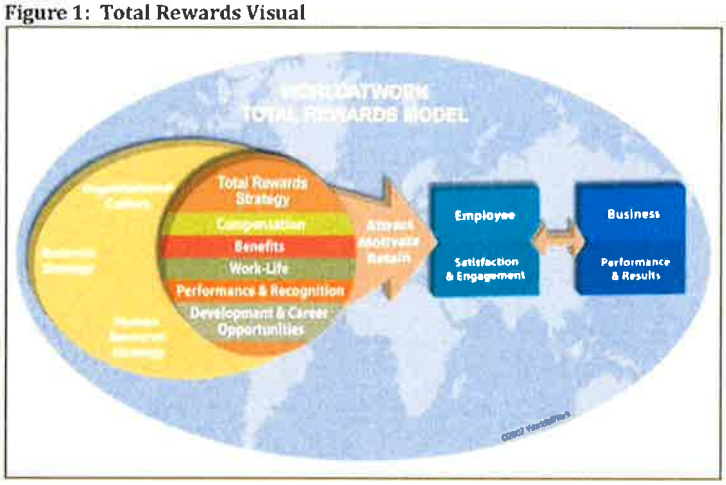
- Discussions with County Administration, Human Resources, and Department Heads and Managers.
- Analysis of the current salary schedules, compression, and current compensation policies.
- External market data was solicited and analyzed from 27 comparable public organizations for 319 positions, plus benefits, selected jointly between the Consulting team and the County, in addition to private sector entities.
- Position analysis based upon extensive information provided by incumbent employees describing job responsibilities, skills, and various competencies of the position in addition to a review of job descriptions was completed for 394 identified positions.
- Internal position analysis based upon all information collected and analyzed and meetings with each Department Head.
- Feedback on recommendations by Administration, Human Resources, and Department Directors.

Total Rewards Overview

Attraction, motivation, engagement and retention are critical issues facing all employers. Successfully addressing these issues begins with, at a minimum, having a strategy that aligns certain elements of the employment experience with the goals and objectives of the employer. A Total Rewards model encompasses specific employment elements to drive

performance and a positive employment experience, which should promote retention. A Total Rewards model considers the following:

Figure 1: Total Rewards Visual



(Source: WorldatWork)

A Total Rewards model provides a framework for designing, implementing, and assessing the rewards packages offered throughout the organization. Organizations should always consider various influences, both internal and external, that help shape an organization's unique culture, business strategy, and human resources strategy. It will be important that the organization continue to focus on that balance going forward with the current labor market conditions, and acknowledging what is valued and important to various generations that make up current and future employees.

The following is an inventory of the County's current compensation, benefits, and related opportunities it provides its employees, based on the Total Rewards Model:

Wages (Base Pay and Variable Pay). Pay provided by an employer for services rendered. This includes both fixed pay and variable pay tied to performance.

- Base Wages
- Shift Differentials
- Certification Pay
- Assignment Pay

Benefits. Programs an employer uses to supplement the cash compensation that employees receive. These include health, income protection, retirement programs that provide security for employees and their families, etc.

- Social Security - mandatory
- Medicare - mandatory
- Workers Compensation - mandatory

- Unemployment compensation - mandatory
- Health insurance multiple options with Health Savings Account option
- Vision insurance
- Dental insurance
- Life insurance
- Long-Term and Short-Term Disability
- Wisconsin Retirement Plan
- Deferred Compensation Plan (457)
- Roth IRA
- Flexible Spending Account
- Health Savings Account
- Vacation and sick benefits
- Compensatory Time
- Voluntary Shared Leave
- Bereavement, civic duty, and military leaves
- Observed and floating holidays
- Clothing Allowances for specific positions
- Safety Equipment and Tool reimbursement

Well-being. Organizational practices, policies and programs that help employees achieve success both at work and outside of work.

- Equity, Diversion, and Inclusion Initiatives
- Employee Assistance Program
- Wellness Opportunities
- Job Sharing
- Breastfeeding Friendly Workplace
- Telecommuting Options
- Dress for your Day Policy

Talent Development. Provides the opportunity and tools for employees to advance their skills and competencies in both short- and long-term careers.

- Training and development courses
- On-the-job training
- CDL reimbursement
- Education Reimbursement
- Performance Management Feedback

Recognition. Acknowledgement of employee behaviors/outcomes that support the organization's success. Recognition programs can be formal or informal and do not need to have a financial component.

Summary. Because of the drastic changes in the labor market over the last few years, the County will need to build a robust model that can positively influence the culture of the organization and the employees that make up that work culture. This visual should help the County as it considers new Total Reward opportunities for employees, to provide a balanced and engaging employment experience to its employees when it is not able to provide the highest wages in the region. Compensation is not the only driving factor for recruitment and retention, although it is currently the highest rated factor for both recruitment and retention feedback (Neogov Job Seeker Report 2021). The second highest rated item for retention is a positive work environment/culture, followed by challenging work and the ability to utilize their skills and talents.

The Total Rewards Report breaks down of each of the five (5) Total Reward areas with options and recommendations to consider as the County develops its long-term Total Rewards Strategy to be an employer of choice in the region.

Methodology

Data Collection

The project involved several steps: collection of data, interviews, and data analysis. The first step of this Study involved the gathering of data that pertains to current compensation practices within Outagamie County. The Consultants received information relating to current salaries, specific policies, collected market data, and current job descriptions.

Interviews were conducted with the County Executive, Human Resources Director, Department Heads and other management personnel within each Department. The purpose of these meetings was to first, gain an understanding of the County's current compensation practices and philosophy; second, to solicit ideas and input from these stakeholders for future compensation methodologies and practices; and finally, to determine if there were any positions within the County that were difficult to recruit, retain, or were otherwise unique in the position's responsibilities.

At the first virtual site visit, employees were provided an introduction session to the project and the Position Questionnaire process. Employees from each Job Classification were then asked to complete a Position Questionnaire (PQ) which provided extensive information about the positions. The Consultants utilized the Position Questionnaires completed by the employees, which had been reviewed by supervisory employees, to gain a better understanding of the job responsibilities, skills, and various competencies of the position.

During the second virtual visit, the Consultants met with the County Executive, and Human Resources Director to provide a summary of the County against the comparable market. The type of compensation models and compensation philosophy for the County were also discussed.

A project status update was provided to the Committee Chairs and the County Board while the recommendations were being developed.

Upon completion of the draft compensation schedules, the Consultants met with the Human Resources Director and Department Heads separately to review the recommended Salary Schedule and gain their perspective. Any recommendations and feedback provided was reviewed by the Consultants and taken into consideration in both its relation to the position analysis, the external market data, as well as the impact to internal equity within the entire Compensation System.

Labor Market

In order to gain information from the external market, through interviews with the Department Directors and County Administration, a list of comparable organizations was established. Each of the comparable organizations were contacted requesting current salary schedules and incumbent data. The following comparable organizations were contacted:

Table 1: Comparable Organizations

COMPARABLE ORGANIZATIONS	
Brown County	City of Appleton
Calumet County	City of Green Bay
Dane County	City of Neenah
Fond du Lac County	City of Oshkosh
Kenosha County	Town of Grand Chute
La Crosse County	State of WI (limited)
Marathon County	Bishop International Airport Authority
Milwaukee County (limited)	Cedar Rapids Airport Commission
Portage County	Eastern Iowa Airport
Racine County	Fort Wayne-Allen County Airport Authority
Rock County	Gerald R Ford International Airport Authority
Waukesha County	Greater Rockford Airport Authority
Waupaca County	Metropolitan Airport Authority of Peoria
Winnebago County	

Local private comparable data was also collected, when provided. The collection of this compensation data was utilized to analyze the average Market Minimum, Midpoint and Maximum Rates per defined benchmark positions. A comparison of the average salary of the positions to the salary of incumbents within the County was also performed. When necessary, evaluation of the comparable organization's job description, when available online, was utilized to resolve conflicts.

In addition to current positions within the County, the Consultants sought comparable data on future positions/career ladders, and positions with job responsibilities that are combined in Outagamie but might be separate in other organizations. In some cases, titles were altered to better align with the industry. Not all positions are reflected in the following data analysis. In some situations, data was not available in the external market, data was insufficient, or there were no internal matches at the time of the Study.

Market Data Solicited

The market survey gathered the following 2023 information: Minimum, Midpoint, and Maximum salary for the positions as well as the average salary of the incumbents. Upon examination, salaries were eliminated if statistically too high or too low as to not skew the average (typically within one-two standard deviations). Then, a new percentile amount was

calculated with the remaining salaries. There was a great deal of time spent in the data analysis to ensure that each position was examined based on the data available and how the responsibilities of each position align within the County.

Market Analysis

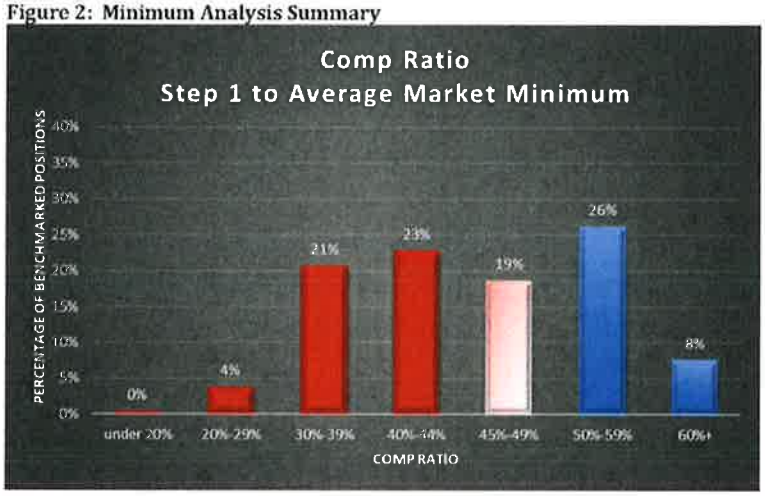
In order to analyze the ranges, a Comp Ratio is used. This is a ratio of the County's salary in relation to the external market data. A 50% Comp Ratio would mean that the salary is in line with the external Market while utilizing +/-5% range around each data point. Thus, if a position has a Comp Ratio of 45% or greater, the employee is considered aligned to the market, but should be watched carefully. Positions with lower 45%-49% Comp Ratios are likely to experience challenges with recruitment/retention due to the current labor market in certain industries. These positions have been identified separately.

Minimum Salary Comparison

The analysis of the Minimum Salary Range gives an initial indication if starting salaries are within an acceptable Market Range. When building a salary schedule, consideration of this information will ensure the County's Minimums are within an acceptable range to the average Market Minimum; however, this analysis is only the beginning in the development of a Compensation Schedule.

Approximately 48% of the benchmarked job titles are below the average market for minimums, and another 19% are in a lower comp ratio that may be falling short of competitiveness. Overall, 34% of the positions are within the acceptable average market minimum. It would appear the County's minimum hiring salaries are insufficient against the average market. The figure below provides a summary of findings.

Figure 2: Minimum Analysis Summary

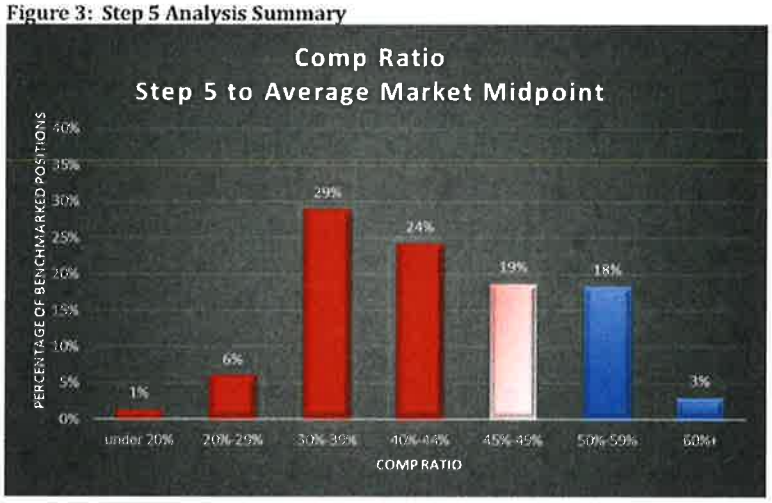


Due to rounding, may not result in 100%

Step 5 Salary Analysis

The Consultants wanted to know if Step 5 (structure midpoint) of the existing salary schedule was aligned with the average market midpoint; therefore, a midpoint analysis between the County Step 5 and the market midpoint was conducted. Again, a comp ratio less than 45% would indicate the salary ranges are not aligned to the market. Approximately 60% of the midpoint of benchmarked positions are lower than the midpoint, and another 19% of the positions are in a lower comp ratio that are just falling short of competitiveness. Overall, 21% of the positions are within the acceptable average market at the midpoint. The following is a summary of findings.

Figure 3: Step 5 Analysis Summary



Due to rounding, may not result in 100%

Maximum Salary Analysis

The Consultants compared the Salary Range Maximum to the average Market Maximum. However, due to various types of salary range construction, one must always consider this may not be an exact comparison.

With that said, the County's salary range maximum is at or above the average Market Maximum for only 17% of positions. This is problematic because it shows a consistent pattern that the current schedules have fallen out of a competitive market range. As a result, the County may be challenged with the retention of current staff, which can lead to those staff leaving to work in other organizations in the area for more pay.

Figure 4: Maximum Salary Analysis

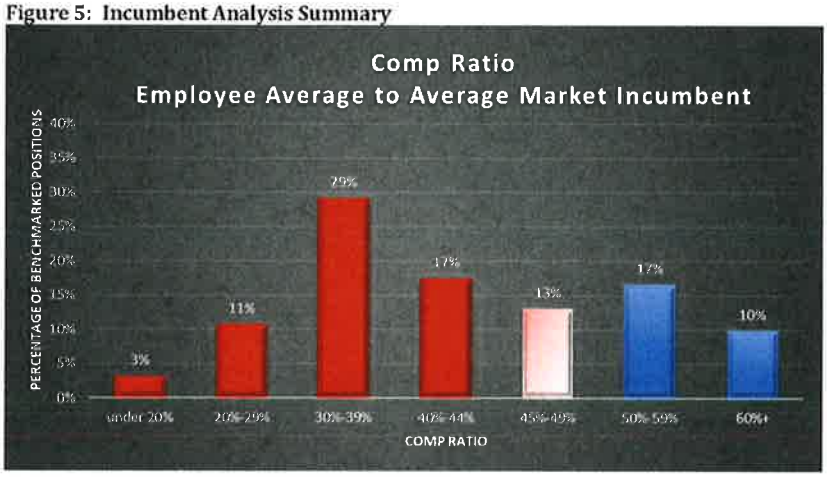


Due to rounding, may not result in 100%

Average Market Salary Analysis

The final step is to compare the County's current incumbent salaries to the average Market Rate to assess how competitive incumbent wages are within the market. For this purpose, positions where there are more than one (1) incumbent, an average of the current employees is utilized. Overall, 61% of the positions are below the average Market Rate, and another 13% of the positions are in a lower comp ratio that are just falling short of competitiveness In total, 27% of the positions within the County are at or above the average Market Rate. In summary, the County has not fared well when employee salaries are compared to the average Market Rate of employee salaries, although one needs to consider tenure of employees.

Figure 5: Incumbent Analysis Summary



Due to rounding, may not result in 100%

Private Sector

Entrance rates were also gleaned from various private sector organizations that were actively recruiting for skilled and non-skilled labor, administrative and fiscal positions. [It should be noted that what is not able to be evaluated is the benefit packages of these private sector firms, hiring/retaining bonus, and other 'perks' provided in the private sector that are not allowed in the public sector.] Many businesses still report the lack of available workers and have curtailed their ability to meet current work demands, which resulted in raising wages, in addition to the rise of cost of living in the past year. As a result, all employers, including Outagamie County, will need to ensure their wages (and benefit package) are as competitive as financially possible in order to help mitigate turnover and facilitate recruitment success.

Current Compensation Systems

The County currently has two (2) Salary Structures, one for exempt, and one for non-exempt positions. Each Structure is a Step Model, with 10-steps for each Pay Grade, or salary range. The County internally consolidated multiple salary structures several years ago, following Act-10, that comprise the existing structures today.

The Exempt Salary Structure is made up of 21 Pay Grades with 3.08%-6.07% between each Pay Grade. Even though each Pay Grade has 10 steps, the percentage of step varies between .63%-2.8%. As a result, the salary ranges are between 12%-26%. There are 151 classifications compensated from this model.

The Non-exempt Salary Structure is made up of 37 Pay Grades with .12%-6.39% between each Pay Grade. Even though each Pay Grade has 10 steps, the percentage of step varies between 1.85%-3.63%. As a result, the salary ranges are between 15%-33%. There are 185 classifications compensated from this model.

When these structures are combined, there are many pay grades that are very similar because there is overlap between non-exempt and exempt salaries. One of the County's goals is to have a more consistent and equitable structure for all positions, so these inconsistencies are eliminated.

Compensation Philosophy

A compensation philosophy is an organization's financial commitment to how it values its employees. The goal of this philosophy is to attract, retain, and motivate qualified people. A consistent philosophy provides a strong foundation in determining the type of total compensation package to offer employees.

There are foundational aspects of compensation to assist with the development of a compensation philosophy to ensure the goals of compensation align with the goals of the organization. First, there are basic questions to consider:

1. What is considered a fair wage?
2. Are wages too high for the financial health of the organization?
3. Does the compensation system reflect the value of positions within the organization?
4. Is your compensation strong enough to retain employees?
5. Do you currently have a defined compensation philosophy?
6. If so, is your compensation philosophy keeping in line with labor market change, industry change, and organizational change?

The County is in business to provide an essential and difficult service to the community. It does that through hiring qualified employees who lend their skills and talents to various positions within the organization. Without those individuals, the County would not be able to provide these services. In order to be competitive for the retention of existing personnel and have successful recruitment efforts to replace future turnover, the County needs to be competitive with the targeted comparables.

In order for the County to be competitive with recruitment and retention, it is recommended the County establish its compensation philosophy that is based on average market wages so the County can be competitive in the current labor market. The following sections support that recommendation.

Public Sector Turnover/Recruitment Challenges

According to human resources professionals across the United States, it is becoming progressively harder to hire qualified personnel. Looking at a tight labor market, recruitment and retention of qualified personnel with the necessary skills for public service has topped the list of workforce challenges for the last several years, and in 2021 nearly 86% of human resources professionals reported moderate to significant increases in vacancies within their organization.

Between 2016 and 2022, applicant volume for government jobs dropped 56%, while openings are up 45%, resulting in a significant work gap in the public sector and has led up to 20% of state and local agencies reducing services due to staffing shortages (Source: The Quiet Crisis in the Public Sector, Neogov, 2022). The hardest hit are jobs are those that pay below $40,000 per year, which are frequently the jobs that interface with the public and community members the most. (Source: Neogov 2021 Job Seeker Report.)

Figure 6: Percentage of Applications for Government Employment 2016-2022



(Source: Neogov)

This is not necessarily a new issue, but some employers do state it has become increasingly problematic to operations. Public employers have been experiencing ongoing challenges of this nature for almost a decade. Governments historically have had a compelling proposition to offer workers with secure lifetime employment and generous health benefits followed by a robust pension for retirement, which is no longer the case. Public employers are battling for their talent because:

- The "Silver Tsunami" identifies between 30%-40% of local government workers eligible to retire, and there is a workforce gap.
- Long term employment has less appeal to the younger workforce.
- There is a real or perceived decline in public support for government workers.
- Public employers do not feel they can compete with salaries and benefits as benefits erode and the private sector is more competitive.
- There is a growing skills gap. Many government jobs now require specialized education or training. Fewer positions are 'learn on the job.'

- Public employers are not able to offer the same level of flexible work arrangements to all employees.
- Limitations in technologies prevent efficiencies and automation.
- There are limited financial resources.
- Not all work cultures are pleasing and supportive.

The Great Resignation and Private Sector Influence

Compounding the public sector recruitment challenges, in 2021, as the nation re-opened following COVID shutdowns, the country experienced continued private industry prosperity, record inflation, record retirements, and record turnover from an otherwise qualified workforce, causing all industries, both public and private, to be competing for already limited human resources. This has led employers to escalate wages for all positions to help recruit and retain their talent. The effect has been substantial, and nearly every employer is experiencing recruitment and retention challenges. Many businesses report the lack of available workers and have curtailed their ability to meet current work demands, while raising wages.

Employee Demographics

In reviewing the County's employee demographics for positions covered in the study, the tenure of the organization ranges from new hire to 43 years. The overall tenure average of the employees is 7.8 years. The national average in the public sector is currently 6.9 years (Local Government-Bureau of Labor Statistics, September 2022), showing the County is above average in overall tenure, which is positive. In order to have a full picture of the County, one needs to explore these demographics further; these findings are in the following Figures.

Figure 7: Employee Demographics by Years of Service

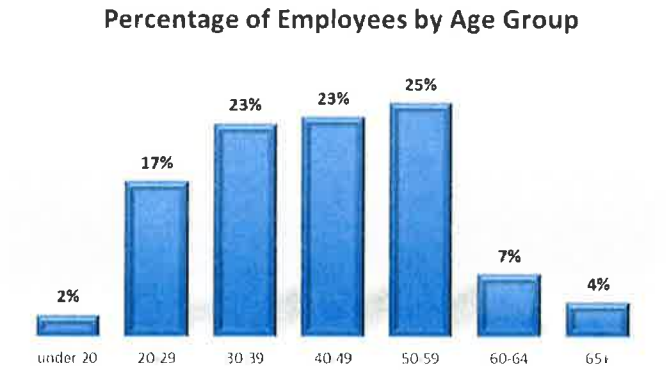
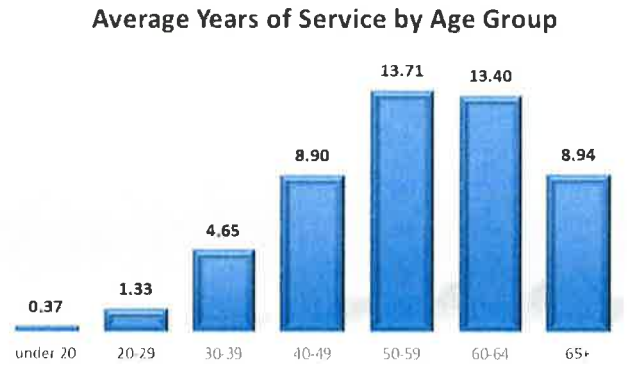


Figure 8: Employee Demographics by Age Group

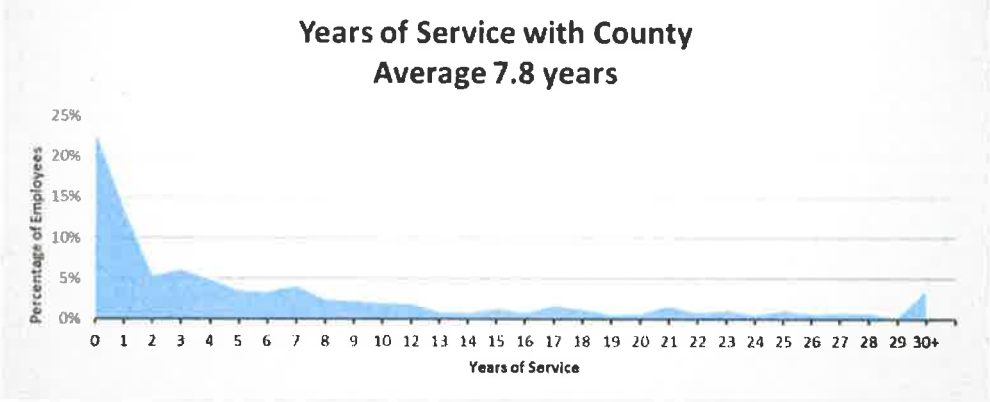


The above Figures show those in age groups 50 and over have the longest tenure and represent 36% of all employees and will likely be the group considering retirement over the next decade. The County should expect ongoing steady turnover simply due to retirements over the next decade and beyond. A turnover 'spike' may be an indication of a decline in job satisfaction, or a wage/benefit issue, so this data should be monitored at least annually to ascertain what percentage of turnover is retirement versus resignation.

Another significant finding is the County's demographics illustrate that 42% of the workforce is under the age of 40, and this is likely the cross-section of employees who are seen as more mobile in today's workforce, focus heavily on work/life balance, and consider non-compensatory benefits for the purposes of retention. This group also changes jobs quickly because it results in earning higher wages as opposed to remaining with one organization for a longer period of time, which is notable as average tenure in these age groups range from .37-4.65 years of service. Experienced professionals within the age 40-49 band are also critical, as their level of experience and skill makes many of them uniquely qualified to have multiple job opportunities, so having a competitive wage and benefit package will facilitate retention.

Looking at the tenure in more detail, the following Figure shows just how new the current workforce is. Currently, 37% of the workforce has less than two (2) years of service. Most of this recruitment is at the Airport, Nursing Home, and within Human Services, although corrections, dispatch, and highway has also hired numerous positions. The noticeable decline in tenure may be an indication that the County simply is not retaining personnel long term beyond the second year. There is a significant reason to retain personnel to help develop the County's succession planning opportunities, but employees may not perceive these opportunities based on the current salary schedule. This would mean the organization may be looking to fill more positions externally, which could have unintended operational impacts, and the compensation will need to be competitive enough to attract external applicants for higher level positions.

Figure 9: Employee Demographics by Longevity



The County is recommended to continue to monitor demographics periodically to properly respond to shifts within the organization as needed. Although the Consultants acknowledge compensation is not the only reason for unwanted turnover, it is a consideration of the larger picture. In order to ensure competitive recruitment/retention, the County is recommended to follow the compensation philosophy of average market compensation to ensure the County can stay competitive to support retaining its personnel as long as possible.

Classification and Compensation Recommendations

Salary Schedule

The recommended 2023 Compensation System is provided as Appendix A. A single salary schedule has been developed for the County. Both exempt and non-exempt positions will be listed so the County can better manage a singular system. There are 20 Pay Grades with 7%-10% between the Pay Grades. Each Pay Grade has 10 steps, each with a 3% adjustment between each step. Step 5 is identified as the average Market Rate, although all steps are aligned to the average market. Overall, the Salary Range from Minimum to Maximum is 30%. Step adjustments are recommended annually based upon acceptable and documented performance indicators.

2024 Adjustment

The recommended salary schedule was developed with 2023 market data to maintain competitiveness with the existing market. The County should not need to make any range adjustments until 2024.

Classification Structure

The Classifications are listed in Appendix B. During the course of the Study, there was an opportunity to better align job titles with responsibilities. The recommendations have reduced the number of classifications from over 330 to 260, inclusive of levels within a classification. Some classifications may be given a department tag for job description and payroll purposes. Some job titles were revised to either have consistency throughout the organization, or to become more current with the external market and are reflected on the recommended Salary Schedule.

Position Placement

With the reduction in total number of pay grades from 58 to 20, time was spent with Department Heads to revisit the alignment of positions for each department.

Placement onto the respective Salary Schedule is based upon several criteria:

- Job Analysis
- Market analysis
- Compression analysis
- Internal equity

After considering all these elements, placement of some positions on the Salary Schedules have changed, with some positions now being placed in lower or higher pay grades than on the previous Schedule. This is not an indication that any given position is more or less important. Similarly, this is not a "reclassification" process, where a position is being evaluated on changes in responsibility, authority, or decision making that may place the position in a higher or lower pay grade, etc. This process is a complete reset of the Compensation System. This is sometimes difficult for employees, because they look only at where their position is placed on the Schedule and compare themselves to positions that have been placed higher. When this occurs, employees begin to compare their perception of the value of positions within the organization, and do not know, or disregard, the factors the Consultants considered when placing all the positions onto the Schedule.

Employee Placement

For purposes of implementation only, employees need to be placed to the Minimum Market of the Pay Range if under Step 1. If the employee's current wage is above Step 1, the employee then needs to be placed on a step within their new range that does not result in a wage decrease. The County also wanted to ensure employees would experience at least a 3% increase for the first half of 2024. Therefore, employees whose placement did not result in a 3% increase the first half of the year were adjusted to a step meeting the minimum percentage. The only exception to this criterion would be employees whose salary is already at the top of the Maximum of the Pay Range. These adjustments place employees in a particular step regardless of tenure in the position. It is important to understand that market value is based on the work being performed, not the number of years one has been performing the work.

General Operational Guidelines

Maintenance of Salary Schedule

It is important for the County to have a standardized procedure to adjust the Salary Schedules for consistency and for budgetary forecasting. The Consultants recommend that on a set date each year, the Salary Schedules be increased by the Consumer Price Index – Urban (CPI -U) percentage or by a local economic indicator, if preferred. For example, since budgeting is done at approximately the same time each year, the County should establish a specific month in which to capture the average of the previous twelve (12) months of the selected economic indicator for a recommended adjustment. The County will still maintain control if conditions and finances fluctuate in a specific year. The following are the types of increases recommended:

Salary Schedule Adjustments

Annually, the Salary Schedules should be adjusted for economic reasons. Without maintaining the Salary Schedule, it will fall below the Market and the County will end up spending dollars to get it updated. Annual Salary Schedule adjustments will keep a competitive Salary Schedule. It is important the County budgets dollars for increases to the overall Schedule each year. There may be years when the economy cannot support such increases; however, that should be the exception, not the norm.

Annual Step Adjustments

The Salary Schedule is based on a premise of annual salary adjustments. Each year, employees may be eligible to receive a step increase, with acceptable performance.

Compensation Policy Recommendations

With the updated Salary Schedule, the County now has a competitive Compensation System for recruitment and retention purposes. Recommended compensation guidelines have been provided to Human Resources (Appendix C). Human Resources is recommended to consider these established guidelines and update the County's compensation policy accordingly.

In addition, the County Board is recommended to develop a compensation policy that sets the direction of the organization's compensation philosophy going forward. Developing a policy for placement within the market will give guidance to the County Executive to bring forward compensation recommendations in the future to keep the County aligned to this policy.

Metrics

Salary Schedules need to be balanced between what is competitive for recruitment/retention, as well as what is affordable and financially sustainable long term. The County should monitor metrics as an internal indicator to identify if there is a possible concern with the County's placement in the market. Internally, metrics are standards of measurement used to assess what is occurring within an organization. Metrics tell an organization how well or poorly they are doing, allowing an organization to review, assess, problem solve, and adjust processes, as well as identify challenges or stressors to the organization that may be having a negative impact. Specific metrics may help identify where dollars are being expended that can be costly, including turnover. Although the Consultants acknowledge compensation is not the only reason for unwanted turnover, it is a consideration of the larger picture. In order to ensure competitive recruitment/retention, the County is advised to follow the recommended compensation philosophy to ensure it can stay competitive to support retaining its personnel. Metrics will help identify that success. It

is recommended the Human Resources Director designate a staff member to compile these metrics for ongoing review.

Table 2: Metrics Recommendations

METRIC	FORMULA TO CALCULATE	PURPOSE
Applicant Tracking	Total number of applications received	Assessing for reduced application stream
Turnover	Number of separations ÷ Number of approved FTE	Effectiveness of compensation and benefits; may identify trends that need further analysis within departments
Early Turnover	Number of employees leaving the job in the first 12 months of employment ÷ average actual # of employees in the job for same time period	Effectiveness of compensation and benefits; may identify trends that need further analysis within departments
Offer Acceptance	The number of employment offers accepted ÷ number of employment offers made	Effectiveness of compensation package
Employee Demographics	Percentage of employees in age categories and years of service categories	Assess work demographic for trends in lower tenure and higher percentage of employees in mobile generation groups (under 40)
Exit Interviews Metrics	NA	Documenting reasons for turnover for trends in compensation package

Market Updates

One of the main concerns in any Salary Schedule is the ability to keep it current. Often, an organization spends time and resources to review and reevaluate their Salary Schedule, resulting in providing employees or Pay Grades significant increases because either the positions or the Schedule is not in line with the external market. A Salary Schedule has a typical life span of three (3) to five (5) years, at which time market conditions typically necessitate a review. The County can strive to prolong the life of their Schedule if it continues to commit to maintaining its competitiveness with the external market by ensuring market updates occur. Given the current competitive market, the County is recommended to initially conduct a market update in three (3) years. Analyzing turnover and other human resource type metrics should help indicate if an external market update is required sooner or can be pushed back a year.

Total Rewards: Benefits

In addition to compensation, the County asked that a comparison of major benefits be completed. The following is a summary of these comparisons. It should be noted the recommendations contained in the benefit analysis will take time to evaluate with a benefits broker, and most cannot be quickly changed. This allows the County to understand their benefits among the comparable market and is independent of the compensation recommendations. The feasibility of feedback and options offered must be analyzed by the County as a whole, and are not immediate recommendations.

Health Insurance

The County offers two (2) health plan designs summarized as follows:

Table 3: Health Plan Summary

PLAN DESCRIPTION	DEDUCTIBLE AMOUNTS	MONTHLY EMPLOYEE CONTRIBUTION (S/F) WITHOUT HEALTH RISK ASSESSMENT	MONTHLY EMPLOYEE CONTRIBUTION (S/F) WITH HEALTH RISK ASSESSMENT
GHT Plan 1	$2000/$4000	$90.78/$223.86	$72.86/$188.02
GHT Plan 2	$1000/$2000	$174.89/$440.48	$156.98/$404.65

Most organizations have been forced to add higher deductibles and coinsurance limits onto health plans to push costs back onto the end users/consumers, which is now a standard across the nation. Outagamie County is no exception. Offering multiple plan options gives employees the opportunity to select the coverage that best matches their personal situation, which is a positive attribute to the benefits package.

The County offers a high deductible health plan with a Health Savings Account (HSA) option as a means to help the employee build a portable medical account, which is also very positive. In 2023, the County contributes $800 for employee single coverage and $1,600 for family coverage. This contribution to employee HSA accounts provides more relief from health care expenses. The comparables that provided their health insurance benefit information contribute, on average, $890 for single coverage and $1,780 for family coverage. The County is commended for providing this health insurance enhancement.

Premiums

It is extremely difficult to compare health insurance, as the number of plans and the plan designs are significantly different among organizations. What can be compared is the amount the employee contributes toward the cost of that insurance. As the County is aware, the cost of health insurance is a large budget item for any organization. Health insurance is often the single largest benefit looked at by potential new hires, so a review by the County of

employee contributions to this benefit is imperative for offering a comprehensive benefit package.

The Consultants compared the County's 2023 health plan with the comparable organizations' health plans for a more accurate reflection of insurance in this geographical region. The following are the results from comparable entities that provided benefit data, broken down into single and family coverage. Wellness incentives and HSA/HRA deposits are excluded.

Table 4: Single Plan Premium Comparison

COMPARABLE	PLAN DESCRIPTION	SINGLE MONTHLY PREMIUM	DEDUCTIBLE
Dane	HMO	$0.00	$100.00
Kenosha	General	$0.00	$500.00
Appleton	HDHP (wellness)	$0.00	$1,500.00
Appleton	LDHP (wellness)	$0.00	$1,000.00
Kenosha	Sworn	$0.00	$2,400.00
Racine	United Healthcare	$15.62	$1,000.00
Appleton	HDHP	$29.70	$1,500.00
Neenah	HealthPartners w/ Robin - Select	$31.14	$3,500.00
Portage	HDHD	$38.28	$2,000.00
Dane	POS	$59.43	$100.00
Grand Chute	Dean Health	$64.25	$500.00
Brown	UMR	$71.02	$2,000.00
Outagamie	GHT Plan 1 (health risk assessment)	$72.86	$2,000.00
Neenah	HealthPartners w/ Robin - Broad	$73.78	$3,500.00
Grand Chute	Dean Health - Prevea 360 East	$75.63	$500.00
Marathon	UHC Choice Plus (wellness)	$80.08	$2,000.00
Oshkosh	PPO	$81.40	
Waupaca	Tier 1 (wellness)	$82.50	$1,500.00
Neenah	HealthPartners w/ Robin	$83.25	$2,000.00
Calumet	HDHP (wellness)	$88.90	$1,500.00
Green Bay	Option 2	$89.04	$2,500.00
Outagamie	GHT Plan 1	$90.78	$2,000.00
La Crosse		$93.00	$1,350.00
Portage	PPO	$98.88	$1,000.00
Fond du Lac	Silver/Gold/Platinum	$99.77	$1,000.00
Green Bay	Option 1	$101.42	$2,250.00
Waupaca	Tier 2	$103.14	$1,500.00
Waukesha	HDHP	$103.29	$2,100.00
Marathon	UHC Choice Plus	$120.12	$2,000.00
Fond du Lac	Bronze	$124.72	$1,000.00
Grand Chute	Network Health	$125.11	$500.00
Fond du Lac	Blue	$149.66	$1,000.00
Outagamie	GHT Plan 2 (health risk assessment)	$156.98	$1,000.00

COMPARABLE	PLAN DESCRIPTION	SINGLE MONTHLY PREMIUM	DEDUCTIBLE
Outagamie	GHT Plan 2	$174.89	$1,000.00
Calumet	HDHDP	$177.80	$1,500.00
Appleton	LDHP	$187.45	$1,000.00
Waukesha	Choice Plus	$274.07	$800.00
Grand Chute	Common Ground Healthcare Cooperative	$279.87	$500.00
Grand Chute	Local IYC Access Dean	$338.93	$500.00

Table 5: Family Plan Premium Comparison

COMPARABLE	PLAN DESCRIPTION	FAMILY MONTHLY PREMIUM	DEDUCTIBLE
Dane	HMO	$0.00	$200.00
Kenosha	General	$0.00	$1,000.00
Appleton	HDHP (wellness)	$0.00	$3,000.00
Racine	United Healthcare	$45.09	$2,000.00
Appleton	HDHP	$76.97	$3,000.00
Neenah	HealthPartners w/ Robin - Select	$82.36	$7,000.00
Portage	HDHD	$85.24	$4,000.00
Dane	POS	$139.91	$200.00
Waupaca	Tier 2	$143.14	$3,000.00
Grand Chute	Dean Health	$156.68	$1,000.00
Grand Chute	Dean Health - Prevea 360 East	$185.12	$1,000.00
Outagamie	GHT Plan 1 (health risk assessment)	$188.02	$4,000.00
Brown	UMR	$189.40	$4,000.00
Neenah	HealthPartners w/ Robin - Broad	$195.16	$7,000.00
Oshkosh	PPO	$203.56	
Green Bay	Option 2	$215.70	$5,000.00
Portage	PPO	$220.02	$2,000.00
Neenah	HealthPartners w/ Robin	$220.20	$4,000.00
Outagamie	GHT Plan 1	$223.86	$4,000.00
Marathon	UHC Choice Plus (wellness)	$225.84	$3,500.00
La Crosse		$228.00	$2,700.00
Waupaca	Tier 1 (wellness)	$229.00	$3,000.00
Calumet	HDHP (wellness)	$244.97	$3,000.00
Green Bay	Option 1	$245.66	$4,500.00
Fond du Lac	Silver/Gold/Platinum	$261.86	$2,000.00
Waukesha	HDHP	$279.10	$4,200.00
Waupaca	Tier 2	$286.28	$3,000.00
Grand Chute	Network Health	$308.82	$1,000.00
Fond du Lac	Bronze	$327.32	$2,000.00
Marathon	UHC Choice Plus	$338.76	$3,500.00
Fond du Lac	Blue	$392.79	$2,000.00
Outagamie	GHT Plan 2 (health risk assessment)	$404.65	$2,000.00
Appleton	LDHP (wellness)	$408.37	$2,000.00

COMPARABLE	PLAN DESCRIPTION	FAMILY MONTHLY PREMIUM	DEDUCTIBLE
Outagamie	GHT Plan 2	$440.48	$2,000.00
Calumet	HDHP	$489.93	$3,000.00
Appleton	LDHP	$510.47	$2,000.00
Grand Chute	Common Ground Healthcare Cooperative	$695.72	$1,000.00
Waukesha	Choice Plus	$739.41	$2,400.00
Grand Chute	Local IYC Access Dean	$843.40	$1,000.00

The above information indicates that the County is neither leading or lagging in the market for lowest employee premium amounts; however, that is not a comprehensive picture.

Expected Employee Cost

As premiums and deductibles are varied in the region, calculating the cost of the monthly premium plus the deductible reveals a clearer look at the expected employee cost. This calculation shows the County's true position in the market as shown in the Tables below.

Table 6: Single Plan Comparable Review

COMPARABLE	PLAN DESCRIPTION	ANNUAL PREMIUM	DEDUCTIBLE AMOUNT	EMPLOYER FUNDED HSA/HRA (CREDIT)	EXPECTED ANNUAL RISK TO EMPLOYEE
Dane	HMO	$0.00	$100.00		$100.00
Kenosha	General	$0.00	$500.00		$500.00
Dane	POS	$713.16	$100.00		$813.16
Appleton	LDHP (wellness)	$0.00	$1,000.00		$1,000.00
Racine	United Healthcare	$187.44	$1,000.00		$1,187.44
Grand Chute	Dean Health	$771.00	$500.00		$1,271.00
Grand Chute	Dean Health - Prevea 360 East	$907.56	$500.00		$1,407.56
Appleton	HDHP (wellness)	$0.00	$1,500.00		$1,500.00
Calumet	HDHP (wellness)	$1,066.80	$1,500.00	$1,000.00	$1,566.80
Appleton	HDHP	$356.40	$1,500.00		$1,856.40
Portage	HDHD	$459.36	$2,000.00	$500.00	$1,959.36
Grand Chute	Network Health	$1,501.32	$500.00		$2,001.32
Outagamie	GHT Plan 1 (health risk assessment)	$874.32	$2,000.00	$800.00	$2,074.32
Neenah	HealthPartners w/ Robin - Select	$373.68	$3,500.00	$1,750.00	$2,123.68
Portage	PPO	$1,186.56	$1,000.00		$2,186.56
Fond du Lac	Silver/Gold/Platinum	$1,197.24	$1,000.00		$2,197.24
Marathon	UHC Choice Plus (wellness)	$960.96	$2,000.00	$750.00	$2,210.96
Outagamie	GHT Plan 1	$1,089.40	$2,000.00	$800.00	$2,289.40
Kenosha	Sworn	$0.00	$2,400.00		$2,400.00
La Crosse		$1,116.00	$1,350.00		$2,466.00
Waupaca	Tier 1 (wellness)	$990.00	$1,500.00		$2,490.00
Fond du Lac	Bronze	$1,496.64	$1,000.00		$2,496.64

COMPARABLE	PLAN DESCRIPTION	ANNUAL PREMIUM	DEDUCTIBLE AMOUNT	EMPLOYER FUNDED HSA/HRA (CREDIT)	EXPECTED ANNUAL RISK TO EMPLOYEE
Neenah	HealthPartners w/ Robin	$999.00	$2,000.00	$500.00	$2,499.00
Marathon	UHC Choice Plus	$1,441.44	$2,000.00	$750.00	$2,691.44
Waupaca	Tier 2	$1,237.68	$1,500.00		$2,737.68
Fond du Lac	Blue	$1,795.92	$1,000.00		$2,795.92
Brown	UMR	$852.24	$2,000.00		$2,852.24
Outagamie	GHT Plan 2 (health risk assessment)	$1,883.76	$1,000.00		$2,883.76
Waukesha	Choice Plus	$3,288.84	$800.00	$1,125.00	$2,963.84
Green Bay	Option 2	$1,068.48	$2,500.00	$500.00	$3,068.48
Outagamie	GHT Plan 2	$2,098.68	$1,000.00		$3,098.68
Appleton	LDHP	$2,249.40	$1,000.00		$3,249.40
Waukesha	HDHP	$1,239.48	$2,100.00		$3,339.48
Green Bay	Option 1	$1,217.04	$2,250.00		$3,467.04
Calumet	HDHDP	$2,133.60	$1,500.00	$100.00	$3,533.60
Grand Chute	Common Ground Healthcare Coop	$3,358.44	$500.00		$3,858.44
Neenah	HealthPartners w/ Robin - Broad	$885.36	$3,500.00		$4,385.36
Grand Chute	Local IYC Access Dean	$4,067.16	$500.00		$4,567.16
Grand Chute	Robin with Health Partners	$6,015.24	$500.00		$6,515.24

*Plans that did not report a premium or deductible excluded

Table 7: Family Plan Comparable Review

COMPARABLE	PLAN DESCRIPTION	ANNUAL PREMIUM	DEDUCTIBLE AMOUNT	EMPLOYER FUNDED HSA/HRA (CREDIT)	EXPECTED ANNUAL RISK TO EMPLOYEE
Dane	HMO	$0.00	$200.00		$200.00
Kenosha	General	$0.00	$1,000.00		$1,000.00
Dane	POS	$1,678.92	$200.00		$1,878.92
Racine	United Healthcare	$541.08	$2,000.00		$2,541.08
Grand Chute	Dean Health	$1,880.16	$1,000.00		$2,880.16
Appleton	HDHP (wellness)	$0.00	$3,000.00		$3,000.00
Grand Chute	Dean Health - Prevea 360 East	$2,221.44	$1,000.00		$3,221.44
Appleton	HDHP	$923.64	$3,000.00		$3,923.64
Calumet	HDHP (wellness)	$2,939.64	$3,000.00	$2,000.00	$3,939.64
Portage	HDHD	$1,022.88	$4,000.00	$1,000.00	$4,022.88
Neenah	HealthPartners w/ Robin - Select	$988.32	$7,000.00	$3,500.00	$4,488.32
Portage	PPO	$2,640.24	$2,000.00		$4,640.24
Outagamie	GHT Plan 1 (health risk assessment)	$2,256.24	$4,000.00	$1,600.00	$4,656.24
Grand Chute	Network Health	$3,705.84	$1,000.00		$4,705.84
Waupaca	Tier 2	$1,717.68	$3,000.00		$4,717.68
Outagamie	GHT Plan 1	$2,686.32	$4,000.00	$1,600.00	$5,086.32
Fond du Lac	Silver/Gold/Platinum	$3,142.32	$2,000.00		$5,142.32
Waukesha	HDHP	$3,349.20	$4,200.00	$2,250.00	$5,299.20
La Crosse		$2,736.00	$2,700.00		$5,436.00

COMPARABLE	PLAN DESCRIPTION	ANNUAL PREMIUM	DEDUCTIBLE AMOUNT	EMPLOYER FUNDED HSA/HRA (CREDIT)	EXPECTED ANNUAL RISK TO EMPLOYEE
Neenah	HealthPartners w/ Robin	$2,642.40	$4,000.00	$1,000.00	$5,642.40
Waupaca	Tier 1 (wellness)	$2,748.00	$3,000.00		$5,748.00
Neenah	HealthPartners w/ Robin - Broad	$2,341.92	$7,000.00	$3,500.00	$5,841.92
Fond du Lac	Bronze	$3,927.84	$2,000.00		$5,927.84
Marathon	UHC Choice Plus	$4,065.12	$3,500.00	$1,500.00	$6,065.12
Marathon	UHC Choice Plus (wellness)	$2,710.08	$3,500.00		$6,210.08
Brown	UMR	$2,272.80	$4,000.00		$6,272.80
Waupaca	Tier 2	$3,435.36	$3,000.00		$6,435.36
Green Bay	Option 2	$2,588.40	$5,000.00	$1,000.00	$6,588.40
Fond du Lac	Blue	$4,713.48	$2,000.00		$6,713.48
Outagamie	GHT Plan 2 (health risk assessment)	$4,855.80	$2,000.00		$6,855.80
Calumet	HDHP	$5,879.16	$3,000.00	$2,000.00	$6,879.16
Appleton	LDHP (wellness)	$4,900.44	$2,000.00		$6,900.44
Outagamie	GHT Plan 2	$5,285.80	$2,000.00		$7,285.80
Green Bay	Option 1	$2,947.92	$4,500.00		$7,447.92
Appleton	LDHP	$6,125.64	$2,000.00		$8,125.64
Grand Chute	Common Ground Healthcare Coop	$8,348.64	$1,000.00		$9,348.64
Grand Chute	Local IYC Access Dean	$10,120.80	$1,000.00		$11,120.80
Waukesha	Choice Plus	$8,872.92	$2,400.00		$11,272.92

*Plans that did not report a premium or deductible excluded

Looking at the deductible with premium cost, the County's plans are slightly spread among the comparables. A final look at the County in relation to out-of-pocket maximums, follows.

Maximum Employee Cost

The following tables show that employees that experience a major medical event that exceeds the deductible costs will have a lower financial risk than in other comparable counties when considering the maximum out-of-pocket expenses.

Table 8: Single Plan Maximum Risk Comparative Review

COMPARABLE	PLAN DESCRIPTION	ANNUAL PREMIUM	OUT-OF-POCKET MAXIMUM AMOUNT	EMPLOYER FUNDED HSA/HRA (CREDIT)	HIGHEST ANNUAL RISK TO EMPLOYEE
Dane	HMO	$0.00	$250.00		$250.00
Dane	POS	$713.16	$250.00		$963.16
Calumet	HDHP (wellness)	$1,066.80	$1,500.00	$1,000.00	$1,566.80
Racine	United Healthcare	$187.44	$2,500.00		$2,687.44
Neenah	HealthPartners w/ Robin	$999.00	$2,500.00	$500.00	$2,999.00
Kenosha	General	$0.00	$3,000.00		$3,000.00
Appleton	HDHP (wellness)	$0.00	$3,000.00		$3,000.00

COMPARABLE	PLAN DESCRIPTION	ANNUAL PREMIUM	OUT-OF-POCKET MAXIMUM AMOUNT	EMPLOYER FUNDED HSA/HRA (CREDIT)	HIGHEST ANNUAL RISK TO EMPLOYEE
Outagamie	GHT Plan 1 (health risk assessment)	$874.32	$3,000.00	$800.00	$3,074.32
Appleton	LDHP (wellness)	$0.00	$3,100.00		$3,100.00
Outagamie	GHT Plan 1	$1,089.40	$3,000.00	$800.00	$3,289.40
Appleton	HDHP	$356.40	$3,000.00		$3,356.40
Kenosha	Sworn	$0.00	$3,400.00		$3,400.00
Waupaca	Tier 1 (wellness)	$990.00	$2,500.00		$3,490.00
Calumet	HDHDP	$2,133.60	$1,500.00	$100.00	$3,533.60
Neenah	HealthPartners w/ Robin - Select	$373.68	$5,000.00	$1,750.00	$3,623.68
Waupaca	Tier 2	$1,237.68	$2,500.00		$3,737.68
Portage	HDHD	$459.36	$4,000.00	$500.00	$3,959.36
Marathon	UHC Choice Plus (wellness)	$960.96	$4,000.00	$750.00	$4,210.96
La Crosse		$1,116.00	$3,350.00		$4,466.00
Waukesha	HDHP	$1,239.48	$3,250.00		$4,489.48
Outagamie	GHT Plan 2 (health risk assessment)	$1,883.76	$2,750.00		$4,633.76
Marathon	UHC Choice Plus	$1,441.44	$4,000.00	$750.00	$4,691.44
Fond du Lac	Silver/Gold/Platinum	$1,197.24	$3,500.00		$4,697.24
Waukesha	Choice Plus	$3,288.84	$2,600.00	$1,125.00	$4,763.84
Outagamie	GHT Plan 2	$2,098.68	$2,750.00		$4,848.68
Brown	UMR	$852.24	$4,000.00		$4,852.24
Fond du Lac	Bronze	$1,496.64	$3,500.00		$4,996.64
Portage	PPO	$1,186.56	$4,000.00		$5,186.56
Fond du Lac	Blue	$1,795.92	$3,500.00		$5,295.92
Appleton	LDHP	$2,249.40	$3,100.00		$5,349.40
Green Bay	Option 2	$1,068.48	$5,000.00	$500.00	$5,568.48
Green Bay	Option 1	$1,217.04	$4,500.00		$5,717.04
Neenah	HealthPartners w/ Robin - Broad	$885.36	$6,000.00		$6,885.36
Grand Chute	Dean Health	$771.00	$9,100.00		$9,871.00
Grand Chute	Dean Health - Prevea 360 East	$907.56	$9,100.00		$10,007.56
Grand Chute	Network Health	$1,501.32	$9,100.00		$10,601.32
Grand Chute	Common Ground Healthcare Coop	$3,358.44	$9,100.00		$12,458.44
Grand Chute	Local IYC Access Dean	$4,067.16	$9,100.00		$13,167.16
Grand Chute	Robin with Health Partners	$6,015.24	$9,100.00		$15,115.24

*Plans that did not report a premium or out-of-pocket maximum excluded

Table 9: Family Plan Maximum Risk Comparative Review

COMPARABLE	PLAN DESCRIPTION	ANNUAL PREMIUM	OUT-OF-POCKET MAXIMUM AMOUNT	EMPLOYER FUNDED HSA/HRA (CREDIT)	HIGHEST ANNUAL RISK TO EMPLOYEE
Dane	HMO	$0.00	$500.00		$500.00
Dane	POS	$1,678.92	$500.00		$2,178.92
Calumet	HDHP (wellness)	$2,939.64	$3,000.00	$2,000.00	$3,939.64
Racine	United Healthcare	$541.08	$5,000.00		$5,541.08

COMPARABLE	PLAN DESCRIPTION	ANNUAL PREMIUM	OUT-OF-POCKET MAXIMUM AMOUNT	EMPLOYER FUNDED HSA/HRA (CREDIT)	HIGHEST ANNUAL RISK TO EMPLOYEE
Kenosha	General	$0.00	$6,000.00		$6,000.00
Appleton	HDHP (wellness)	$0.00	$6,000.00		$6,000.00
Neenah	HealthPartners w/ Robin	$2,642.40	$5,000.00	$1,000.00	$6,642.40
Outagamie	GHT Plan 1 (health risk assessment)	$2,256.24	$6,000.00	$1,600.00	$6,656.24
Waupaca	Tier 2	$1,717.68	$5,000.00		$6,717.68
Calumet	HDHP	$5,879.16	$3,000.00	$2,000.00	$6,879.16
Appleton	HDHP	$923.64	$6,000.00		$6,923.64
Outagamie	GHT Plan 1	$2,686.32	$6,000.00	$1,600.00	$7,086.32
Neenah	HealthPartners w/ Robin - Select	$988.32	$10,000.00	$3,500.00	$7,488.32
Waukesha	HDHP	$3,349.20	$6,500.00	$2,250.00	$7,599.20
Waupaca	Tier 1 (wellness)	$2,748.00	$5,000.00		$7,748.00
Portage	HDHD	$1,022.88	$8,000.00	$1,000.00	$8,022.88
La Crosse		$2,736.00	$5,400.00		$8,136.00
Waupaca	Tier 2	$3,435.36	$5,000.00		$8,435.36
Marathon	UHC Choice Plus	$4,065.12	$6,500.00	$1,500.00	$9,065.12
Marathon	UHC Choice Plus (wellness)	$2,710.08	$6,500.00		$9,210.08
Fond du Lac	Silver/Gold/Platinum	$3,142.32	$7,000.00		$10,142.32
Brown	UMR	$2,272.80	$8,000.00		$10,272.80
Outagamie	GHT Plan 2 (health risk assessment)	$4,855.80	$5,500.00		$10,355.80
Portage	PPO	$2,640.24	$8,000.00		$10,640.24
Outagamie	GHT Plan 2	$5,285.80	$5,500.00		$10,785.80
Neenah	HealthPartners w/ Robin - Broad	$2,341.92	$12,000.00	$3,500.00	$10,841.92
Fond du Lac	Bronze	$3,927.84	$7,000.00		$10,927.84
Appleton	LDHP (wellness)	$4,900.44	$6,200.00		$11,100.44
Green Bay	Option 2	$2,588.40	$10,000.00	$1,000.00	$11,588.40
Fond du Lac	Blue	$4,713.48	$7,000.00		$11,713.48
Green Bay	Option 1	$2,947.92	$9,000.00		$11,947.92
Appleton	LDHP	$6,125.64	$6,200.00		$12,325.64
Waukesha	Choice Plus	$8,872.92	$6,600.00		$15,472.92
Grand Chute	Dean Health	$1,880.16	$18,200.00		$20,080.16
Grand Chute	Dean Health - Prevea 360 East	$2,221.44	$18,200.00		$20,421.44
Grand Chute	Network Health	$3,705.84	$18,200.00		$21,905.84
Grand Chute	Common Ground Healthcare Coop	$8,348.64	$18,200.00		$26,548.64
Grand Chute	Local IYC Access Dean	$10,120.80	$18,200.00		$28,320.80

*Plans that did not report a premium or out-of-pocket maximum excluded

Overall, Plan 1 has the least maximum risk to employees. Because the County is in a very competitive region, the organization should consider if premium adjustments, plan design, or additional contribution to the HSA can be considered to put the County in a more competitive position for health insurance.

Part-Time to Full Time Health Insurance Status Change

The County provides benefits to part-time employees working between 20-29 hours per week. The Consultants gathered benefit data from comparable organizations that also provide benefits to part-time employees. The County's current policy does not immediately change the level of benefit from part-time to full-time when the employee changes status, instead relying on the lookback period process. An existing employee who has worked part-time and is changing to full-time should be afforded the same level of benefits as new hire full-time employees. It is recommended the County adjust its policy so employees who have a change in employment status (part-time to full-time) see their insurance benefit change during the pay period of the occurrence.

Time Off Benefits

Time off and work life balance continue to be top areas candidates and employees look at when considering employment and retention. Therefore, the County's paid time off benefits were also reviewed.

Holidays

Currently the County offers a total of 10 observed holidays and 2 floating holidays per year. The comparables that provided holiday information reported combined totals between 8-16 days. The County could consider offering an additional floating holiday for better flexibility and competitiveness with neighboring comparables.

Vacation

The County has one (1) vacation model as of 1/1/2023 summarized as follows:

Table 10: Vacation Schedule

Vacation Description	Levels of Accrual	Minimum Accrual	Maximum Accrual	Years to Reach Maximum
Vacation Leave	4	10 days	25 days	15 years

Comparable organizations that report vacation, offer 5-23 days in the first year and have between 4-11 levels of accrual. The maximum number of vacation days range from 25-42 days, with most respondents at 25 days or above, which is occurring between the 14th and 30th year of employment.

There are no changes recommended for the vacation program for full-time.

Sick Leave

The County offers 12 sick days per year which results in 96 hours per year. Employees retiring may be eligible for a portion, or all, of accumulated sick leave to be paid out. The reporting comparables provide similar sick leave accruals from 48-96 hours per year, with most at 96 hours. No changes to sick leave accruals are recommended for full-time

Part-Time to Full Time Benefited Time Off Status Change

The County provides pro-rated time off to part-time employees based on the average hours worked. The County's current policy does not immediately change the level of benefit from part-time to full-time when the employee changes status, instead relying on the lookback period process. This results in an existing employee who has worked part-time and is changing to full-time having less benefited paid time than a new full-time hire. It is recommended the County adjust its policy so employees who have a change in employment status (part-time to full-time) see their benefits time benefit change during the pay period of the occurrence so the look back period is discontinued, and the employee accrues time off equal to any other full-time new hire.

In addition, the County may wish to look at how it pro-rates part-time benefited time off. Part-time personnel accrue benefited time off based on hours worked. Given the County has a significant number of part-time personnel to support its operations, this is an administrative load, and the County should consider whether the higher paid time benefit for those who work more hours outweighs the administration side of the calculation. The County may wish to consider a more simplified approach that gives employees 50% proration for 20-29 budgeted hours; 75% proration for 30-37 budgeted hours; and 100% for 37.5-40 budgeted hours.

Paid Time-Off

Although the County has sufficient time-off benefits, work-life balance, flexibility, and paid time-off topics are very important to the total compensation package. Having the rules and variations for each of the traditional methods of time-off may be confusing and frustrating for employees and managers, and it is likely a significant administrative burden to the administrative staff who setup and monitor the use of these forms of leave. Many organizations add stringent rules for the use of benefits to help the employees manage their personal situations, but that often makes programs more difficult to manage, so considering an alternative time-off program option may be beneficial to the County. This may also be very advantageous for future recruitment, when candidates are looking for increased flexibility with time off.

Paid Time Off (PTO) is a single bank of time-off, which is then used for sick, vacation, and even bereavement time, instead of having different banks of time for different

purposes. Some organizations include holidays into this program, while others do not. Generally, PTO has a larger overall rate than vacation, but less than vacation and sick time combined as a tradeoff for the increased flexibility provided under a PTO program, and there is an overall payout on the benefit. The benefit has administrative ease, simplification, and new flexibility for employees. Oftentimes the biggest challenge is transitioning accumulated sick and vacation hours into a new program, but this can be done successfully without loss of accumulated time. Organizations that have done this are satisfied with the result once the transition is complete. Although few comparable organizations identify PTO as a program they offer, the County could consider the concept of PTO to offer more flexibility within their benefits in the future. Some comparables have made this change for their employees.

Typically, when an organization transitions to a PTO program, there is discussion of what to do with the current banks of time. It is customary for vacation to be rolled over into the PTO program so employees start with a balance of time. Available sick time can then be rolled into an Extended Leave Bank, in which employees may utilize this bank for major illness/accident events and FMLA qualifying events. This way, the sick time the employee has already accumulated is still available for significant events in their personal life. For hours that have been earned and are vested, there will need to be a payout mechanism built into these banks so there is no loss to the employee as a result of the change in programs, but the banks simply do not need to accumulate new hours, if not desired by the County. Extended Leave Banks could be a grandfathered provision for current employees with sick time, so new employees would not be eligible. Other programs allow employees to move PTO into the Extended Leave Bank annually.

The County is recommended to consider PTO in the future. This would allow the County to offer more flexibility within their benefit structure for the current and future workforce.

Administrative Flexibility Time

It is common for Department Directors, exempt-level managers, and command staff to work more than a traditional 40-hour workweek. This is inherently an expectation of the job when accepted. With that said, public employers need to be cognizant of the fact that losses at that level of position due to burnout can have unintended consequences to an organization if succession planning is not occurring. Such consequences could have a delay in services to constituents for a period of time, as well as a loss of institutional knowledge for the organization. In addition, if promotions are not occurring because of the loss of overtime and/or additional expectations being put on directors and managers, this is an indication that employees may feel an imbalance, so employers should be gauging this proactively.

While it is understood that exempt management-level positions will likely work an excess of 40-hours per week and will report after hours and on days off for incident command, emergency response, and even scheduled meetings, every organization should ensure that

additional time is acknowledged, because these hours cannot always be flexed. The County should assess the positions that are regularly and substantially in this situation and provide these positions with an equivalent week of paid time for their administrative/operational responsibilities that regularly require them to exceed standard workweeks. This bank of time should be provided to these positions annually, but does not accumulate, so it is 'use it or lose it.' This should help these employees better balance their time away from work. Ensuring these employees are able to utilize the banked time should be a priority for the County. The Consultants recommend the County review positions in Pay Grade Q-V for this benefit. The County may identify other exempt-level positions that would qualify.

Payout Provisions

In terms of payouts, the County's payout provision is in the form of cash. This payment is then considered taxable to the employee, and the County pays related employment taxes on these amounts. Further, these payments need to be recorded as liabilities on the County's financial statements. The County could consider enhancing the payout provisions in a way that will assist employees with their future health care needs since the main reason employees choose not to retire is because they financially are not able to or cannot afford to continue health care coverage. These payouts could be developed to create a post-employment medical trust for the employee in which deposits are tax-free for both the employee and employer, is not considered income to the employee, and is to be used for medical expenses by the employee/qualified beneficiaries.

Retirement Contributions

In addition to the mandatory Wisconsin Retirement System (WRS), the County currently offers Deferred Compensation 457(b) and Roth IRA voluntary retirement options for employees to enhance their financial portfolio based on their own contributions. The County offers two (2) vendors to give the employees additional options.

Although the County contributes the state mandated employer contribution for WRS, at least one (1) municipality outside the County's market region has started to offer matching contributions to employee contributions into their 457(b) accounts, which is a recruitment and retention tool.

Total Rewards: Well-being

Today's employees are looking at the "big picture" when assessing where they want to work. Often, it extends beyond the traditional areas of compensation and benefits. Many organizations still consider elements of well-being, or work-life effectiveness, to be classified as benefits. The Total Rewards model takes into account the fluidity of the relationship between compensation, benefits, work-life effectiveness, recognition, performance management, and talent development. It will be up to Outagamie County to determine where the various elements will be categorized and how initiatives will be carried out. For the purposes of the report, this area has been provided separately.

Well-being, or work-life effectiveness comes from a specific set of organizational practices, policies and programs plus a philosophy that actively supports efforts to help employees achieve success both at work and at home. This philosophy recognizes every worker's need to be appreciated as a contributor to the organization's success. Productivity is enhanced when the organization supports employees in their efforts to manage both work and personal responsibilities. This supportive environment leads to an improved ability to attract, motivate, engage and retain members of the workforce. The major areas to consider are how the County can support health and wellness, workplace flexibility, dependent care, financial support programs, community involvement program, and culture change initiatives.

The following are considerations to enhance the County's current Total Rewards program to support employees at different phases of their life. The feasibility of the options must be analyzed by the County as a whole, and are not immediate recommendations.

Wellness Program

Wellness initiatives can be positive influences toward the work culture and health of the organization. The County provides comparable employee wellness benefits. Employees can earn insurance premium discounts by participating in a Health Risk Assessment. Other programs provided include learning seminars, 'Lunch and Learns', weight loss challenges and access to on-site fitness centers. Other organizations indicated they offer cash rewards, gym membership, insurance premium discounts, and additional HSA contributions. These benefits are also available to part-time insurance participants.

Childcare Assistance

Childcare is one of the most expensive household expenses, and often is a barrier to employment for that reason. Offering a childcare discount can increase employee satisfaction and engagement, and can be a major recruitment tool. Similar to how the County provides contributions to a Health Savings Account, pre-tax contributions can be made to a Dependent Care Flexible Spending Account. Alternately, the County could consider a

percentage, flat rate, or scholarship program to subsidize this expense. An on-site childcare facility with discounted tuition would also be a highly welcomed benefit for working parents. Although this was not a benefit found in the comparable market, this is a benefit some employers are considering on a national level.

Long Term Care Insurance

Long-term care (LTC) is different from traditional medical care. Long-term care goes beyond medical treatment and nursing care to helping people cope in the face of a chronic illness or disability. Long-term care provides support in performing everyday tasks. People need long-term care for a number of reasons, but often it is simply for the process of getting older. Long-term care services are typically needed by individuals unable to perform activities of daily living or who become cognitively impaired. As the County's workforce matures, there is a greater need for long-term care services which can be a significant financial burden without proper insurance coverage. Because this is a critical component to retirement planning, more employers nationally are offering LTC insurance programs and education.

Paid Parental and Elder Care Leave

Paid leave for employees who are new parents or will become parents is becoming a more common benefit that growing to include employees who need support in other facets of life including providing care and support to aging parents. These paid benefits are not required in Wisconsin; however, other states are adopting mandatory benefits of this nature, which is gaining support nationwide. Offering a paid leave benefit aligned to Family Medical Leave qualifying events for a duration of between 2-6 weeks should be considered by the County.

Volunteering Time Off

Volunteer time off is a paid leave system that allows employees to donate their time to local nonprofit organizations. Volunteer leave policies make an organization appealing to potential and existing employees who have a strong desire to give back to their community. In addition, this type of program allows employers to give back to their communities and nonprofits. Volunteer leave is when workers devote their leave period to charitable or community service activities. Some employers give their employees the freedom to choose where they want to spend their volunteer leave time, while others limit it to pre-approved locations. Volunteer time off is typically 1-2 days per year.

529 College Savings Plan

A 529 plan is a tax-advantaged savings plan designed to help families save for college and a range of other qualified education expenses which is outlined in Section 529 of the Internal Revenue Code. This is a voluntary benefit option for the County to include in its benefits

portfolio, while the preferred vendor works directly with the employee for enrollment and fund management.

Onsite Medical Clinic

Productivity, safety, employee engagement, and organizational culture, are impacted by sick staff. When it comes to illness, no industry, region, or sector is immune to the consequences of employee illness and its effect to an organization. Onsite clinics are becoming part of enhanced medical benefits, and given the size of the County, exploring an onsite clinic with a local provider, a dedicated clinic option for the employees means no drive time or waiting in crowded waiting rooms, employees don't have to worry about trying to determine if the physician they're seeing is in-network, and typically reduces ER visits. On-site clinics are convenient for employees, can be a very effective recruitment/retention tool, and can have a positive effect on the employer's health plan costs. The County should be commended for their onsite clinic services to employees.

Expanded EAP Services

Standard Employee Assistance Programs typically provide free and confidential services to help deal with life's stresses. Expanded EAP Services provide assistance on a broader basis, to include services for the employees and their dependents, such as financial planning, credit counseling, estate planning, adoption assistance, wellness coaching, and assistance to find resources in the community for long term care needs, elder care support, etc. Often times, these expanded EAP services can provide literature, Lunch and Learn options, and even web or podcast access, etc., which can expand opportunities for employee utilization beyond what the behavioral health services provides through the onsite clinic. These programs are widely used in Wisconsin counties.

Total Rewards: Talent Development

Training and professional development are critical elements that support sustaining a highly talented workforce. Offering ongoing training and professional development opportunities for all employees is critical so they may advance their skills and competencies in both their short- and long-term careers.

Talent development should be a shared responsibility by the County and employees. As an employer, the County must anticipate future workforce needs and provide training and learning opportunities to prepare employees for these roles. Employees should proactively take ownership of the development of their careers by knowing what skills and competencies are needed for advancement and actively seek out opportunities to gain them.

Strategically, each Department, with the support of Human Resources, should be identifying the skills, expertise, and competencies required for its current and future organizational needs so it can create training and development plans to prepare employees for higher level responsibilities and positions. Lack of career advancement opportunities or even training opportunities is often a consideration for recruitment and retention.

Because the County has training opportunities and education reimbursement opportunities established, the County's primary opportunity is to identify and deploy training and development opportunities for employees to participate in on major topics that will mutually benefit multiple departments. An example is as follows:

1. Employee Track– topics relevant to all employees, including ethics, safety/defense topics, customer service, sexual harassment, discrimination, ADA, First Amendment with public employees, new software training, etc. These topics may rotate and evolve over time. Future topics desired by Department can be submitted for consideration/development.

2. Supervisory Management Track- basic employment law topics as previously identified plus FMLA, performance management, workplace documentation, resolution dispute, motivating employees, diversity training, effective communication, having difficult conversations, goal setting, team building, etc. Although the employment law topics should be updated annually, all other topics may rotate and evolve over time. Future topics desired by Department can be submitted for consideration/development.

3. County Administrative Processes Track- budget development and monitoring, purchasing, recruitment process, records management, in-house software, etc.

Total Rewards: Recognition

When employees feel valued at work, it typically increases engagement, satisfaction, and productivity. Recognition shows employees that they are valued by the organization. In order for that to be successful, recognition has to be done properly, and there isn't a one-size-fits-all approach. The County should look at its recognition programs to enhance this area. Some items for the County to consider when developing the program include:

- Be genuine and authentic.
- Make it personal.
- Recognize behavior and effort as well as achievement.
- Allow for peer recognition as well as supervisor recognition.
- Recognize employees in the way that they prefer to be recognized.

The purpose of a recognition program acknowledges the exceptional work of employees who are striving to exceed their employment goals by accomplishing assignments that go above and beyond their traditional work efforts. Recognition can be at the Committee or County Board level, and can be recognized on the County website. Recognition does not need to be tied to compensation.

As an example, a recognition program can include (but not be limited to):

1. Demonstrated completion of innovative activities that result in economic savings for the Department/County.
2. Customer service enhancement, and/or elimination of duplicative or redundant manual service efforts.
3. Demonstrated customer service on a continual basis that exceeds County standards resulting in communication from community members acknowledging the employee's exceptional outreach and support.
4. Demonstrated commitment to the County's values such as conflict and difficulty concerning work-related matters that is constructively resolved for the good of all parties, including establishing and restoring long-term relationships with citizens.
5. Demonstrated acceptance of additional work assignments above and beyond the standard range of assigned duties, especially as the County experiences challenges and changing expectations of the community.
6. Demonstrated innovation in the use of technology/artificial intelligence and advanced resources to complete projects and services.

Total Rewards Summary

Attraction, motivation, engagement and retention are key issues facing all employers. Successfully addressing these issues begins with an understanding of the Total Rewards model and developing a Total Rewards strategy to use based on what offerings the County currently has in place, along with considering the future opportunities presented. In addition to the major immediate recommendation in Classification and Compensation, the Benefits, Well-being, Talent Development and Recognition opportunities for the County should be considered as a whole to formulate the Total Rewards strategy that will lead to improved recruitment and retention, and will help support Outagamie County's desire to be an employer of choice within the region.

Appendix A: Recommended Salary Structure

PAY GRADE	1	2	3	4	5	6	7	8	9	10
100	$15.81	$16.28	$16.77	$17.27	$17.79	$18.32	$18.87	$19.44	$20.02	$20.62
	$32,884.80	$33,862.40	$34,881.60	$35,921.60	$37,003.20	$38,105.60	$39,249.60	$40,435.20	$41,641.60	$42,889.60
105	$16.92	$17.43	$17.95	$18.49	$19.04	$19.61	$20.20	$20.81	$21.43	$22.07
	$35,193.60	$36,254.40	$37,336.00	$38,459.20	$39,603.20	$40,788.80	$42,016.00	$43,284.80	$44,574.40	$45,905.60
110	$18.10	$18.64	$19.20	$19.78	$20.37	$20.98	$21.61	$22.26	$22.93	$23.62
	$37,648.00	$38,771.20	$39,936.00	$41,142.40	$42,369.60	$43,638.40	$44,948.80	$46,300.80	$47,694.40	$49,129.60
115	$19.37	$19.95	$20.55	$21.17	$21.80	$22.45	$23.12	$23.81	$24.52	$25.26
	$40,289.60	$41,496.00	$42,744.00	$44,033.60	$45,344.00	$46,696.00	$48,089.60	$49,524.80	$51,001.60	$52,540.80
120	$20.73	$21.35	$21.99	$22.65	$23.33	$24.03	$24.75	$25.49	$26.25	$27.04
	$43,118.40	$44,408.00	$45,739.20	$47,112.00	$48,526.40	$49,982.40	$51,480.00	$53,019.20	$54,600.00	$56,243.20
125	$22.17	$22.83	$23.52	$24.23	$24.96	$25.71	$26.48	$27.27	$28.09	$28.93
	$46,113.60	$47,486.40	$48,921.60	$50,398.40	$51,916.80	$53,476.80	$55,078.40	$56,721.60	$58,427.20	$60,174.40
130	$23.73	$24.44	$25.17	$25.93	$26.71	$27.51	$28.34	$29.19	$30.07	$30.97
	$49,358.40	$50,835.20	$52,353.60	$53,934.40	$55,556.80	$57,220.80	$58,947.20	$60,715.20	$62,545.60	$64,417.60
135	$25.40	$26.16	$26.94	$27.75	$28.58	$29.44	$30.32	$31.23	$32.17	$33.14
	$52,832.00	$54,412.80	$56,035.20	$57,720.00	$59,446.40	$61,235.20	$63,065.60	$64,958.40	$66,913.60	$68,931.20
140	$27.17	$27.99	$28.83	$29.69	$30.58	$31.50	$32.45	$33.42	$34.42	$35.45
	$56,513.60	$58,219.20	$59,966.40	$61,755.20	$63,606.40	$65,520.00	$67,496.00	$69,513.60	$71,593.60	$73,736.00
145	$29.07	$29.94	$30.84	$31.77	$32.72	$33.70	$34.71	$35.75	$36.82	$37.92
	$60,465.60	$62,275.20	$64,147.20	$66,081.60	$68,057.60	$70,096.00	$72,196.80	$74,360.00	$76,585.60	$78,873.60
150	$31.11	$32.04	$33.00	$33.99	$35.01	$36.06	$37.14	$38.25	$39.40	$40.58
	$64,708.80	$66,643.20	$68,640.00	$70,699.20	$72,820.80	$75,004.80	$77,251.20	$79,560.00	$81,952.00	$84,406.40
155	$33.28	$34.28	$35.31	$36.37	$37.46	$38.58	$39.74	$40.93	$42.16	$43.42
	$69,222.40	$71,302.40	$73,444.80	$75,649.60	$77,916.80	$80,246.40	$82,659.20	$85,134.40	$87,692.80	$90,313.60
160	$35.61	$36.68	$37.78	$38.91	$40.08	$41.28	$42.52	$43.80	$45.11	$46.46
	$74,068.80	$76,294.40	$78,582.40	$80,932.80	$83,366.40	$85,862.40	$88,441.60	$91,104.00	$93,828.80	$96,636.80
165	$38.11	$39.25	$40.43	$41.64	$42.89	$44.18	$45.51	$46.88	$48.29	$49.74
	$79,268.80	$81,640.00	$84,094.40	$86,611.20	$89,211.20	$91,894.40	$94,660.80	$97,510.40	$100,443.20	$103,459.20
170	$40.77	$41.99	$43.25	$44.55	$45.89	$47.27	$48.69	$50.15	$51.65	$53.20
	$84,801.60	$87,339.20	$89,960.00	$92,664.00	$95,451.20	$98,321.60	$101,275.20	$104,312.00	$107,432.00	$110,656.00
175	$43.62	$44.93	$46.28	$47.67	$49.10	$50.57	$52.09	$53.65	$55.26	$56.92
	$90,729.60	$93,454.40	$96,262.40	$99,153.60	$102,128.00	$105,185.60	$108,347.20	$111,592.00	$114,940.80	$118,393.60
180	$46.68	$48.08	$49.52	$51.01	$52.54	$54.12	$55.74	$57.41	$59.13	$60.90
	$97,094.40	$100,006.40	$103,001.60	$106,100.80	$109,283.20	$112,569.60	$115,939.20	$119,412.80	$122,990.40	$126,672.00
185	$51.35	$52.89	$54.48	$56.11	$57.79	$59.52	$61.31	$63.15	$65.04	$66.99
	$106,808.00	$110,011.20	$113,318.40	$116,708.80	$120,203.20	$123,801.60	$127,524.80	$131,352.00	$135,283.20	$139,339.20
190	$56.48	$58.17	$59.92	$61.72	$63.57	$65.48	$67.44	$69.46	$71.54	$73.69
	$117,478.40	$120,993.60	$124,633.60	$128,377.60	$132,225.60	$136,198.40	$140,275.20	$144,476.80	$148,803.20	$153,275.20
195	$60.44	$62.25	$64.12	$66.04	$68.02	$70.06	$72.16	$74.32	$76.55	$78.85
	$125,715.20	$129,480.00	$133,369.60	$137,363.20	$141,481.60	$145,724.80	$150,092.80	$154,585.60	$159,224.00	$164,008.00

Appendix B: Recommended Classifications by Pay Grade

PAY GRADE	RECOMMENDED JOB TITLE
100	
	Airport Operations Specialist I
	Central Services Specialist
	Customer Service Specialist
105	
	Food Transporter
	Homemaker
	Life Enrichment Specialist
	Supportive Home Care Specialist
110	
	Bailiff
	Breast Feeding Peer Counselor
	Culinary Specialist
	Custodian
	Environmental Services Specialist
	Homemaker- Lead
	Life Enrichment Specialist - Lead
	Meal Site Manager
	Medical Coding Assistant
	Unit Clerk
115	
	Certified Nursing Assistant
	Custodial and Maintenance Assistant
	Inventory/Supply Assistant
	Program Assistant
	Program Assistant
120	
	Airport Operations Specialist II
	Criminal Justice Support Specialist
	Facilities Maintenance Worker
	Highway Field Worker
	Medication Technician
	Office Assistant
	Parks Maintenance Technician
125	
	Account Technician
	Airport Operations Specialist - Lead
	Billing Specialist
	Child Support Case Aide
	Children's First Case Coordinator
	Fiscal Specialist
	Legislative Specialist I
	Office Specialist
	Payroll & Scheduling Technician
	Process Server Specialist
	Records Specialist

	Scale Operations Technician
130	
	Booking Specialist
	Child Support Specialist
	Contract Specialist
	Court Reporter
	Deputy Clerk of Court
	Deputy County Clerk
	Deputy Register in Probate/Probate Registrar
	Deputy Register of Deeds
	Deputy Treasurer
	Economic Support Specialist
	Equipment Operator I
	Facilities Maintenance Technician I
	Home Consultant
	Human Services-Specialist
	Inventory/Supply Technician
	Judicial Assistant
	Land Records Recorder
	Legal Assistant
	Legislative Specialist II
	Management Assistant
	Parks Maintenance - Lead
	Recycling/Resource Recovery Technician
	Senior Account Technician
	Substance Use Program Specialist
	Veteran's Benefit Specialist
	Victim Witness Specialist
	Youth Care Specialist
135	
	Administrative Coordinator
	Administrative/Maintenance Coordinator
	Administrative/Real Estate Coordinator
	Administrative/Volunteer Coordinator
	Airport Maintenance Technician
	Assistant Naturalist
	Chief Deputy County Clerk
	Chief Deputy Treasurer
	Communicable Disease Specialist I
	Court Reporter
	Crisis Services Professional
	Diversion Coordinator
	Economic Support Fraud Investigator
	Economic Support Specialist - Lead
	Education Communications Specialist
	Employee Experience Specialist
	End User Support Technician
	Environmental Health Technician
	Equipment Operator II
	Evidence Coordinator
	GED Program Coordinator
	Human Services Specialist - Lead
	Management Assistant

	Mechanic/Maintenance Technician
	Medical Records Coordinator
	Nutritionist
	Paralegal
	Park Ranger
	Parks Project Technician
	Payroll Coordinator
	Quality Assurance Specialist
	Risk Needs Assessor
	Substance Use Program Assessor
	Telecommunicator
	Veteran's Benefits Specialist - Lead
140	
	Agronomist
	Code Inspector
	Correctional Officer
	Emergency Management Specialist
	Engineering Technician
	Equipment Operator III
	GIS Specialist
	LPN
	Real Property Lister
	Senior End User Support Technician
	Sign Technician
	Staff Development Specialist- Economic Support
145	
	Accountant
	Benefit Specialist
	Case Manager
	Central Services Supervisor
	Communications Specialist
	Community Health Educator
	Corporal
	Custodial Services Supervisor
	Deputy Veteran's Service Officer
	Environmental Compliance Technician
	Environmental Health Sanitarian
	Highway Operations Foreman
	House Manager
	HR Program Analyst
	I&A Options Specialist
	Inmate Education Coordinator
	Inmate Resources Coordinator
	Life Enrichment Services Manager
	Marketing & Communications Specialist
	Mechanic
	Office Manager/Paralegal
	Recruitment Specialist
	Registered Dietician
	SW Equipment/Maintenance Mechanic
	Systems Analyst I
	Telecommunications Shift Supervisor

150	
	Administrative Services Supervisor
	Adult Protective Services Worker
	Airport Operations Supervisor - FBO
	Communicable Disease Specialist II
	DA Investigator
	Division Manager
	Electrician
	Emergency Management Coordinator
	Emergency Preparedness Planner
	Facilities Maintenance Technician II
	GIS Analyst
	HR Advisor
	Judicial Staff Attorney
	Land Use Specialist
	Lead Case Manager
	Mediator
	Network Technician
	Parks Program Supervisor/Liaison
	Procurement Coordinator
	Psychiatric Nurse
	Public Health Nurse
	Recycling and Solid Waste Program Coordinator
	Social Worker
	Systems Analyst II
	Systems Technician
	Treatment Court Coordinator
	Victim Witness Supervisor
	Watershed/GIS Analyst
155	
	Airport Operations Supervisor - Airfield
	Airport Operations Supervisor - Landside
	Chief Deputy Clerk of Courts
	Clinical Therapist I
	Executive Operations and Public Relations Specialist
	Facility & Operations Manager - BV
	Finance Supervisor
	Highway Operations Supervisor
	Human Services Supervisor
	Naturalist
	Network Specialist
	Office Manager
	Payroll Supervisor
	Recycling Operations Supervisor
	Register in Probate /Probate Registrar
	Registered Nurse
	Senior HR Advisor - Employee Relations
	Senior Systems Analyst
	Solid Waste Operations Supervisor
	Staff Development Specialist - SW
	SW Equipment/Maintenance Supervisor
	Systems Specialist

160	
	Administrative Services Manager
	Air Service & Business Development Manager
	Business Systems Analyst - Lead
	CJTS Manager
	Clinical Therapist II
	DA Special Prosecutor
	Environmental Engineer / Project Coordinator
	Epidemiologist
	Equity, Diversity, and Inclusion Officer
	FBO Manager
	Human Services Supervisor
	Infection Control Coordinator
	Lobbyist
	MDS Coordinator
	Principal Planner
	Risk Coordinator
	Social Services Manager
165	
	Assistant Highway Engineer
	Finance Manager
	GIS Engineer
	Human Services Supervisor
	Legislative Services Manager
	Lieutenant
	Network Engineer
	Nursing Supervisor
	Systems Engineer
	Telecommunications Manager
170	
	Assistant Corporation Counsel
	Assistant Director of Nursing
	BV Programs Manager
	Captain
	Court Services Manager
	Emergency Management Director
	Fleet & Facilities Superintendent
	GIS & Land Information Manager
	Highway Engineer
	Human Resources Manager
	IT Network Engineering Manager
	IT Operations Manager
	IT Systems Engineering Manager
	Patrol Superintendent
	Recycling Superintendent
	Solid Waste Superintendent
	SW Facilities/Equipment Superintendent
	Veteran's Service Officer
	Zoning Administrator
175	
	Clinical Psychologist
	Court Commissioner
	Criminal Justice Treatment Services Director

	Deputy Administrative and Board Relations Director
	Deputy Director of Development and Land Services
	Deputy Finance Director
	Deputy Human Resources Director
	Director of Airport Operations
	Division Manager
	Division Manager/Public Health Officer
	Jail Administrator
180	
	Assistant Airport Director
	Commander
	County Conservationist
	Director of Nursing
	Managing Court Commissioner
185	
	Chief Deputy
	Deputy Corporation Counsel
	Development and Land Services Director
	Division Manager/Clinical Director- Mental Health
	Facilities Director
	Parks Director
190	
	Deputy Director of Health & Human Services
	Finance Director
	Highway Commissioner
	Human Resources Director
	Information Technology Director
	Nursing Home Administrator
	Recycling & Solid Waste Director
195	
	Corporation Counsel
	Health & Human Services Director

Appendix C: Compensation Policy Guidelines

These guidelines are provided to the County to utilize in conjunction with the new compensation system. The County is recommended to assess these guideline recommendations as the current County Compensation Policy is updated.

New Hires

Employees start at Step 1 of the Pay Grade if the employee has the minimum skills and abilities required in the job description. The hiring supervisor, with appropriate department leadership approval, can start experienced individuals up to Step 5. Any requests for placement above Step 5 may occur only with the approval of Human Resources. The County may wish to develop a Hiring Matrix for objectivity in this process.

Cost of Living Adjustment

On January 1st of each year (or another date specified by the County), employees should receive an annual cost of living adjustment equivalent to the percentage adjustment of the Salary Schedule.

Annual Adjustment

On the employees adjusted date of hire (anniversary date), employees should receive a step increase based on performance, to Step 10. Employees who are not performing to the County's standards will have their annual increase held until such time as performance improves, or when approved by Human Resources.

Promotions

The County is recommended to continue its promotional process, so an individual who moves to a position of a higher Pay Grade, will be placed at Step 1 of the new salary range; Or if the employee's current rate is within the new range, the employee will be placed on the step that provides at least a 3% increase, but not to exceed 10%.

Demotions

There are a number of situations that can occur resulting in an employee's pay being lowered and the pay may not be within the established Salary Range. Dependent upon the circumstances, an individual's pay can be handled differently. It will be the responsibility of the Human Resources Director to determine the pay implications due to employee demotions. The following are suggested guidelines:

A. Demotions that occur because of position changes and/or position consolidations (not based on the performance of the employee), the salary can be "red circled" and frozen at that level until the Salary Range of the new Pay Grade catches up to the employee's salary.

B. Demotions that occur because the employee voluntarily applied for and accepted a position in a lower Pay Grade, the salary will be reduced within the new Salary Range as close to the current salary as possible. If the salary is above the new salary range, then treatment will be as described in "A" above.

C. Demotion that is a result of the employee's performance, the employee's salary is decreased to a placement within the Salary Range of the new Pay Grade, as determined by the Human Resources Director. Demotions of this nature are rare circumstances.

Top of the Range

When an employee reaches the Maximum step of their Pay Grade, they will be eligible only for the cost-of-living Salary Schedule adjustments. Some employers view this is as deterrent for tenured employees to continue to perform at the County's level of expectation. Therefore, the County may consider the option for employees who reach the Maximum Rate to receive the equivalent annual increase in the form of a lump-sum non-base building payment. This method of payment still provides additional compensation to an employee but does not compromise the Schedule.

Position Pay Grade Changes

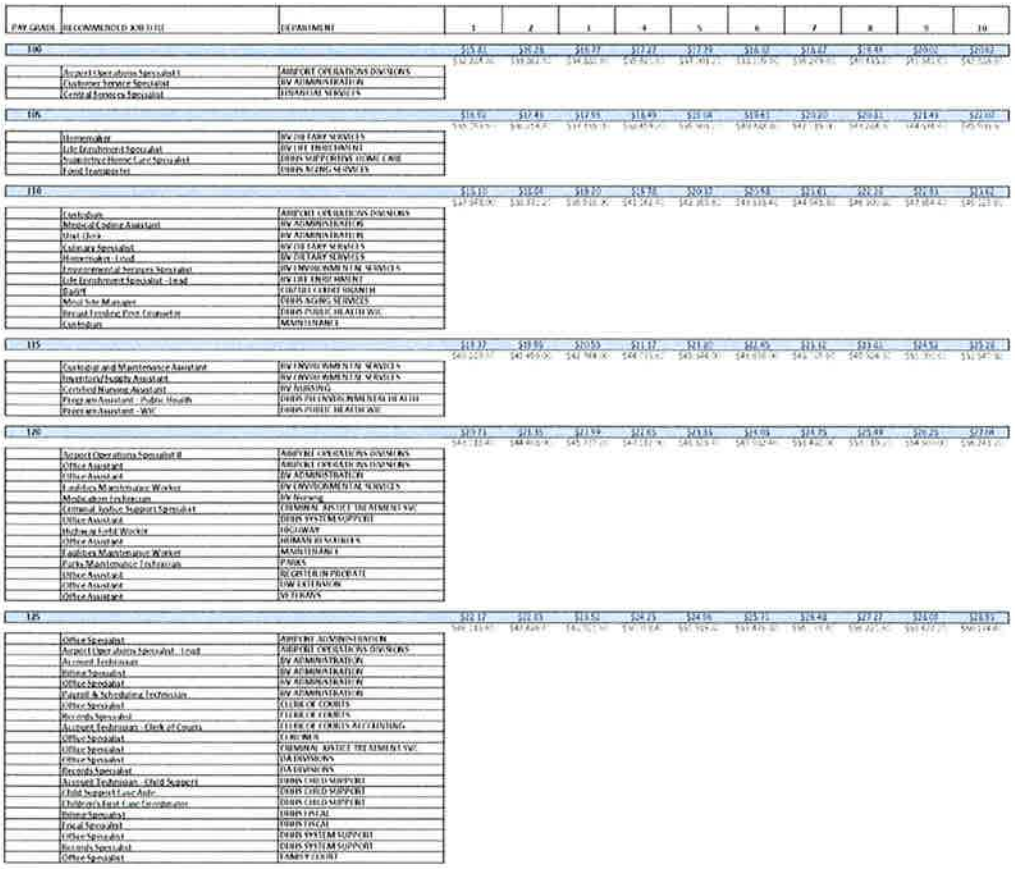
Pay Grades may change under the following circumstances:

A. Management request for a Pay Grade Evaluation

A Department Head may request a Pay Grade evaluation for any position in their Department, via procedures identified by the Human Resources Director. The request should be in writing, including job duty changes or other circumstances that have precipitated the evaluation. This should include the old job description along with either a new job description or a document that illustrates the changes. It will be the responsibility of the Human Resources Director to determine if the position should be sent to the Consultants for evaluation. It should be noted that significant changes to a position's responsibility that could prompt reclassification should receive prior approval from the Human Resources Director in order to avoid unapproved position creep.

B. Administration Initiation of a Pay Grade Evaluation
Administration may determine a position needs to be evaluated as a result of a County-initiated position and/or program changes, organizational structure changes, recurring minimal modifications to positions that over time may result in substantive change in a position, and recruitment or retention challenges.

If after a Pay Grade Evaluation, it is determined the employee's current salary is below Step 1 of the new Pay Grade, the employee should be placed at Step 1 of the new Pay Grade. If the current salary is within the new Salary Range, it will be at the discretion of the Human Resources Director as to whether any further adjustment occurs.



PAY GRADE	RECOMMENDED JOB TITLE	DEPARTMENT	1	2	3	4	5	6	7	8	9	10
104			$15.81	$16.28	$16.77	$17.27	$17.79	$18.32	$18.87	$19.44	$20.02	$20.62
	Airport Operations Specialist I	AIRPORT OPERATIONS DIVISIONS										
	Customer Service Specialist	BV ADMINISTRATION										
	Central Services Specialist	FINANCIAL SERVICES										
106			$16.92	$17.43	$17.95	$18.49	$19.04	$19.61	$20.20	$20.81	$21.43	$22.07
	Homemaker	BV DIETARY SERVICES										
	Life Enrichment Specialist	BV LIFE ENRICHMENT										
	Supportive Home Care Specialist	DIXIE SUPPORTIVE HOME CARE										
	Food Preparation	DIXIE AGING SERVICES										
110			$18.10	$18.64	$19.20	$19.78	$20.37	$20.98	$21.61	$22.26	$22.93	$23.62
	Custodian	AIRPORT OPERATIONS DIVISIONS										
	Medical Coding Assistant	BV ADMINISTRATION										
	Mail Clerk	BV ADMINISTRATION										
	Culinary Specialist	BV DIETARY SERVICES										
	Homemaker - Lead	BV DIETARY SERVICES										
	Environmental Services Specialist	BV ENVIRONMENTAL SERVICES										
	Life Enrichment Specialist - Lead	BV LIFE ENRICHMENT										
	Cashier	CENTRAL CORRECTIONS										
	Meal Site Manager	DIXIE AGING SERVICES										
	Breast Feeding Peer Counselor	DIXIE PUBLIC HEALTH WIC										
	Custodian	MAINTENANCE										
115			$19.37	$19.95	$20.55	$21.17	$21.80	$22.45	$23.12	$23.81	$24.52	$25.26
	Custodial and Maintenance Assistant	BV ENVIRONMENTAL SERVICES										
	Inventory/Supply Assistant	BV ENVIRONMENTAL SERVICES										
	Certified Nursing Assistant	BV NURSING										
	Program Assistant - Public Health	DIXIE ENVIRONMENTAL HEALTH										
	Program Assistant - WIC	DIXIE PUBLIC HEALTH WIC										
120			$20.71	$21.33	$21.99	$22.65	$23.33	$24.03	$24.75	$25.49	$26.25	$27.04
	Airport Operations Specialist II	AIRPORT OPERATIONS DIVISIONS										
	Office Assistant	AIRPORT OPERATIONS DIVISIONS										
	Office Assistant	BV ADMINISTRATION										
	Facilities Maintenance Worker	BV ENVIRONMENTAL SERVICES										
	Medication Technician	BV Nursing										
	Criminal Justice Support Specialist	CRIMINAL JUSTICE TREATMENT SVC										
	Office Assistant	DIXIE SYSTEM SUPPORT										
	Highway Field Worker	HIGHWAY										
	Office Assistant	HUMAN RESOURCES										
	Facilities Maintenance Worker	MAINTENANCE										
	Facility Maintenance Technician	PARKS										
	Office Assistant	REGISTER IN PROBATE										
	Office Assistant	SW EXTENSION										
	Office Assistant	VETERANS										
125			$22.17	$22.83	$23.52	$24.23	$24.96	$25.71	$26.48	$27.27	$28.09	$28.93
	Office Specialist	AIRPORT ADMINISTRATION										
	Airport Operations Specialist - Lead	AIRPORT OPERATIONS DIVISIONS										
	Account Technician	BV ADMINISTRATION										
	Billing Specialist	BV ADMINISTRATION										
	Office Specialist	BV ADMINISTRATION										
	Payroll & Scheduling Technician	BV ADMINISTRATION										
	Office Specialist	CLERK OF COURTS										
	Records Specialist	CLERK OF COURTS										
	Account Technician - Clerk of Courts	CLERK OF COURTS ACCOUNTING										
	Office Specialist	CORONER										
	Office Specialist	CRIMINAL JUSTICE TREATMENT SVC										
	Office Specialist	DA DIVISIONS										
	Records Specialist	DA DIVISIONS										
	Account Technician - Child Support	DIXIE CHILD SUPPORT										
	Child Support Case Aide	DIXIE CHILD SUPPORT										
	Children's Fast Case Coordinator	DIXIE CHILD SUPPORT										
	Billing Specialist	DIXIE FISCAL										
	Fiscal Specialist	DIXIE FISCAL										
	Office Specialist	DIXIE SYSTEM SUPPORT										
	Records Specialist	DIXIE SYSTEM SUPPORT										
	Office Specialist	FAMILY COURT										

	Account Technician (AP)	FINANCIAL SERVICES
	Legislative Specialist I	LEGISLATIVE SERVICES
	Scale Operations Technician	RECYCLING & SOLID WASTE
	Records Specialist	REGISTER OF DEEDS
	Process Server Specialist	SHERIFF ADMINISTRATIVE
	Records Specialist	SHERIFF ADMINISTRATIVE
	Office Specialist	PUBLIC

130			$21.75	$22.31	$22.87	$23.45	$24.05	$24.65	$25.28	$25.91	$26.57
			$45,240.00	$46,404.80	$47,569.60	$48,776.00	$50,024.00	$51,272.00	$52,582.40	$53,892.80	$55,265.60
	Facilities Maintenance Technician I	AIRPORT OPERATIONS DIVISIONS									
	Judicial Assistant	CIRCUIT COURT JUVENILE									
	Deputy Clerk of Court	CLERK OF COURTS									
	Legal Assistant	CORPORATION COUNSEL									
	Deputy County Clerk	COUNTY CLERK									
	Deputy Treasurer	COUNTY TREASURER									
	Court Reporter	COURT COMMISSIONER									
	Legal Assistant	DA DIVISIONS									
	Victim/Witness Specialist	DA VICTIM WITNESS									
	Human Services Specialist	DHHS CHILD FAMILY UNIT 1									
	Nurse Consultant	DHHS CHILD FAMILY UNIT 4									
	Human Services Specialist	DHHS CHILD PROTECTIVE SERVICES									
	Child Support Specialist	DHHS CHILD SUPPORT									
	Economic Support Specialist	DHHS ECONOMIC SUPPORT									
	Contract Specialist	DHHS FISCAL									
	Senior Account Technician	DHHS FISCAL									
	Nurse Consultant	DHHS MENTAL HEALTH SERVICES 1									
	Substance Use Program Specialist	DHHS MENTAL HEALTH SERVICES 1									
	Youth Care Specialist	DHHS YOUTH SHELTER CARE									
	Human Services Specialist	DHHS YOUTH SOCIAL WORK									
	Judicial Assistant	FAMILY COURT									
	Legal Assistant	FAMILY COURT									
	Senior Account Technician	FINANCIAL SERVICES									
	Inventory/Supply Technician	HIGHWAY OFFICE									
	Senior Account Technician	HIGHWAY OFFICE									
	Senior Account Technician	HIGHWAY OFFICE									
	Equipment Operator I	HIGHWAY PATROL									
	Senior Account Technician	LAND CONSERVATION									
	Legislative Specialist II	LEGISLATIVE SERVICES									
	Facilities Maintenance Technician I	MAINTENANCE									
	Parks Maintenance - Lead	PARKS									
	Equipment Operator I	RECYCLING & SOLID WASTE									
	Management Assistant	RECYCLING & SOLID WASTE									
	Recycling/Resource Recovery Technician	RECYCLING & SOLID WASTE									
	Deputy Register in Probate/Probate Registrar	REGISTER IN PROBATE									
	Deputy Register of Deeds	REGISTER OF DEEDS									
	Land Records Recorder	REGISTER OF DEEDS									
	Register Specialist	SHERIFF CORRECTIONS									
	Inventory/Supply Technician	SHERIFF CORRECTIONS									
	Veteran's Benefit Specialist	VETERANS									

136			$25.43	$26.16	$26.94	$27.70	$28.50	$29.44	$30.26	$31.23	$32.12	$33.14
			$52,894.40	$54,412.80	$56,035.20	$57,616.00	$59,280.00	$61,235.20	$62,940.80	$64,958.40	$66,809.60	$68,931.20
	Employee Experience Specialist	AIRPORT ADMINISTRATION										
	Airport Maintenance Technician	AIRPORT OPERATION DIVISIONS										
	Medical Records Coordinator	DA ADMINISTRATION										
	Paralegal	CORPORATION COUNSEL										
	Chief Deputy County Clerk	COUNTY CLERK										
	Chief Deputy Treasurer	COUNTY TREASURER										
	Grill Program Coordinator	CRIMINAL JUSTICE TREATMENT SVC										
	Risk Needs Assessor	CRIMINAL JUSTICE TREATMENT SVC										
	Diversion Coordinator	DA DIVISIONS										
	Evidence Coordinator	DA DIVISIONS										
	Paralegal	DA DIVISIONS										
	Human Services Specialist - Lead	DHHS CHILD FAMILY UNIT 2										
	Economic Support Fraud Investigator	DHHS ECONOMIC SUPPORT										
	Economic Support Specialist - Lead	DHHS ECONOMIC SUPPORT										
	Quality Assurance Specialist	DHHS MENTAL HEALTH										
	Substance Use Program Supervisor	DHHS MENTAL HEALTH SERVICES										
	Crisis Services Professional	DHHS MENTAL HEALTH SERVICES 4										
	Environmental Health Technician	DHHS PH ENVIRONMENTAL HEALTH										
	Communicable Disease Specialist	DHHS PUBLIC HEALTH NURSING										
	Nutritionist	DHHS PUBLIC HEALTH WIC										
	Management Assistant	DHHS SYSTEM SUPPORT										
	Court Reporter	FAMILY COURT										
	Payroll Coordinator	FINANCIAL SERVICES										
	Administrative/Real Estate Coordinator	HIGHWAY OFFICE										
	Equipment Operator II	HIGHWAY PATROL										
	Mechanic/Maintenance Technician	HIGHWAY SHOP										

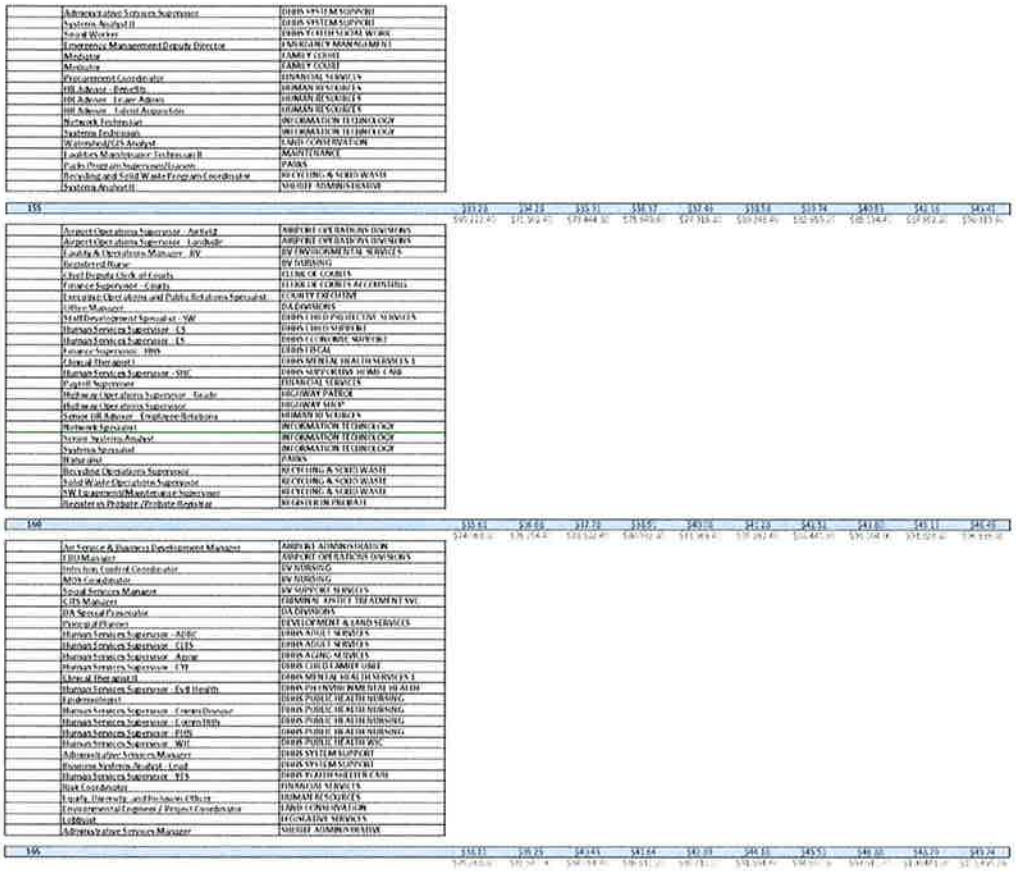
	End User Support Technician	INFORMATION TECHNOLOGY
	Administrative Coordinator	LAND CONSERVATION
	Administrative/Maintenance Coordinator	MAINTENANCE
	Administrative/Volunteer Coordinator	PARKS
	Assistant Naturalist	PARKS
	Park Ranger	PARKS
	Parks Project Technician	PARKS
	Equipment Operator II	RECYCLING & SOLID WASTE
	Telecommunicator	SHERIFF COMMUNICATIONS
	Administrative Coordinator	SOIL EXTENSION
	Education Communications Specialist	SOIL EXTENSION
	Veteran's Benefits Specialist - Lead	VETERANS



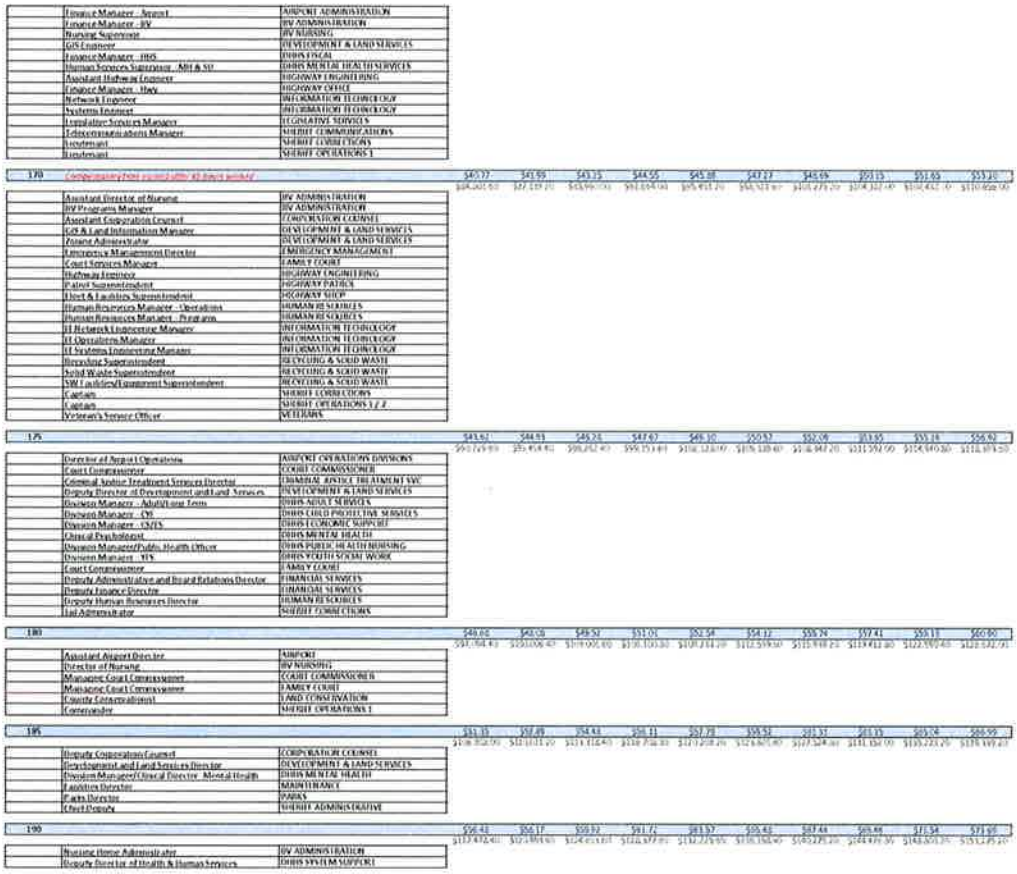
140											
	LPN	PW NURSING									
	GIS Specialist	ENVIRONMENT & LAND SERVICES									
	Real Property Lister	ENVIRONMENT & LAND SERVICES									
	Staff Development Specialist - Economic Support	DHHS ECONOMIC SERVICES									
	Emergency Management Specialist	EMERGENCY MANAGEMENT									
	Engineering Technician	HIGHWAY ENGINEERING									
	Equipment Operator III	HIGHWAY PATROL									
	Sign Technician	HIGHWAY PATROL									
	Senior Facilities Support Technician	INFORMATION TECHNOLOGY									
	Surveyor	LAND CONSERVATION									
	Engineering Technician	LAND CONSERVATION									
	Equipment Operator III	RECYCLING & SOLID WASTE									
	Correctional Officer	SHERIFF CORRECTIONS									
	Code Inspector	ZONING									

145											
	Accountant	AIRPORT ADMINISTRATION									
	Marketing & Communications Specialist	AIRPORT ADMINISTRATION									
	Mechanic	AIRPORT OPERATIONS DIVISIONS									
	Recruitment Specialist	BV ADMINISTRATION									
	System Analyst I	BV ADMINISTRATION									
	Registered Dietitian	BV DIETARY SERVICES									
	Life Enrichment Services Manager	BV LIFE ENRICHMENT									
	Office Manager/Paralegal	CORPORATION COUNSEL									
	Case Manager	CRIMINAL JUSTICE TREATMENT SVC									
	Inmate Education Coordinator	CRIMINAL JUSTICE TREATMENT SVC									
	Inmate Resources Coordinator	CRIMINAL JUSTICE TREATMENT SVC									
	Case Manager	DHHS ADULT SERVICES									
	I&A Options Specialist	DHHS ADULT SERVICES									
	Benefit Specialist - Adult Services	DHHS AGING SERVICES									
	Registered Dietitian	DHHS AGING SERVICES									
	Case Manager	DHHS CHILD FAMILY UNITS									
	Case Manager	DHHS CHILD PROTECTIVE SERVICES									
	Accountant	DHHS FISCAL									
	Benefit Specialist - MH & SU	DHHS MENTAL HEALTH SERVICES I									
	Case Manager	DHHS MENTAL HEALTH SERVICES I									
	Environmental Health Sanitarian	DHHS PUBLIC ENVIRONMENTAL HEALTH									
	Communications Specialist	DHHS PUBLIC HEALTH NURSING									
	Community Health Educator	DHHS PUBLIC HEALTH NURSING									
	House Manager	DHHS YOUTH SHELTER CARE									
	Case Manager	DHHS YOUTH SOCIAL WORK									
	Accountant	FINANCIAL SERVICES									
	Central Services Supervisor	FINANCIAL SERVICES									
	Highway Operations Foreman	HIGHWAY PATROL									
	Mechanic	HIGHWAY SHOP									
	HR Program Analyst	HUMAN RESOURCES									
	Custodial Services Supervisor	MAINTENANCE									
	Environmental Compliance Technician	RECYCLING & SOLID WASTE									
	SW Equipment Maintenance Mechanic	RECYCLING & SOLID WASTE									
	Accountant	SHERIFF ADMINISTRATIVE									
	Telecommunications Shift Supervisor	SHERIFF COMMUNICATIONS									
	Corporal	SHERIFF CORRECTIONS									
	Mechanic	SHERIFF OPERATIONS									
	Deputy Veteran's Service Officer	VETERANS									

150											
	Airport Operations Supervisor - EDO	AIRPORT OPERATIONS DIVISIONS									
	Mechanic	AIRPORT OPERATIONS DIVISIONS									
	Division Manager - Food & Nutrition Services	BV DIETARY SERVICES									
	Social Worker	BV SUPPORT SERVICES									
	Judicial Staff Attorney	CIRCUIT COURT/COURTS									
	Treatment Court Coordinator	CRIMINAL JUSTICE TREATMENT SVC									
	DA Investigator	DA DIVISIONS									
	Victim Witness Supervisor	DA VICTIM WITNESS									
	GIS Analyst	ENVIRONMENT & LAND SERVICES									
	Land Use Specialist	ENVIRONMENT & LAND SERVICES									
	Staff Case Manager	DHHS ADULT SERVICES									
	Social Worker	DHHS CHILD FAMILY UNIT									
	Social Worker	DHHS CHILD FAMILY UNIT									
	Social Worker	DHHS CHILD FAMILY UNIT									
	Adult Protective Services Worker	DHHS MENTAL HEALTH SERVICES									
	Psychiatric Nurse	DHHS MENTAL HEALTH SERVICES									
	Communicable Disease Specialist II	DHHS PUBLIC HEALTH NURSING									
	Emergency Preparedness Planner	DHHS PUBLIC HEALTH NURSING									
	Public Health Nurse	DHHS PUBLIC HEALTH NURSING									



	Administrative Services Supervisor	DHHS SYSTEM SUPPORT									
	Systems Analyst II	DHHS SYSTEM SUPPORT									
	Social Worker	DHHS YOUTH SOCIAL WORK									
	Emergency Management Deputy Director	EMERGENCY MANAGEMENT									
	Mediator	FAMILY COURT									
	Mediator	FAMILY COURT									
	Procurement Coordinator	FINANCIAL SERVICES									
	HR Advisor - Benefits	HUMAN RESOURCES									
	HR Advisor - Leave Admin	HUMAN RESOURCES									
	HR Advisor - Talent Acquisition	HUMAN RESOURCES									
	Network Technician	INFORMATION TECHNOLOGY									
	Systems Technician	INFORMATION TECHNOLOGY									
	Watershed GIS Analyst	LAND CONSERVATION									
	Facilities Maintenance Technician II	MAINTENANCE									
	Parks Program Supervisor/Rangers	PARKS									
	Recycling and Solid Waste Program Coordinator	RECYCLING & SOLID WASTE									
	Systems Analyst II	SHERIFF ADMINISTRATIVE									
155			$37.28	$38.28	$39.31	$40.37	$41.46	$42.58	$43.74	$44.93	$46.15	$47.41
	Airport Operations Supervisor - Asthyll	AIRPORT OPERATIONS DIVISIONS										
	Airport Operations Supervisor - Lochbuie	AIRPORT OPERATIONS DIVISIONS										
	Liability & Operations Manager - BV	BV ENVIRONMENTAL SERVICES										
	Registered Nurse	BV NURSING										
	Chief Deputy Clerk of Courts	CLERK OF COURTS										
	Finance Supervisor - Courts	CLERK OF COURTS ACCOUNTING										
	Executive Operations and Public Relations Specialist	COUNTY EXECUTIVE										
	Office Manager	DA DIVISIONS										
	Staff Development Specialist - VW	DHHS CHILD PROTECTIVE SERVICES										
	Human Services Supervisor - CS	DHHS CHILD SUPPORT										
	Human Services Supervisor - CS	DHHS CHILD SUPPORT										
	Finance Supervisor - HHS	DHHS FISCAL										
	Clinical Therapist I	DHHS MENTAL HEALTH SERVICES I										
	Human Services Supervisor - SHC	DHHS SUPPORTIVE HOMES CASE										
	Payroll Supervisor	FINANCIAL SERVICES										
	Highway Operations Supervisor - Touhy	HIGHWAY PATROL										
	Highway Operations Supervisor	HIGHWAY SHOP										
	Senior HR Advisor - Employee Relations	HUMAN RESOURCES										
	Network Specialist	INFORMATION TECHNOLOGY										
	Senior Systems Analyst	INFORMATION TECHNOLOGY										
	Systems Specialist	INFORMATION TECHNOLOGY										
	Naturalist	PARKS										
	Recycling Operations Supervisor	RECYCLING & SOLID WASTE										
	Solid Waste Operations Supervisor	RECYCLING & SOLID WASTE										
	SW Equipment Maintenance Supervisor	RECYCLING & SOLID WASTE										
	Recorder's Program (Probate Registrar	REGISTER OF DEEDS										
160			$38.61	$39.66	$40.75	$41.87	$43.03	$44.23	$45.47	$46.75	$48.07	$49.43
	Air Service & Business Development Manager	AIRPORT ADMINISTRATION										
	CEO Manager	AIRPORT OPERATIONS DIVISIONS										
	Infection Control Coordinator	BV NURSING										
	MDS Coordinator	BV NURSING										
	Social Services Manager	BV SUPPORT SERVICES										
	CJIS Manager	CRIMINAL JUSTICE TREATMENT SVC										
	DA Special Prosecutor	DA DIVISIONS										
	Principal Planner	DEVELOPMENT & LAND SERVICES										
	Human Services Supervisor - ADRC	DHHS ADULT SERVICES										
	Human Services Supervisor - CLTS	DHHS ADULT SERVICES										
	Human Services Supervisor - Aging	DHHS AGING SERVICES										
	Human Services Supervisor - CYF	DHHS CHILD FAMILY CASE										
	Clinical Therapist II	DHHS MENTAL HEALTH SERVICES I										
	Human Services Supervisor - Evil Health	DHHS PREVENTION/MENTAL HEALTH										
	Epidemiologist	DHHS PUBLIC HEALTH NURSING										
	Human Services Supervisor - Comm Disease	DHHS PUBLIC HEALTH NURSING										
	Human Services Supervisor - Comm Hlth	DHHS PUBLIC HEALTH NURSING										
	Human Services Supervisor - PHN	DHHS PUBLIC HEALTH NURSING										
	Human Services Supervisor - WIC	DHHS PUBLIC HEALTH WIC										
	Administrative Services Manager	DHHS SYSTEM SUPPORT										
	Business Systems Analyst - Lead	DHHS SYSTEM SUPPORT										
	Human Services Supervisor - YES	FINANCIAL SERVICES										
	Risk Coordinator	HUMAN RESOURCES										
	Equity, Diversity, and Inclusion Officer	HUMAN RESOURCES										
	Environmental Engineer / Project Coordinator	LAND CONSERVATION										
	Lobbyist	LEGISLATIVE SERVICES										
	Administrative Services Manager	SHERIFF ADMINISTRATIVE										
165			$38.83	$39.29	$41.45	$41.64	$42.89	$44.33	$45.83	$46.88	$48.29	$49.74



	Finance Manager - Airport	AIRPORT ADMINISTRATION
	Finance Manager - HV	HV ADMINISTRATION
	Nursing Supervisor	HV NURSING
	GIS Engineer	DEVELOPMENT & LAND SERVICES
	Finance Manager - HHS	HHS FISCAL
	Human Services Supervisor - MH & SU	HHS MENTAL HEALTH SERVICES
	Assistant Highway Engineer	HIGHWAY ENGINEERING
	Finance Manager - Hwy	HIGHWAY OFFICE
	Network Engineer	INFORMATION TECHNOLOGY
	Systems Engineer	INFORMATION TECHNOLOGY
	Legislative Services Manager	LEGISLATIVE SERVICES
	Telecommunications Manager	SHERIFF COMMUNICATIONS
	Lieutenant	SHERIFF CORRECTIONS
	Lieutenant	SHERIFF OPERATIONS 1
170		$40.77 $41.95 $43.15 $44.55 $45.88 $47.27 $48.69 $50.13 $51.69 $53.10
	Assistant Director of Nursing	HV ADMINISTRATION
	HV Programs Manager	HV ADMINISTRATION
	Assistant Corporation Counsel	CORPORATION COUNSEL
	GIS & Land Information Manager	DEVELOPMENT & LAND SERVICES
	Zoning Administrator	DEVELOPMENT & LAND SERVICES
	Emergency Management Director	EMERGENCY MANAGEMENT
	Court Services Manager	FAMILY COURT
	Highway Engineer	HIGHWAY ENGINEERING
	Patrol Superintendent	HIGHWAY PATROL
	Fleet & Facilities Superintendent	HIGHWAY SHOP
	Human Resources Manager - Operations	HUMAN RESOURCES
	Human Resources Manager - Programs	HUMAN RESOURCES
	IT Network Engineering Manager	INFORMATION TECHNOLOGY
	IT Operations Manager	INFORMATION TECHNOLOGY
	IT Systems Engineering Manager	INFORMATION TECHNOLOGY
	Recycling Superintendent	RECYCLING & SOLID WASTE
	Solid Waste Superintendent	RECYCLING & SOLID WASTE
	SW Facilities/Equipment Superintendent	RECYCLING & SOLID WASTE
	Captain	SHERIFF CORRECTIONS
	Captain	SHERIFF OPERATIONS 1 / 2
	Veteran's Service Officer	VETERANS
175		$43.67 $44.93 $46.24 $47.63 $49.10 $50.52 $52.08 $53.65 $55.18 $56.92
	Director of Airport Operations	AIRPORT OPERATION DIVISIONS
	Court Commissioner	COURT COMMISSIONER
	Criminal Justice Treatment Services Director	CRIMINAL JUSTICE TREATMENT SVC
	Deputy Director of Development and Land Services	DEVELOPMENT & LAND SERVICES
	Division Manager - Adult/Elder Svcs	HHS ADULT SERVICES
	Division Manager - CPS	HHS CHILD PROTECTIVE SERVICES
	Division Manager - ES/ES	HHS ECONOMIC SUPPORT
	Clinical Psychologist	HHS MENTAL HEALTH
	Division Manager/Public Health Officer	HHS PUBLIC HEALTH NURSING
	Division Manager - YFS	HHS YOUTH SOCIAL WORK
	Court Commissioner	FAMILY COURT
	Deputy Administrative and Board Relations Director	FINANCIAL SERVICES
	Deputy Finance Director	FINANCIAL SERVICES
	Deputy Human Resources Director	HUMAN RESOURCES
	Jail Administrator	SHERIFF CORRECTIONS
180		$46.66 $48.08 $49.52 $51.01 $52.54 $54.12 $55.79 $57.41 $59.13 $60.90
	Assistant Airport Director	AIRPORT
	Director of Nursing	HV NURSING
	Managing Court Commissioner	COURT COMMISSIONER
	Managing Court Commissioner	FAMILY COURT
	County Conservationist	LAND CONSERVATION
	Commander	SHERIFF OPERATIONS 1
185		$51.35 $52.89 $54.48 $56.11 $57.78 $59.52 $61.37 $63.13 $65.04 $66.99
	Deputy Corporation Counsel	CORPORATION COUNSEL
	Development and Land Services Director	DEVELOPMENT & LAND SERVICES
	Division Manager/Clinical Director - Mental Health	HHS MENTAL HEALTH
	Facilities Director	MAINTENANCE
	Parks Director	PARKS
	Chief Deputy	SHERIFF ADMINISTRATIVE
190		$56.48 $58.17 $59.92 $61.72 $63.57 $65.48 $67.44 $69.46 $71.54 $73.69
	Nursing Home Administrator	HV ADMINISTRATION
	Deputy Director of Health & Human Services	HHS SYSTEM SUPPORT

	Finance Director	FINANCIAL SERVICES
	Highway Superintendent	HIGHWAY CENTER
	Human Resources Director	HUMAN RESOURCES
	Information Technology Director	INFORMATION TECHNOLOGY
	Recycling & Solid Waste Director	RECYCLING & SOLID WASTE

195		$60.44 $62.25 $64.12 $66.04 $68.02 $70.06 $72.16 $74.32 $76.55 $78.85
		$125,715.20 $129,486.00 $133,369.60 $137,381.20 $141,481.60 $145,724.80 $150,092.80 $154,585.60 $159,224.00 $164,008.00
	Corporation Counsel	CORPORATION COUNSEL
	Health & Human Services Director	DHHS SYSTEM SUPPORT

ADDITIONAL ALLOWANCES

AIRPORT
Non exempt employees if asked to perform line service duties will be exempt of living expenses per home activities, such as for the ACDM incident. Eligible employees earn $5.50 per hour (5.5 cents per hour for overtime) for every hour performing snow and ice control duties during an active snow removal operation.

BREWSTER VILLAGE
Non exempt employees who work the late shift shall receive two dollars ($2.00) per hour in addition to the above rates. [only applies to seven day per week employees]
Non exempt employees who work the second shift shall receive three dollars ($3.00) per hour in addition to the above rates. [only applies to seven day per week employees]
Non exempt employees who work weekends from the start of the third (3rd) shift on Friday night, to the start of the third (3rd) shift on Sunday night. shall receive two dollars ($2.00) per hour in addition to the above rates. [only applies to seven day per week employees]
Non exempt employees who have been assigned as a trainer according to the Brewster Village Team Leader Training Program. Trainers receive an additional one dollar ($1.00) per hour during all their regular assigned hours for each hour spent actively training. [only applies to seven day per week employees]
RNs who fill in as a Nursing Supervisor receive $2.00 more per hour.
Maintenance employees required to wear a uniform will receive $100 per year allowance.
All employees required to wear safety shoes are responsible for purchasing and wearing safety shoes/boots to comply with the County's Personal Protective Equipment policy. Each affected employee is eligible to receive an annual (per calendar year) reimbursement up to forty dollars ($40) for purchase of safety shoes, with presentation of proper receipt to your supervisor.

JUSTICE CENTER
An additional two dollars and fifty cents ($2.50) per hour will be paid for each hour a Correctional Officer, Telecommunicator, Booking Specialist or Records Specialist is assigned to work as a Field Training Officer.

HIGHWAY	
Sign Technician	Non exempt employees assigned to work as the assistant to the Sign Technician shall be paid an extra half hour for each day worked as the assistant which is not subject to overtime.
Body Shop Duty Pay	Non exempt employees normally assigned to perform body shop work shall be paid an additional half hour for each day worked performing body shop duties, which is not subject to overtime.
CDL Reimburse-ment	The county shall pay up to one hundred fifty dollars ($150.00) toward the cost of successfully obtaining/renewing a CDL and endorsements that are required by the county, including background screening fees, upon presentation of receipts, for employees who have completed their original introductory period. Costs above $150 can be reimbursed to the employee via the Continuing Education Policy.
Shadowing Pay	In the event that a non exempt employee is required to work consecutively for more than four (4) hours beyond the regular scheduled workday without time off, the employee shall receive ten dollars ($10.00) differential pay.
Lead Pay	Non exempt employee assigned to the lead pay position will be paid at a rate of one extra half hour per shift worked which is not subject to overtime.
Night Duty Pay	Shift Differential will be paid to non exempt employees for scheduled night work when the work performed is between the hours of 6:00 PM and 6:00 AM for the Highway and Transfer stations. Shift Differential Pay will start no sooner than 7:00 PM. The rate will be two (2) hours pay for each shift worked which is not subject to overtime. Shift Differential does not apply for any accident or weather related incident that occurs and employees are called in to work during the event. Example: A 4 day work week would result in 8 hours of pay. A five day work week would result in 10 hours of pay.
Overtime	Over 10 hours in a day and/or 40 hours in a workweek. All hours on Sunday. Paid holidays.
Ramp Duty Pay	Non exempt employees assigned to Ramp Person duties shall be paid an additional $0.75/hour during the assignment. Typically beginning in November and ending sometime in March or April.
Safety Shoe Reimburse-ment	All employees required to wear safety shoes are responsible for purchasing and wearing safety shoes/boots to comply with the County's Personal Protective Equipment policy. Each affected employee is eligible to receive an annual (per calendar year) reimbursement up to forty dollars ($40) for purchase of safety shoes, with presentation of proper receipt to your supervisor.
Paving Crew Duty Pay	Non exempt employees assigned as screed Operator, employees assigned as Roller Operator, and employees assigned as Paving Duty Operator during the paving season, shall be paid seventy five cents ($0.75) for each day worked on the paving crew, which is not subject to overtime.
Tool Reimburse-ment	Reimburse mechanics for tools purchased up to $250.00 per year, payable upon the submission of a receipt substantiating the purchase. Reimburse employees assigned to the body shop and weld shop for safety purchased up to $125.00 per year, payable upon the submission of a receipt substantiating the purchase.
Welder Duty Pay	Non exempt employees normally assigned to perform welding duties shall be paid an additional half hour for each day worked as a welder, which is not subject to overtime.

MAINTENANCE

[illegible] Pay	$70 per month that is issued and the recipient is employee who [illegible] of the shall [illegible] and Project herein
Uniform Allowance	$500 per year
Safety Shoe Reimburse ment	All employees required to wear safety shoes are to [illegible] for purchasing safety shoes/boots to comply with the County's Personal Protective Equipment policy. Each affected employee is eligible to receive an annual [illegible] per calendar year, reimbursement up to forty dollars ($40) for purchase of safety shoes, with presentation of proper receipt to your supervisor.

RECYCLING & SOLID WASTE	
CDL Reimburse ment	The county shall pay up to one hundred fifty dollars ($150.00) towards the cost of successfully obtaining/renewing a CDL and endorsements thereto as required by the county, including background screening fees and up to one retest in a calendar year.
Differential Pay	In the event that an employee is required to work continuously for more than two (2) hours beyond the regular scheduled workday without time off, the employee shall receive ten dollars ($10.00) differential pay.
Lead Pay	Pay code 620 (Lead Pay) - Added annually pay for each $.75 per hour earned for the day worked as lead (minimum of 8 hours)
	Pay code 625 (DT Lead Pay) - Hours worked in excess of 40 in a work week are eligible (to be paid at time and a half) - Additional hourly pay for DT lead - $1.13
Overtime	40 hours over in a set week - All hours on Sunday - Paid at time and a half
Safety Shoe Reimburse ment	All employees required to wear safety [illegible] are responsible for purchasing safety shoes/boots to comply with the County's Personal Protective Equipment policy. Each affected employee is eligible to receive an annual [illegible] per calendar year, reimbursement up to forty dollars ($40) for purchase of safety shoes, with presentation of proper receipt to your supervisor.

WAGES	
Safety Shoes Reimburse ment	All employees required to wear safety shoes are responsible for purchasing safety shoes/boots to comply with the County's Personal Protective Equipment policy. Each affected employee is eligible to receive an annual [illegible] per calendar year, reimbursement up to forty dollars ($40) for purchase of safety shoes, with presentation of proper receipt to your supervisor.
Tool Reimburse ment	County will reimburse mechanics for tools purchased, up to $250.00 per year, provided each of the following conditions are met: 1) the tools are approved in advance by the Fleet Manager; 2) the tools are purchased from a business that provides a receipt; and 3) a copy of the receipt is submitted to the Fleet Manager for reimbursement.
Shop Certification Pay	Employees will be paid $.20 per hour for all regular hours paid while they [illegible] shop certification. Apply to all [illegible] and duplicate as well as the employee's [illegible] requirements.

CURRENT JOB TITLE	NEW JOB TITLE
AIRPORT OPERATIONS SPECIALIST	Airport Operations Specialist I
RECEPTIONIST BV	Customer Service Specialist
MAIL SERVICES ASSISTANT	Central Services Specialist
HOMEMAKER AIDE	Supportive Home Care Specialist
CUSTODIAL WORKER II	Custodian
HEALTH INFO ASSOC	Unit Clerk
B G MNTC CUST WKR	Custodial and Maintenance Assistant
SUPPLY SPECIALIST	Inventory/Supply Assistant
PUBLIC HEALTH AIDE	Program Assistant - Public Health
BILINGUAL HEALTH AIDE	Program Assistant - WIC
AIRPORT OPERATIONS SPECIALIST	Airport Operations Specialist II
CUSTOMER / ADMINISTRATION SUPP	Office Assistant
RECEPTION ASSISTANT	Office Assistant
MAINTENANCE SPEC	Facilities Maintenance Worker
ELECTRONIC MONITORING SPECIALI	Criminal Justice Support Specialist
ADMINISTRATIVE SPECIALIST	Office Assistant
FIELD MAINT WORKER	Highway Field Worker
HR OFFICE ASSISTANT	Office Assistant
MAINTENANCE WORKER	Facilities Maintenance Worker
CARETAKER I	Parks Maintenance Technician
CARETAKER II	Parks Maintenance Technician
PROBATE ASSISTANT	Office Assistant
OFFICE ASSISTANT	Office Assistant
OFFICE ASSISTANT	Office Assistant
CUSTOMER/ADMINISTRATION SUPPOR	Office Specialist
ACCOUNT ASSOCIATE	Account Technician
BILLING ASSOCIATE	Billing Specialist
ADMIN COORDINATOR	Office Specialist
EMPL RELATIONS ASSOC	Payroll & Scheduling Technician
SUPPORT SPEC IV	Office Specialist
ACCOUNT ASSOC I / II	Account Technician - Clerk of Courts
ADMINISTRATIVE ASSISTANT	Office Specialist
SUPPORT SPECIALIST III	Office Specialist
LEGAL ASSISTANT I	Office Specialist
ADMINISTRATIVE ASSISTANT	Office Specialist
ACCOUNT ASSOC II	Account Technician - Child Support
HUMAN SERVICES SPECIALIST	Children's First Case Coordinator
CHILD SUPPORT PROGRAM ASSOCIATE	Child Support Case Aide
BILLING ASSOCIATE	Billing Specialist
PROGRAM ASSISTANT	Fiscal Specialist
HUMAN SERVICES SPECIALIST III	Fiscal Specialist
DIVISION ASSISTANT	Office Specialist
ADMINISTRATIVE ASSISTANT	Office Specialist

SUPPORT SPECIALIST III	Office Specialist
ACCOUNT ASSOCIATE I	Account Technician - (AP)
LEG SPECIALIST I	Legislative Specialist I
SCALE PROG ASSIST SW	Scale Operations Technician
JUNIOR DEPUTY REGISTER OF DEED	Records Specialist
RECORDS SPECIALIST II	Process Server Specialist
B G MNTC CUST WKR	Facilities Maintenance Technician I
LEGAL SECRETARY	Legal Assistant
DEPUTY CLERK ASSISTANT	Deputy County Clerk
ACCOUNT ASSOCIATE II /III	Deputy Treasurer
LEGAL ASSISTANT II	Legal Assistant
HUMAN SERVICES SPECIALIST I/II/III	Human Services Specialist
HOME CONSULTANT II	Home Consultant
HUMAN SERVICES SPECIALIST I/II/III	Human Services Specialist
CHILD SUPPORT SPEC	Child Support Specialist
ECON SUPP SPECIALIST	Economic Support Specialist
ACCOUNT ASSOC II	Senior Account Technician
ACCOUNT ASSOC III	Senior Account Technician
CONTRACT TECHNICIAN	Contract Specialist
HOME CONSULTANT III	Home Consultant
HUMAN SERVICES SPECIALIST I/II/III	Human Services Specialist
SELF HELP CENTER COORDINATOR	Legal Assistant
ACCOUNT ASSOCIATE III	Senior Account Technician
ACCOUNT ASSOCIATE	Senior Account Technician
ACCOUNT ASSOCIATE II	Senior Account Technician
ACCOUNT ASSOCIATE	Inventory/Supply Technician
PROGRAM ASSISTANT	Senior Account Technician
MAINTENANCE WORKER	Facilities Maintenance Technician I
CARETAKER LEAD	Parks Maintenance - Lead
ADMIN ASSISTANT	Management Assistant
RECOVERY TECHNICIAN	Recycling/Resource Recovery Technician
OPERATIONS ASSISTANT 2080	Booking Specialist
OPERATIONS ASSISTANT 2080	Inventory/Supply Technician
AIRFLD MAINT WRKR	Airport Maintenance Technician
HLTH INFO COORD	Medical Records Coordinator
PARALEGAL II	Paralegal
DEPUTY COUNTY CLERK / PROGRAMM	Chief Deputy County Clerk
DEPUTY COUNTY TREASURER	Chief Deputy Treasurer
OFFICE ASSISTANT	GED Program Coordinator
PARALEGAL I/ II	Paralegal
HUMAN SERVICES SPECIALIST LEAD	Human Services Specialist - Lead
FRAUD INVESTIGATOR	Economic Support Fraud Investigator
ECON SUPP SPEC LEAD	Economic Support Specialist - Lead
MEDICAID Q ASSUR SPE	Quality Assurance Specialist
CRISIS PHONE COUNSEL	Crisis Services Professional
PAYROLL SPECIALIST	Payroll Coordinator

ADMIN ASSISTANT	Administrative/Real Estate Coordinator
MAINTENANCE WORKER	Mechanic/Maintenance Technician
SUPPORT COORDINATOR I	End User Support Technician
ADMINISTRATIVE ASSISTANT LC	Administrative Coordinator
MAINTENANCE COORDINATOR	Administrative/Maintenance Coordinator
OFFICE COORDINATOR	Administrative/Volunteer Coordinator
PARK FOREMAN	Parks Project Technician
SENIOR BENEFITS SPECIALIST	Veterans Benefits Specialist - Lead
WELLNESS NURSE - LPN	LPN
STAFF DEVELOPMENT SPECIALIST	Staff Development Specialist- Economic Support
SUPPORT COORDINATOR II / III	Senior End User Support Technician
SUPPORT COORDINATOR III	Senior End User Support Technician
AGRONOMIST / CONSERVATION PLAN	Agronomist
ENGINEERING TECHNICIAN LC	Engineering Technician
AIRPORT ACCOUNTANT	Accountant
AIRFIELD MECHANIC	Mechanic
NUTRITION COORDINATOR	Registered Dietician
LIFE ENRICHMENT COORDINATOR	Life Enrichment Services Manager
SYSTEMS ANALYST (BV)	Systems Analyst I
EDUCATION COORDINATOR	Inmate Education Coordinator
OFFENDER RESOURCE SPECIALIST	Inmate Resources Coordinator
COMMUNITY SUPPORT SPECIALIST	Case Manager
COMMUNITY SUPPORT SPECIALIST	I&A Options Specialist
BENEFIT SPECIALIST	Benefit Specialist - Adult Services
BENEFIT SPECIALIST	Benefit Specialist - MH & SU
NUTRITION COORD	Registered Dietician
SOCIAL WORK SPECIALIST I	Case Manager
SOCIAL WORK SPECIALIST I	Case Manager
ACCOUNTANT HUMSVC	Accountant
COMMUNITY SUPPORT SPECIALIST	Case Manager
SOCIAL WORK SPECIALIST I	Case Manager
FINANCE ACCOUNTANT	Accountant
CENTRAL SERVICES SUPERVISOR /	Central Services Supervisor
ASSISTANT FOREMAN	Highway Operations Foreman
HUMAN RESOURCES ASSOCIATE	HR Program Analyst
CUSTODIAL SUPERVISOR	Custodial Services Supervisor
MAINTENANCE TECH	RSW Equipment/Maintenance Mechanic
ENVIRON MAINT TECH	Environmental Compliance Technician
STAFF ACCNT LAWENF	Accountant
COMM SHIFT SUPVR	Telecommunications Shift Supervisor
CORRECTIONAL OFFICER	Corporal
OPER SUPVR FBO	Airport Operations Supervisor - FBO
AIRPORT ELECTRICIAN	Electrician
MAINTENANCE TECHNICIAN	Facilities Maintenance Technician II
FOOD & NUTR SVCS DIR	Food & Nutrition Services Manager
SOCIAL WORKER BV	Social Worker

LAW CLERK	Judicial Staff Attorney
DRUG ALCH TR CRT COR	Treatment Court Coordinator
SPECIAL INVESTIGATOR	DA Investigator
GIS SPATIAL ANALYST	GIS Analyst
SOCIAL WORK SPECIALIST II	Social Worker
SOCIAL WORK SPECIALIST IV	Social Worker
SOCIAL WORK SPECIALIST V	Social Worker
PSYCHIATRIC RN	Psychiatric Nurse
COMMUNICABLE DISEASE SPECIALIS	Communicable Disease Specialist II
OFFICE SUPVR HHS	Administrative Services Supervisor
SYSTEMS ANALYST	Systems Analyst II
SOCIAL WORK SPECIALIST II	Social Worker
SOCIAL WORK SPECIALIST III	Social Worker
SOCIAL WORK SPECIALIST IV	Social Worker
SOCIAL WORK SPECIALIST V	Social Worker
EMERGENCY MANAGEMENT PROGRAM &	Emergency Management Deputy Director
SOCIAL WORKER V	Mediator
PROFESSIONAL COUNSELOR V	Mediator
EMPLOYEE BENEFITS SPECIALIST	HR Advisor - Benefits
HR RECRUITING SPECIALIST	HR Advisor - Talent Acquisition
EMPLOYEE LEAVE ADMINISTRATOR	HR Advisor - Leave Admin
WATERSHED/GIS SPECIALIST	Watershed/GIS Analyst
PROGRAM/OFFICE MANAGER	Parks Program Supervisor/Liaison
SYSTEMS ANALYST SHER	Systems Analyst II
OPER SUPVR AIRFIELD	Airport Operations Supervisor - Airfield
OPER SUPVR LANDSIDE	Airport Operations Supervisor - Landside
ENVIR SVCS DIRECTOR	Facility & Operations Manager - BV
WELLNESS NURSE - RN	Registered Nurse
ADMIN ASSIST/CHF DEP	Chief Deputy Clerk of Courts
FIN OPERATIONS MGR	Finance Supervisor - Courts
SOCIAL WORK STAFF DEVELOPMENT	Staff Development Specialist - SW
SUPVR CHILD SUPPORT	Human Services Supervisor - CS
SUPVR ECON SUPPORT	Human Services Supervisor - ES
SUPVR ACCOUNT SYSTEM	Finance Supervisor - HHS
SUPVR SUPP HOME CARE	Human Services Supervisor - SHC
OFFICE MANAGER DA	Office Manager
GRADE FOREMAN HWY	Highway Operations Supervisor - Grade
SHOP FOREMAN/FOREMAN	Highway Operations Supervisor
SYSTEMS ANALYST I / II	Senior Systems Analyst
NETWORK TECHNICIAN	Network Specialist
SYSTEMS TECHNICIAN	Systems Specialist
MAINT SUPVR SOLID WS	SW Equipment/Maintenance Supervisor
AIR SERVICE AND BUSINESS DEVEL	Air Service & Business Development Manager
FBO MANAGER	FBO Manager
NURSING COORDINATOR	Infection Control Coordinator
NURSING COORDINATOR	MDS Coordinator

SOCIAL SERV COORD	Social Services Manager
DEPUTY DIRECTOR CJTS	CJTS Manager
SPECIAL PROSECUTOR	DA Special Prosecutor
SUPVR AGING SVCS	Human Services Supervisor - ADRC
SUPVR CLTS	Human Services Supervisor - CLTS
SUPVR AGING SVCS	Human Services Supervisor - Aging
SUPVR CHILD FAM UNIT	Human Services Supervisor - CYF
CLINICAL THERAPIST I, II CLIN THER CRISIS APD	Clinical Therapist II
COMMUNITY HEALTH SUPVR	Human Services Supervisor - Comm Hlth
COMMUNICABLE DISEASE SPECIALIS	Human Services Supervisor - Comm Disease
ENVIRONMENTAL HEALTH SANITARIAN SUPERVISOR	Human Services Supervisor - Evtl Health
PH NURSING SUPVR	Human Services Supervisor - PHN
WIC SUPERVISOR	Human Services Supervisor - WIC
SUPVR SYSTEM SUPPORT	Administrative Services Manager
SYSTEMS ANALYST III	Business Systems Analyst - Lead
SUPVR YOUTH SW SVCS	Human Services Supervisor - YFS
RISK ADMINISTRATOR	Risk Coordinator
ENVIRONMENTAL ENGINEER / PROJE	Environmental Engineer / Project Coordinator
ADMIN SUPVR SHERIFF	Administrative Services Manager
DIRECTOR OF FINANCE AND ADMINI	Finance Manager - Airport
FINANCIAL SVC DIR	Finance Manager - BV
NURSE SPECIALIST	Nursing Supervisor
NEIGHBORHOOD COORD	Nursing Supervisor
MGR FISCAL SYSTEMS	Finance Manager - HHS
SUPVR MH SERVICES	Human Services Supervisor - MH & SU
OFFICE MGR ACCOUNTAN	Finance Manager - Hwy
TELECOMM SUPVR	Telecommunications Manager
NURSING COORDINATOR	Assistant Director of Nursing
PROGRAM SERVICES ADMINISTRATOR	BV Programs Manager
LAND USE SUPERVISOR / ZONING A	Zoning Administrator
COURT SERVICES SUPERVISOR FCC	Court Services Manager
EQ FACILITY SUPERINT	Fleet & Facilities Superintendent
EMPLOYEE RELATIONS SPECIALIST	Human Resources Manager - Operations
SENIOR NETWORK ENGINEER	IT Network Engineering Manager
SENIOR SYSTEMS ENGINEER	IT Systems Engineering Manager
IT DEPUTY DIRECTOR	IT Operations Manager
RECY RES RECOV ADMIN	Recycling Manager
EQUIP FAC SUPINTENDT	RSW Equipment/Facilities Manager
SW SUPERINTENDENT	Solid Waste Manager
CAPT- CORR	Captain
CAPTAIN - INVESTIGAT / SUPP SVCS	Captain
DIRECTOR OF OPERATIONS	Director of Airport Operations
ASSISTANT COURT COMMISSIONER	Court Commissioner
MGR ALTS	Division Manager - Adult/Long Term
MGR YOUTH FAM SVCS	Division Manager - YFS
MANAGER; CHILDREN, YOUTH & FAM	Division Manager - CYF

MGR EC SPT CHILD SPT	Division Manager - CS/ES
MGR PUBLIC HEALTH	Division Manager/Public Health Officer
ASSISTANT COURT COMMISSIONER	Court Commissioner
FINANCE DEPUTY DIRECTOR	Deputy Finance Director
HUMAN RESOURCES - DEPUTY DIRECTOR	Deputy Human Resources Director
CORRECTIONS ADMINIS	Jail Administrator
NURSING DIRECTOR	Director of Nursing
COURT COMMISSIONER	Managing Court Commissioner
FAMILY COURT COMMISSIONER	Managing Court Commissioner
OPERATIONS COMMANDER	Commander
CLIN DIR MGR MH AODA	Division Manager/Clinical Director- Mental Health
ADMINISTRATOR BV	Nursing Home Administrator
DEPUTY DIRECTOR-HHS	Deputy Director of Health & Human Services
DIR RECYC SOLID WAST	Recycling & Solid Waste Director

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the September 12, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on September 12, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 12th Day of September, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: October 9, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, September 26, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 30 present, 6 absent. Members present: Thompson, Miller, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, MacDonald, Schroeder, Croatt, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Rettler, and Lautenschlager. Members Absent: Smith, Wegand, Hermes, Spears, Thyssen, and Koury

The Board Chairperson requested the Board's confirmation to excuse Supervisor Smith, Supervisor Hermes, Supervisor Thyssen, and Supervisor Koury. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE SEPTEMBER 12, 2023 COUNTY BOARD MEETING
Supervisor Croatt moved, seconded by Supervisor Cuff, to approve the minutes of the September 12, 2023, County Board meeting.

ROLL CALL: 28 yes, 2 abstain (Lautenschlager, Rettler), 6 absent. MINUTES OF THE SEPTEMBER 12, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS –

Pam Seidl, Executive Director, Fox Cities Convention & Visitors Bureau, will report on tourism and its impact on Outagamie County

- The Fox Cities Convention & Visitors Bureau was formed in 1985 as a division of the Fox Cities Chamber.
- The Fox Cities Convention & Visitors Bureau became an independent 501c6 organization in March of 1988.
- There is a Board of Directors that includes municipal appointees, hotel industry representatives, and members at large from the hospitality or tourism industry.
- There are 9 staff members.
- The Fox Cities Convention & Visitors Bureau is funded by the 2.85% hotel/motel room tax.
- Nineteen communities within three different counties are served by the Fox Cities Convention & Visitors Bureau.
- The Fox Cities room tax allocations total 10% tax: 2.85% goes towards Fox Cities Convention & Visitors Bureau operations, 3% goes to Town of Grand Chute CDA for Champion Center bonds, 3% goes to the Appleton Redevelopment Authority for Fox Cities Exhibition Center bonds, and 1.15% is retained by municipalities.
- Tourism in 2022 was a record breaking year with $558M in direct visitor spending, $729M in total economic impact, 6,735 total jobs generated, and $62M in state and local taxes generated.

- Within Outagamie County in 2022 there was $389M in direct visitor spending, $683M in total economic impact, 5,498 in total jobs generated, and $44M in state and local taxes generated.
- Outagamie County ranks 8th in visitor spending in Wisconsin, right behind Door County which ranks 7th.
- Director visitor spending was impacted negatively by the pandemic in 2020, but in 2022 surpassed pre-pandemic numbers.
- Visitors spend the largest amount of spending on food & beverage, second being lodging. Rec/entertainment has had a large amount of growth as well with 112.9% growth relative to 2019.
- Each household in the Fox Cities would need to be taxed an additional $827 per year to replace the tourism taxes received by state and local governments.
- Hotel occupancy has continued in a normal trajectory since 2020. Business travel has changed since the pandemic and may be forever changed moving forward.
- Room revenue has been above average, much of which is inflation induced. Room rates have increased as the cost for workforce and inventory have increased.
- The Fox Cities Convention & Visitors Bureau have an alliance with ATW:
    - Brought in a Denver journalist to the Fox Cities via an ATW direct flight.
    - Digital advertising campaign in direct flight markets for the 2025 NFL Draft.
    - Top 5 origin markets for ATW include: Green Bay-Appleton, Milwaukee, Wausau-Rhinelander, Chicago, Tampa-St. Petersburg (Sarasota)
    - Other top ranking origin markets include: Phoenix, Orlando, Las Vegas.
- Champion Center – 2022 in Review
    - Activities took place on 357 out of 365 days out of the year in 2022.
    - Tournaments and games took place on 48 of 52 weekends.
    - 66 tournaments generated over $4.2M in direct visitor spending at businesses in the Fox Cities.
    - Roughly 98% of the participants were 18 years old or younger.
    - "Home Teams" include: NHM Hockey, Valley Figure Skating, Lawrence University Women's Hockey.
    - A record breaking 8,730 slushies were sold at the concession stand in 2022.
    - The Champion Center offers many benefits to local residents: 7,907 practice hours, 57,590 practice participants, 83 sports camps, 1,330 open skate participants.

Supervisor questions and comments followed.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have Resolution Nos. 47, 48, 49 and 51 —2023-24 locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle all reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

September 26, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	08/28/2023	Buffalo County	A Resolution Regarding Foreign Ownership of Farmland	Resolution No.: 147-2022-23

Chairperson Nooyen summarized the following communications:

- The County Executive's Report is in Drop Box.
- Three Supervisors still need to finish the IT security training. An email reminder was recently sent to these individuals from Legislative Services.
- Tuesday, October 17th from 5:00 pm - 6:30 pm, there will be an open house and picnic held at the new Plamann Park pavilion for the County Board. A roll call was taken for an estimate of how many supervisors will be able to attend: 25 yes, 5 no, 6 absent. An email with the details will be sent out in the near future.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS –

County Executive Nelson nomination for appointments of Alison Bong, Paul Farrell, Dean Steingraber, Jeff Tetzlaff, and Anne Van to the Department of Recycling and Solid Waste and Highway Department Facility and Land Use Oversight Committee, for the duration of the project.

Supervisor Thiede moved, seconded by Supervisor Hagen for confirmation of the above-listed appointments.

ROLL CALL: 30 yes, 6 absent. ALISON BONG, PAUL FARRELL, DEAN STEINGRABER, JEFF TETZLAFF, AND ANNE VAN ARE APPOINTED TO THE DEPARTMENT OF RECYCLING AND SOLID WASTE AND HIGHWAY DEPARTMENT FACILITY AND LAND USE OVERSIGHT COMMITTEE.

County Executive Nelson nomination for appointments of Scott Volberding, Paul Farrell, Alison Bong, and Thomas Nelson to the Appleton International Airport Terminal Expansion Project Oversight Committee, for the duration of the project.

Supervisor Krueger moved, seconded by Supervisor Schroeder for confirmation of the above-listed appointments.

ROLL CALL: 29 yes, 1 no (Monfils), 6 absent. SCOTT VOLBERDING, PAUL FARRELL, ALISON BONG, AND THOMAS NELSON ARE APPOINTED TO THE APPLETON INTERNATIONAL AIRPORT TERMINAL EXPANSION PROJECT OVERSIGHT COMMITTEE.

County Executive Nelson nomination for appointment of Anne Van to the Outagamie County Local Emergency Planning Committee, said term expiring June 30, 2025.

Supervisor Patience moved, seconded by Supervisor Cooke for confirmation of the above-listed appointment.

ROLL CALL: 30 yes, 6 absent. ANNE VAN IS APPOINTED TO THE OUTAGAMIE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. Z-4—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for the Town of Grand Chute for parcel 101038010, from the Local Commercial District to the R-3 Single-Family Attached Residential District for a future single-family residential condominium development in the Town of Grand Chute, as depicted on the attachments.

Supervisor Rettler moved, seconded by Supervisor VanderHeiden, for adoption.

ROLL CALL: 29 yes, 1 no (Thiede), 6 absent. RESOLUTION NO. Z-4—2023-24 IS ADOPTED.

Resolution No. 46—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to request that the Wisconsin State Legislature revise Wis. Stat. § 66.0401(1m) and Wis. Stat. § 196.491, as noted on the resolution, to grant Wisconsin counties the authority to responsibly site utility-scale solar installations, to maintain orderly planning and comply with the statutory requirement laid out in Wis. Stat. § 66.1001(3) to adhere to the objectives, goals, and policies contained in the County's comprehensive plan.

Supervisor Lautenschlager moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 29 yes, 1 no (Cooke), 6 absent. RESOLUTION NO. 46—2023-24 IS ADOPTED.

Resolution No. 47—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Authorize and approve execution of the attached Great Lakes Sediment and Nutrient Reduction Program Grant Contract between the Great Lakes Commission and the Outagamie County Land Conservation Department, and approve of increasing the following line items in the Land Conservation Grants Cost Center: Intergovernmental Revenues by $116,541; Purchased Services by $95,325; Salaries by $13,660; Fringe Benefits by $6,556; Travel/Training by $1,000, as noted on the attached fiscal note.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 47—2023-24 IS ADOPTED.

Resolution No. 48—2023-24 – Finance Committee. Authorize and approve the following Central Services line items: increase Capital Outlay by $16,000, and decrease the Salaries by $11,000, and decrease the Fringe Benefits by $5,000, as noted on the attached fiscal note, to purchase a folding machine and document cutter for the Central Services Department.

Supervisor Miller moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 48—2023-24 IS ADOPTED.

Resolution No. 49—2023-24 – Finance Committee. Support the attached Town of Freedom Tax Incremental District (TID) No. 3 Project Plan, and recommend that the County representative on the Town of Freedom TID Board of Review vote in favor of this plan.

Supervisor Lawrence moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 49—2023-24 IS ADOPTED.

Resolution No. 50—2023-24 – Highway, Recycling and Solid Waste Committee. Authorize the Recycling and Solid Waste Director, Acting Director, Interim Director, Recycling Manager, or Solid Waste Manager to act on behalf of the County to sign and submit applications to the Department of Natural Resources for financial assistance, sign necessary documents, and submit a final report, as defined by §287.23 and §287.24, Wis. Stats., and Chapter NR 542, 544 Wis. Admin. Code.

Supervisor Clegg moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 50—2023-24 IS ADOPTED.

Resolution No. 51—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to grant We Energies an easement for parcel number 311672311 in the City of Appleton, as noted on the resolution and attachments.

Supervisor Culbertson moved, seconded by Supervisor Monfils, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 51—2023-24 IS ADOPTED

RECONSIDERATION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Santonato, to reconsider the above listed resolutions.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24 ARE ADOPTED & LOCKED IN.

REPORTS– None.

ADJOURNMENT
Supervisor Gabrielson moved, seconded by Supervisor MacDonald to adjourn until October 10, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:37 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

Resolution No. Z-4—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for the Town of Grand Chute for parcel 101038010, from the Local Commercial District to the R-3 Single-Family Attached Residential District for a future single-family residential condominium development in the Town of Grand Chute, as depicted on the attachments.

Supervisor Rettler moved, seconded by Supervisor VanderHeiden, for adoption.

ROLL CALL: 29 yes, 1 no (Thiede), 6 absent. RESOLUTION NO. Z-4—2023-24 IS ADOPTED.

VOTE RESULTS — 29 YES | 1 NO | 0 ABSTAIN | 6 ABSENT

Resolution No. Z-4—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for ... from the Local Commercial District to the R-3 Single-Family Attached Residential District for a future single-family residential condominium development in the Town of Grand Chute, as depicted on the attachments.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY ABSENT
12 McCABE YES	24 THIEDE NO	36 LAUTENSCHLAGER YES

Outagamie County — 9-26-23 County Board Meeting - September 26 2023 07:28:03 PM — September 26, 2023 County Board Meeting — OpenMeeting

RESOLUTION NO.: Z-4—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Grand Chute has adopted a comprehensive Zoning Ordinance separate from that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that all zoning amendments made by the Town of Grand Chute be approved by Outagamie County before they are effective. The Outagamie County Planning Staff and Zoning Committee both recommend approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the proposed rezoning request for the Town of Grand Chute. The proposed rezoning is for parcel 101038010, from the Local Commercial District to the R-3 Single-Family Attached Residential District to accommodate a future single-family residential condominium development. The parcel is located West of N. Galaxy Drive in the Town of Grand Chute, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Zoning Administrator and the Town of Grand Chute Clerk, the Town of Grand Chute Community Development Director, and the Town of Grand Chute Community Development Administrative Assistant.

Dated this 26th day of September, 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: September 26, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 9.28.23

Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **August 17, 2023**
RE: **PL202300364: Rezoning – Town, Review and Recommendation**

Application Details:

Applicant and Owner:	Tracy Olejniczak & Michael Patza on behalf of Town of Grand Chute (Owner)
Request:	Rezoning - Town
Parcel:	101038010
Location:	West of N Galaxy Drive TOWN OF GRAND CHUTE
Public Hearing:	August 3, 2023 at 6:00 PM held by the Town of Grand Chute

Background:
A Town Rezoning request was received from the Town of Grand Chute, as depicted on the Rezoning Map (Exhibit 1). The proposal would rezone parcel 101038010 (3.66 acres) from the Local Commercial District to the R-3 Single-Family Attached Residential District to accommodate a future single-family residential condominium development. More information is in the Town's staff memo (Exhibit 2).
The Town of Grand Chute exercises village powers and adopted General Town Zoning. The Town of Grand Chute is required to find this rezoning consistent with its Comprehensive Plan. They have identified the rezoning to be consistent with its Plan, which designates this area as "Urban."

The Town Board voted to approve the rezoning request on August 15, 2023.

Staff Recommendation:
Based on County planning staff's review of this proposed Town Rezoning, Staff recommends to: approve the rezoning of parcel 101038010 from the Local Commercial District to the R-3 Single-Family Attached Residential District.

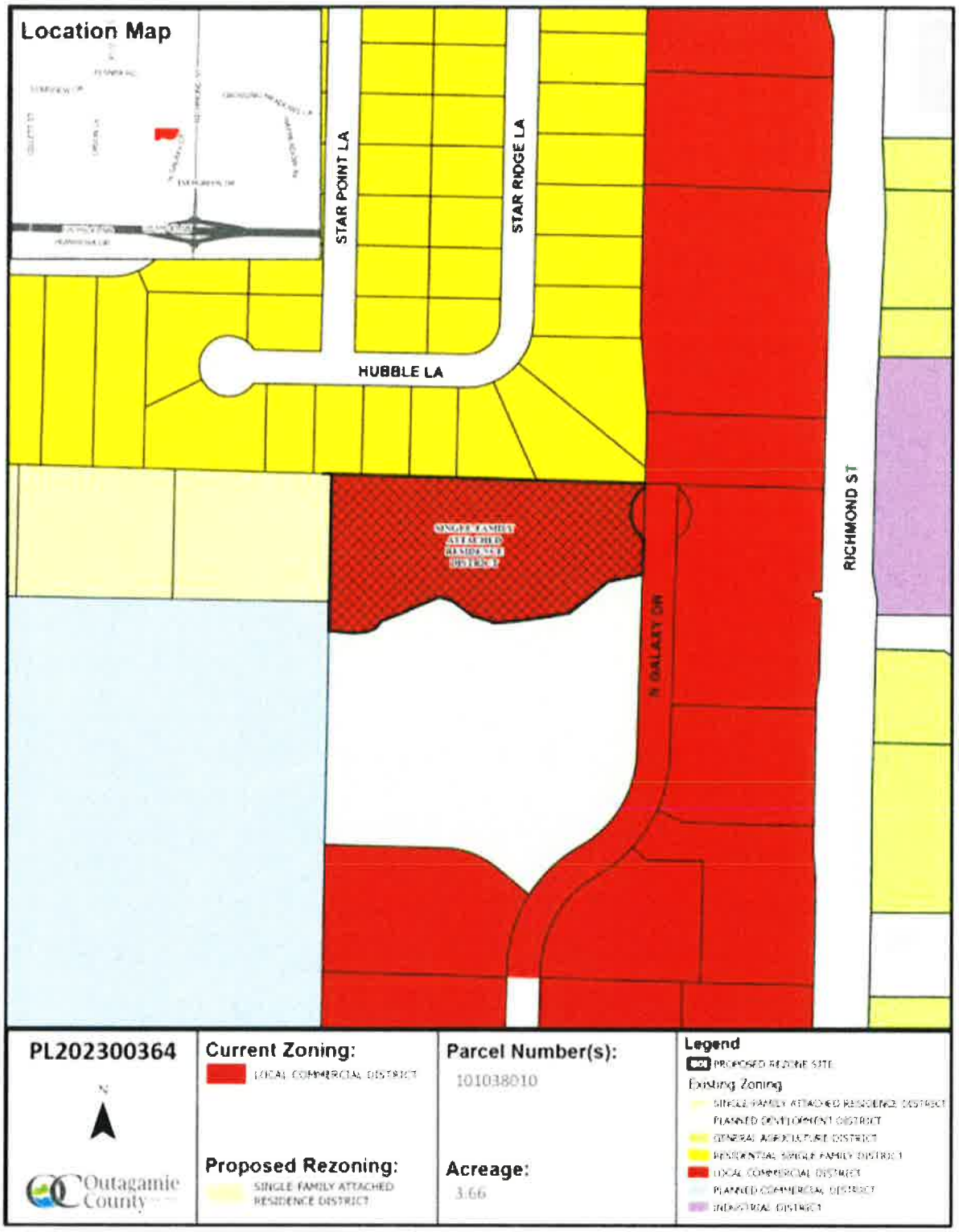

Location Map
STAR POINT LA
STAR RIDGE LA
HUBBLE LA
RICHMOND ST
N GALAXY DR
PL202300364
Current Zoning:
LOCAL COMMERCIAL DISTRICT
Proposed Rezoning:
SINGLE FAMILY ATTACHED RESIDENCE DISTRICT
Parcel Number(s):
101038010
Acreage:
3.66
Legend
PROPOSED REZONE SITE
Existing Zoning
LOCAL COMMERCIAL DISTRICT
Outagamie County

EXHIBIT 2

6/7.

Town of Grand Chute
Rezoning Request

To: Plan Commission

From: Michael Patza, Community Development Director

Date: July 26, 2023

Address: North of N. Galaxy Drive (Tax Key Parcel No. 101-038010) **App. #: Z-04-2023**

REQUEST

This Town is initiating a rezone from **CL Local Commercial District to R-3 Single-Family Attached Residence District,** to accommodate a future single-family residential condominium development.

ANALYSIS

The request is to rezone 3.6 acres of Town-owned land located north of N. Galaxy Drive to accommodate a single-family residential condominium development. The Town received an Offer to Purchase the property from Romenesko Developments, Inc., which was approved by the Town Board in June, 2022. The property is located within Town of Grand Chute Tax Increment District (TID) No. 2. The project to extend N. Galaxy Drive to provide access to the property is expected to be completed in 2023 using TID funds.

The rezoning request is consistent with the zoning classifications of the adjacent residential condominium property to the west. Additionally, the R-3 Single-Family Attached Residence District classification is intended to serve as a transitional district between less dense residential districts, located to the north, and commercial districts, located to the south. Rezoning of this property R-3 Single-Family Attached Residence District classification is consistent with the Urban designation for this district as identified in the Town of Grand Chute Comprehensive Plan.

The developer has submitted plans to the Town including a Special Exception Permit to establish a Planned Unit Development (PUD), Condominium Plat, and Site Plan for 15 single-family detached condominiums. Those items will come before Plan Commission and the Town Board for consideration at future meetings. Review of the documents submitted indicates the site is adequately sized and positioned to accommodate the proposed use within the requirements prescribed in the Zoning Code (cover sheet of Condominium Plat is attached).

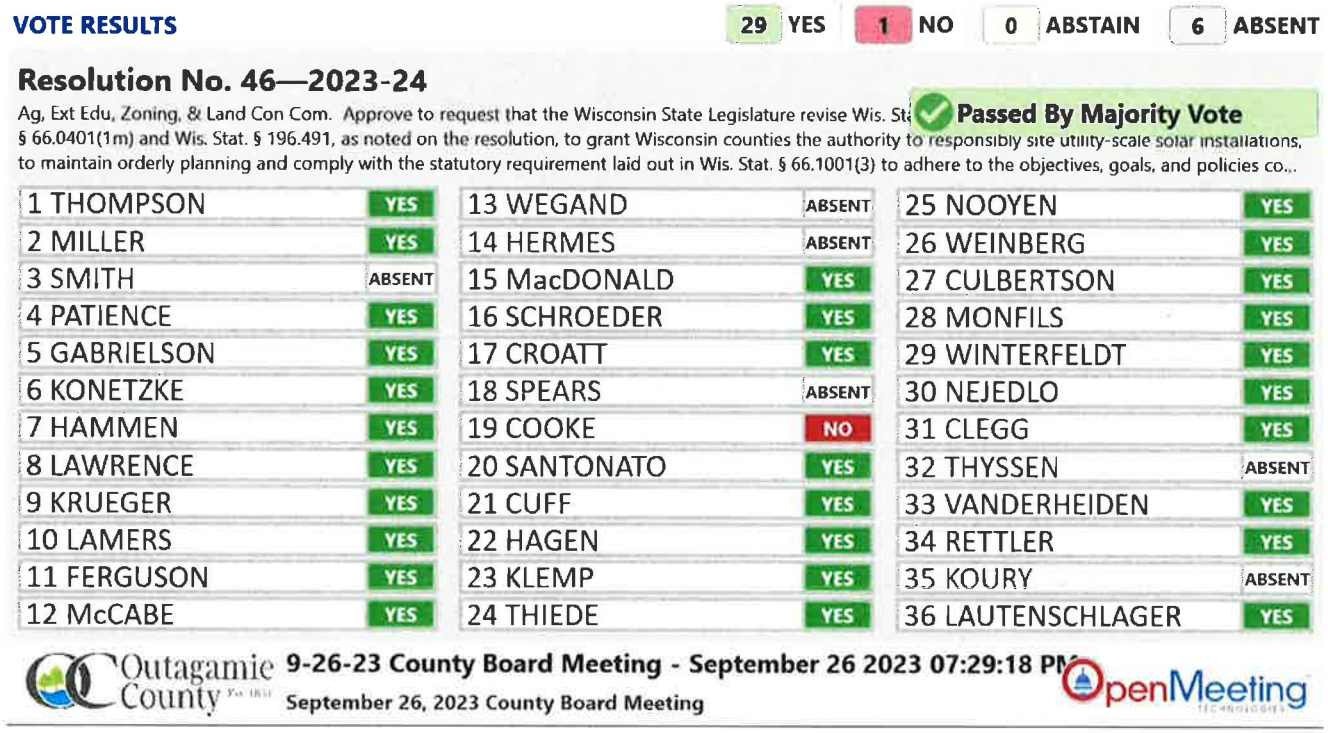
RECOMMENDATION

Staff has reviewed and supports a Plan Commission recommendation to rezone the property located north of N. Galaxy Drive from CL Local Commercial District to R-3 Single-Family Attached Residence District. (Ordinance No. O-09-2023)

Resolution No. 46—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to request that the Wisconsin State Legislature revise Wis. Stat. § 66.0401(1m) and Wis. Stat. § 196.491, as noted on the resolution, to grant Wisconsin counties the authority to responsibly site utility-scale solar installations, to maintain orderly planning and comply with the statutory requirement laid out in Wis. Stat. § 66.1001(3) to adhere to the objectives, goals, and policies contained in the County's comprehensive plan.

Supervisor Lautenschlager moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 29 yes, 1 no (Cooke), 6 absent. RESOLUTION NO. 46—2023-24 IS ADOPTED.



VOTE RESULTS — 29 YES | 1 NO | 0 ABSTAIN | 6 ABSENT

Resolution No. 46—2023-24

Ag, Ext Edu, Zoning, & Land Con Com. Approve to request that the Wisconsin State Legislature revise Wis. St... § 66.0401(1m) and Wis. Stat. § 196.491, as noted on the resolution, to grant Wisconsin counties the authority to responsibly site utility-scale solar installations, to maintain orderly planning and comply with the statutory requirement laid out in Wis. Stat. § 66.1001(3) to adhere to the objectives, goals, and policies co...

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
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11 FERGUSON YES	23 KLEMP YES	35 KOURY ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 9-26-23 County Board Meeting - September 26 2023 07:29:18 PM
September 26, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 46—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

As a result of Wisconsin State law, counties possess limited authority to regulate solar energy systems in their community.

The regulation of solar energy systems is generally dependent on size, with smaller solar energy systems being subject to Wis. Stat. § 66.0401(1m) and larger solar energy systems (those above 100 megawatts) being subject to Wisconsin Public Service Commission (PSC) standards.

While Wis. Stat. § 66.0401(1m) provides a mechanism for counties to consider areas of local concern, it provides little ability for counties to restrict or even deny a project based on local concerns from residents, environmental impact, or economic impact. Within Wis. Stat. § 66.0401(1m), terms like "public health" or "safety" are undefined, a clear evidentiary threshold was never included; and, while found within Wis. Stat. § 59.69, the term "welfare" was not included with the reason for its omission uncertain.

Public utilities and private developers are using a loophole in Wis. Stat. 196.491(3)(d) 2 and 3 that exempts wholesale merchant plants from meeting the same standards as public utility companies in order to receive their Certificate of Public Convenience and Necessity (CPCN) and then immediately turn around and sell the project to a public utility company.

The State has given planning and zoning authority to the County through Wis. Stat. § 59.69, specifically in order to "promote the public health, safety, convenience and general welfare; to encourage planned and orderly land use development; to protect property values and the property tax base" and to "preserve wetlands; conserve soil, water, and forest resources; to protect the beauty and amenities of landscape and man-made developments; to provide healthy surroundings for family life." However, when it comes to utility-scale solar, the County process and authority is completely circumvented.

The Outagamie County Planning Staff and Zoning Committee both request the State of Wisconsin revise the Solar Energy System Law.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning, and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors, hereby requests that the Wisconsin State Legislature revise Wis. Stat. § 66.0401(1m) and Wis. Stat. § 196.491 as follows in order to grant Wisconsin counties the authority to responsibly site utility-scale solar installations in order to maintain orderly planning and comply with the statutory requirement laid out in Wis. Stat. § 66.1001(3) to adhere to the objectives, goals, and policies contained in the County's comprehensive plan:

> ~~**66.0401(1m)** Authority to restrict systems limited. No political subdivision may place any restriction, either directly or in effect, on the installation or use of a wind energy system that is more restrictive than the rules promulgated by the Commission under s. 196.378 (4g) (b). No political subdivision may place any restriction, either directly or in effect, on the installation or use of a solar energy system, as defined in s. 13.48 (2) (h) 1. g., or a wind energy system, unless the restriction satisfies one of the following conditions:~~
> ~~(a) Serves to preserve or protect the public health or safety.~~
> ~~(b) Does not significantly increase the cost of the system or significantly decrease its efficiency.~~
> ~~(c) Allows for an alternative system of comparable cost and efficiency.~~
>
> **196.491(3)(d)2** Except as provided under par. (e), the commission shall approve an application filed under par. (a) 1. For a certificate of public convenience and necessity only if the commission determines all of the following:
> 2. The proposed facility satisfies the reasonable needs of the public for an adequate supply of electric energy. ~~This subdivision does not apply to a wholesale merchant plant.~~
> 3. The design and location or route is in the public interest considering alternative sources of supply, alternative locations or routes, individual hardships, engineering, economic, safety, reliability and environmental factors~~, except that the commission may not consider alternative sources of supply or engineering or economic factors if the application is for a wholesale merchant plant~~. In its consideration of environmental factors, the commission may not determine that the design and location or route is not in the public interest because of the impact of air pollution if the proposed facility will meet the requirements of ch. 285.; and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to Governor Tony Evers, the Outagamie County Lobbyist for distribution to all members of the State Legislature representing Outagamie County, the Wisconsin Counties Association and an electronic copy to all Wisconsin County Clerks.

Dated this 26th day of September 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING AND LAND CONSERVATION COMMITTEE

Debbie Vander Heiden

Daniel Rettler

Rick Lautenschlager

Sarah Weinberg

Dustin Koury

Duly and officially adopted by the County Board on: September 26, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 9 28 23

Vetoed: _____

Signed: _____
County Executive

LOCK IN & ADOPTION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Lock In of Resolution Nos. 47, 48, 49, 51—2023-24

Lock in of Resolution Nos. 47, 48, 49, 51—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

9-26-23 County Board Meeting - September 26 2023 07:36:57 PM

September 26, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Santonato, to reconsider Resolution Nos. 47, 48, 49 and 51—2023-24.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 — 2023-24 ARE RECONSIDERED.



VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Reconsideration of Resolution Nos. 47, 48, 49, 51—2023-24

Reconsideration of Resolution Nos. 47, 48, 49, 51—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 9-26-23 County Board Meeting - September 26 2023 07:36:48 PM

September 26, 2023 County Board Meeting

OpenMeeting

Resolution No. 47—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Authorize and approve execution of the attached Great Lakes Sediment and Nutrient Reduction Program Grant Contract between the Great Lakes Commission and the Outagamie County Land Conservation Department, and approve of increasing the following line items in the Land Conservation Grants Cost Center: Intergovernmental Revenues by $116,541; Purchased Services by $95,325; Salaries by $13,660; Fringe Benefits by $6,556; Travel/Training by $1,000, as noted on the attached fiscal note.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 47—2023-24 IS ADOPTED.



RESOLUTION NO.: 47—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Land Conservation Department (LCD) was awarded a federal financial assistance award from the Great Lakes Commission for the Great Lakes Sediment and Nutrient Reduction Program (GLSNRP) for the County Road Z and G Stream Restoration Project (Project Number GLSNRP-12-10) in the amount of $116,541 for the time period starting upon contract execution through Decemer 31, 2024. There is a project match of $37,862 for a total overall project cost of $154,403. The sources of match include indirect costs, NRDA (Natural Resource Damage Assessment) funding, and landowner in-kind. This project is a streambank stabilization project located within Plum Creek of the Lower Fox River Basin that includes stabilization, floodplain reconnection, and riparian corridor restoration.

LCD is requesting approval to accept and expend these funds, as well as approval for a budget adjustment which includes an increase in Purchased Services in the amount of $95,325, Travel/Training in the amount of $1,000, and an increase in Salary/Fringes in the amount of $20,216. The expenses are offset with a corresponding increase in Intergovernmental Revenues in the amount of $116,541. This proposed adjustment is budget neutral, requiring no county funding.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning, and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors, does authorize and approve execution of the attached Great Lakes Sediment and Nutrient Reduction Program Grant Contract between the Great Lakes Commission and the Outagamie County Land Conservation Department, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does approve of increasing the following line items in the Land Conservation Grants Cost Center: Intergovernmental Revenues by $116,541; Purchased Services by $95,325; Salaries by $13,660; Fringe Benefits by $6,556; Travel/Training by $1,000, as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Land Conservation Department Director and the Outagamie County Finance Director.

Dated this 26th day of September 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING AND LAND CONSERVATION COMMITTEE

Debbie Vander Heiden

Daniel Rettler

Rick Lautenschlager

Sarah Weinberg

Dustin Koury

Duly and officially adopted by the County Board on: September 26, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 9-28-23

Vetoed: _____

Signed: _____
County Executive

GREAT LAKES SEDIMENT AND NUTRIENT REDUCTION PROGRAM
GRANT CONTRACT
BETWEEN THE
Great Lakes Commission
AND the Outagamie County Land Conservation Department

This Grant Contract ("Contract") is made between the Great Lakes Commission ("Commission") and the Outagamie County Land Conservation Department ("Grantee"), both sometimes hereinafter collectively referred to as the "Parties." The purpose of this Contract is to provide funding in exchange for work to be performed for the project named below (the "Project"). The Commission is authorized to provide grant assistance pursuant to U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Award Number NR233A750013C003 to implement the priorities of the Great Lakes Restoration Initiative (GLRI) as specified in Interagency Agreements between NRCS and the U.S. Environmental Protection Agency. This Contract is subject to the terms and conditions specified herein.

Project Name: County Road Z and G Stream Restoration

Project Number: GLSNRP-12-10
Project Start Date: upon contract execution
Project End Date: December 31, 2024
Project Authorized Watershed(s) (HUCs): 040302040204
Total Phosphorus Reduction Target: 36.5 pounds
Total Riparian Corridor Restoration Target: 1,810 linear feet

Project Grant Amount: $116,541
Project Advance (10% of grant): $11,654
Project Match: $37,862
Project Total (grant plus match): $154,403

Grantee Project Manager:
Jeremy Freund, Project Coordinator
Outagamie County Land Conservation Department
3365 W Brewster St.
Appleton WI 54914
(920) 574-6965
Jeremy.freund@outagamie.org

Commission Point of Contact:
Nicole Zacharda, Program Manager
Great Lakes Commission
1300 Victors Way, Suite 1350
Ann Arbor, MI 48108-5203
734-396-6084
nzacharda@glc.org

The individuals signing below certify by their signatures that they are authorized to sign this Grant Contract on behalf of their agencies, and that the Parties shall fulfill the terms of this Contract, including any attached appendices, as set forth herein.

Having read and understood the terms of the Contract, the Parties do by their respective signatures dated below hereby execute this Contract in two (2) originals. One (1) original shall be retained by each Party. If there is any inconsistency between the documents, the document on file at the Commission shall control.

One fully-executed Contract, including the insurance certification and documentation (Appendix C), must be returned to the Commission by October 1, 2023, or this grant offer will be void. Requests for extensions may be granted by the Commission in its sole discretion if made more than seven (7) calendar days in advance of this date.

FOR THE GRANTEE:

_____ _____
Authorized Signatory Date

_____
Print Name / Title

FOR THE GREAT LAKES COMMISSION:

_____ _____
Thomas R. Crane, Deputy Director Date

CONTRACT APPENDICES

Appendix A – Approved Project Work Plan and Budget

Appendix B – Reporting Forms

Appendix C – Insurance Certification and Documentation

Appendix D – Federal Requirements

Appendix E – NRCS-GLC Cooperative Agreement # NR233A750013C003

I. PROJECT SCOPE

(A) This Contract and its appendices constitute the entire Contract between the Commission and the Grantee. The Contract may be modified only by signed written agreement between the Commission and the Grantee. If any provision of this Contract shall for any reason be held by a court of law to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provision of this Contract. All remaining provisions of this Contract shall remain in full force and effect.

(B) The scope of this Project is limited to the activities specified in the approved Project work plan and budget (Appendix A), which is specifically incorporated by reference herein and made part of this Contract. Changes in Project scope may require prior written approval in accordance with Section III of this Contract.

(C) By acceptance of this Contract, the Grantee commits to complete the Project, including without limitation meeting or exceeding the approved Phosphorus Reduction Target specified on page one of this Contract, along with other applicable measures of progress identified within Appendix A, and submitting all required reporting during the effective dates of this Contract, in accordance with the terms and conditions of this Contract.

(D) This Contract is funded by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) through a grant to the Great Lakes Commission. Neither the United States nor any of its departments, agencies, or employees is a party to this Contract.

(E) The Grantee commits to implement conservation practices to reduce phosphorus and sedimentation only within the area(s) identified in Appendix A and listed on page one of this Contract, and to report on progress and results that specifically relate to the practices described and installed under this Contract.

(F) Grant funds provided herein cannot be used to provide additional cost-share or pay for technical assistance to plan, design, or install any conservation practice paid for in any part by farm bill programs administered by USDA-NRCS, such as EQIP, other GLRI awards, Clean Water Act section 319 programs or other federally-funded programs.

II. CONTRACT PERIOD

Upon signature by the Grantee, the Contract shall be effective from the Start Date until the End Date on page one of this Contract, unless terminated sooner as provided in this Contract (Section XVIII). The Commission shall have no responsibility to provide funding to the Grantee for Project work performed except between the Start Date and the earlier of the End Date specified on page one or the date of Termination. Expenditures made by the Grantee prior to the Start Date or after the earlier of the End Date or the date of Termination of this Contract are not eligible for payment under this Contract.

III. CHANGES

The Grantee must receive prior written approval from the Commission for: (1) any changes to the Grant Contract, (2) material changes to the approved project work plan (Appendix A), which include changes in Project activities that may compromise achievement of the Phosphorus Reduction Target specified on page one of this Contract and other applicable measures of progress, (3) changes to the approved Project budget (including transfers of funds between existing budget categories) in excess of $5,000 or that will result in a material change to the approved Project work plan, or 4) an extension of the End Date listed on page one.

All such changes must be requested by the Grantee in writing on organizational letterhead and, if approved, will be formalized by the Commission in writing in the form of a Contract Amendment. The Commission reserves the right to deny requests for changes to the Contract or to its appendices.

For budget changes totaling less than $5,000, the Grantee does not need prior authorization from the Commission unless the changes will result in a material change to the approved Project work plan (e.g., moving funds from an approved conservation practice to a different practice or activity not identified in the existing Project work plan and/or changes that may compromise Grantee's achievement of the Phosphorus Reduction Target). To implement non-material budget changes less than $5,000 (including annual changes to the

Negotiated Indirect Cost Rate Agreement, if applicable), the Grantee should amend its Invoice Form (Appendix B.1) to reflect the adjusted budget amounts in the "Budget Adjustments" column, and then clearly describe all budget changes within the Narrative Progress Report Form (Appendix B.3) for the next reporting period.

IV. GRANTEE DELIVERABLES AND REPORTING REQUIREMENTS

(A) The Grantee shall complete all deliverables specified in Appendix A of this Contract and meet or exceed the approved Phosphorus Reduction Target and other applicable measures of progress during the Contract period specified on page one of this Contract.

(B) Quarterly Reporting: The Grantee shall be required to complete and submit progress reports at least quarterly (i.e., every three months) following the procedures and schedule detailed below, **even if no Project activity has occurred and no funds are being requested during the reporting period.** These reports shall be due fourteen (14) days after the end of each quarter of the federal fiscal year, which runs from October 1 through September 30. Reports are due as follows:

Reporting Period	Due Date
Q1: October 1 – December 31	January 14
Q2: January 1 – March 31	April 14
Q3: April 1 – June 30	July 14
Q4: July 1 – September 30	October 14

Your first quarterly progress report is due January 14, 2024, with additional progress reports due every three months thereafter. The final quarterly report shall be due no later than January 14, 2025. Failure to submit quarterly reports in a timely fashion may result in Contract termination. The Commission has allowed an early start to project work. As such, the Grantee may either submit reports for the months of August and September 2023 with the first quarterly report, or the Grantee may submit single, monthly reports as set forth as an option under Paragraph (C), below.

Progress report forms must include a signed (electronic or hard copy) invoice for reimbursement, a description of the conservation practice(s) installed during the quarter, and a narrative report of the Project's activity. Before, during, and after pictures will also be required for the Project and should be submitted with each quarterly report. Quarterly reports must report on the *entire 3-month period*, through the final day of the last month of the reporting period and should not be signed and dated prior to the end of the period.

(C) Monthly Reporting (Optional): The Grantee may choose to submit reports and invoices on a monthly basis. Monthly reports will include the same components as above and shall be due no later than fourteen days after the end of the calendar month under consideration. Monthly reports should include the *entire month* and should not be signed and dated prior to the end of the month. If the Grantee chooses to submit three separate monthly reports and invoices, then a quarterly report is not required. However, the entire three-month period must be reported in monthly increments for that quarter (in lieu of a single quarterly report) to stay on schedule with the quarterly reporting timeframes listed above.

(D) Report Submittal: Quarterly report file names must include the Project Number (listed on page one of this Contract) and be labeled according to the federal fiscal year and quarter using the format: FY followed by the last two digits of the federal fiscal year followed by a dash (–) followed by either Q1, Q2, Q3 or Q4 depending on the particular quarter. An example for a report submitted in the second quarter of federal fiscal year 2023 would be GLSNRP-13-00 – FY23-Q2. Monthly reports should be labeled with the fiscal year and month (e.g., GLSNRP-13-00 – FY23-April). Please note the federal fiscal year begins on October 1 of each year, thus quarters aligns with the table in Paragraph (B), above.

To submit a progress report, please use the following procedure:

1. The following three forms (provided to the Grantee as Appendices to this Grant Contract) must be completed for each report:

a. Invoice Form (Appendix B.1), signed by an Authorized Representative of the Grantee,
b. Load Reduction Reporting Form (Appendix B.2), submitted as an Excel file – no pdfs, and
c. Narrative Progress Report Form (Appendix B.3).

Additional material such as pictures and news articles may be included within the narrative report.

2. Access the program webpage at **https://www.glc.org/work/sediment/progress_report** and fill out the submittal data/information – Project Number, Contact Name, Email, and Project Title in the web form.

3. Upload each form by clicking on the Choose File buttons and finding the appropriate completed form in your files.

4. Once all forms have been selected, submit the web form.

(E) Final Project Report: The Grantee shall provide a Final Project Report using the final report form and instructions provided at **https://www.glc.org/work/sediment/final_report,** as well as a final Invoice Form (Appendix B.1) for all remaining eligible Project expenses and a final Load Reduction Reporting Form (Appendix B.2). The final report narrative form will be provided by the Commission upon request. Final Project Report procedures for submittal are similar to those listed above for the quarterly reports. The Final Project Report, Invoice Form, and Load Reduction Reporting Form must be submitted by **February 28, 2025** The Grantee may invoice the Commission for costs incurred in preparation of the Final Project Report, Invoice Form, and Load Reduction Reporting Form; however, Projects are expected to be complete not later than December 31, 2024, the End Date depicted on page one of this Contract.

V. RESPONSIBILITIES

(A) The Commission covenants to:

1. Respond to questions and inquiries from the Grantee in a timely manner.

2. Respond to all requested changes to the Contract, material changes to the Project work plan (Appendix A), and to budget changes in excess of $5,000 in writing.

3. Provide administrative guidance to the Grantee on the Project.

4. Assure timely review and processing of Narrative Progress Reports and Invoices.

5. Share Project outcomes and progress, including load reductions and innovative approaches, across the Great Lakes region.

(B) The Grantee covenants to:

1. Fulfill all requirements in the Project work plan (Appendix A) or as modified by Contract Amendment, including the approved Phosphorus Reduction Target specified on page one of this Contract.

2. Appoint a designated staff contact person to serve as the day-to-day contact with the Commission in the administration and execution of the Project (identified as the Grantee Project Manager on page one of this Contract). Should this person change duties or leave the Grantee organization during the Contract period, the Grantee must notify the Commission of such changes in writing within 30 calendar days of the change, identifying who shall be responsible for the continued direction and management of the Project.

3. Design and install all implementation practices according to USDA-NRCS standards and specifications, applicable state standards, or under the approval of a certified professional engineer or agronomist, as applicable for the specific practice.

4. Obtain all necessary federal, state, and local government permits and approvals where necessary for the proposed work prior to the expenditure of funds for those activities requiring permits.

5. Achieve the total soil and phosphorus reduction savings as specified in the Project work plan (Appendix A) and documented within the Load Reduction Reporting Form (Appendix B.2).

6. Provide before, during, and after pictures of the implementation, media events, and other activities of interest to the Project.

7. Abide by all local, state/provincial, and federal laws, rules, ordinances and regulations in the performance of this Project and conduct all work in a lawful and safe manner, consistent with the standards and level of care normally provided under this profession. The Grantee is solely responsible for determining the requirements for and obtaining any permits or licenses that may be required by local, state, or federal laws, regulations, or rules to carry out the activities funded under this Contract.

8. Preserve and submit appropriate documentation to support reported expenses on quarterly invoices (or monthly, if preferred) to the Commission, within 14 days after the end of the quarter (or month).

9. Submit a Final Project Report, final Invoice Form (Appendix B.1), and final Load Reduction Reporting Form (Appendix B.2) due no later than February 28, 2025.

10. Plan and conduct outreach efforts in a timely manner consistent with the requirements of the Project work plan (Appendix A). Outreach materials and all communications with the media and the public should acknowledge the Project funders and other cooperators, as appropriate. Additional details are provided in Appendix D of this Contract, Federal Requirements. The Grantee should seek approval from the Commission prior to using the Commission's logo.

11. Request changes to the Contract, work plan, or budget (as described in Section III) in writing on the Grantee's organizational letterhead.

12. Unless otherwise specified in separate landowner cost-share agreements, the Grantee shall provide necessary maintenance and/or repairs both during and after the specified Contract period to assure continued performance of practices installed consistent with Appendix A, and for the intended life of the practice under the relevant USDA-NRCS practice standard.

13. The Grantee agrees to inform the Commission as soon as problems, delays, or adverse conditions become known which will materially impair the Grantee's ability to meet the outputs/outcomes specified in the approved Project work plan (Appendix A).

(C) The Grantee and any designee, subcontractor, or agent shall at all times be an independent entity. The Grantee shall, under no circumstance during the term of this Contract, be an employee or agent of the Commission. The Commission and Grantee agree that the Commission is not required to withhold income tax for any payment to the Grantee, its employees, or its designees or agents under this Contract, including reimbursement of expenses, but that it may file informational returns with the U.S. Internal Revenue Service (IRS) or similar federal or state agencies regarding payment made hereunder to the Grantee under conditions imposed by federal, state or local laws applicable to such payment. It is further understood that neither the Grantee, nor its designees, agents, or employees, are employees of the Commission or its party states, within the meaning or application of any federal or State of Michigan unemployment insurance, retirement benefits law or social security law, or any worker's compensation or industrial law or otherwise.

(D) The Grantee shall secure the necessary personnel to perform the services as described in the approved work plan (Appendix A), and all personnel shall be employees or shall be under the direct supervision of the Grantee. The Grantee shall accept responsibility for and make payments as required by law for workers' compensation insurance, social security, income tax deductions, unemployment compensation, and any other taxes or payroll deductions as required by law for its employees. The above shall be the responsibility of any firm or individual employed under a subcontract. All personnel, employees, or subcontractors working under this Contract shall be professionally qualified to perform the duties required.

(E) The Grantee is responsible for the professional quality, technical accuracy, timely completion, and coordination of all designs, drawings, specifications, reports, and other services furnished by the Grantee or its subcontractor under this Contract. The Grantee or its subcontractor shall, without additional compensation, correct or revise any errors, omissions, or other deficiencies in drawings, designs, specifications, reports, or other services.

(F) The Commission's approval of all reports, products, and incidental work or materials furnished hereunder shall not in any way relieve the Grantee of responsibility for the technical adequacy of the work. The Commission's review, approval, acceptance, or payment for any of the services shall not be construed as a waiver of any rights under this Contract or of any cause of action arising out of the performance of this Contract, and the Grantee shall be and remain liable to the Commission for breach of obligation with respect to any of the services furnished under this Contract.

(G) The Grantee acknowledges that it is a crime to knowingly and willingly file false information with the Commission for the purpose of obtaining this Contract or any payment under the Contract, and that any such filing may subject the Grantee, its agents, and/or employees to criminal and civil prosecution and/or termination of the grant.

VI. ASSIGNABILITY

The Grantee and its respective directors, officers, and employees shall not transfer, pledge, mortgage, or otherwise assign the value of this Contract or assign or delegate any of Grantee's duties or obligations under this Contract to any other party without the prior written consent of the Commission, which consent the Commission may grant or withhold in its sole discretion.

VII. SUBCONTRACTS

(A) Subject to all applicable provisions of this Contract, the Grantee may enter into subcontracts for the performance of work under this Contract.

(B) No subcontract shall be deemed an assignment of Grantee's rights or obligations under this Contract. No subcontract shall relieve Grantee of any of Grantee's obligations under this Contract and Grantee shall remain solely responsible to the Commission for performance of its obligations under this Contract. Except as specifically provided herein, no subcontract shall create any contractual relationship between the Commission and the subcontractor. The Commission shall not be liable to any subcontractor for performance of any obligations under the subcontract including without limitation payment to the subcontractor. The Commission shall consider Grantee to be the sole point of contact for all matters relating to this Contract, including without limitation the payment of any and all charges resulting from the Grant.

(C) Grantee shall ensure that any subcontractor is qualified to perform the duties required.

(D) Grantee shall require that all subcontractors comply with the provisions of Sections VIII (Non-Discrimination), XI (Conflict of Interest), XII (Anti-Lobbying) and debarment and suspension requirements incorporated by reference within Appendix D (Federal Requirements) of this Contract.

(E) Grantee shall require and ensure that all subcontractors maintain the insurance coverage required pursuant to Appendix C of this Contract. Upon request from the Commission, Grantee shall provide the Commission with proof (i.e., a certificate of coverage) showing that each subcontractor has met the minimum insurance requirements within Appendix C.

(F) The Grantee and its agents and designees agree to follow procurement standards established under Uniform Guidance 2 CFR 200.

VIII. NON-DISCRIMINATION

The Grantee shall comply with all Civil Rights Acts, as amended and all other federal, state, and local fair employment practices and equal opportunity laws and covenants that it shall not discriminate. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race,

color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic Information, political beliefs, reprisal, or because all or in part of an individual's income is derived from any public assistance program. The Grantee agrees to include in every subcontract entered into for the performance of this Contract this covenant not to discriminate. A breach of this covenant, whether by Grantee or any subcontractor to Grantee, shall be deemed a material breach of this Contract by Grantee.

IX. DISPUTE RESOLUTION AND GOVERNING LAWS

(A) The Parties agree to work in good faith to resolve any disputes over the interpretation of the terms of this Contract. If the Parties are not able to resolve their differences, the Parties shall be entitled to submit to a court of competent jurisdiction as provided herein.

(B) This Contract shall be construed in accordance with and governed by the laws of the state of Michigan.

(C) Any suit to enforce or interpret this Contract shall be brought in the federal or state courts residing in Washtenaw County, Michigan.

X. LIABILITY

(A) The Grantee agrees to defend, indemnify, save, and hold harmless the Commission, its representatives, employees, agents, officers, directors, and party states from and against any and all liabilities, obligations, penalties, costs, claims, injuries (including death), demands, damages, expenses and losses, including, but not limited to, attorney fees, consultant fees and expert witness fees, arising in whole or in part out of any act, error or omission of the Grantee, its employees, officers, agents or subcontractors, including, but not limited to: a) any negligent or tortious act, error, or omission; b) any failure to perform obligations, either express or implied, under this Contract; c) any misuse, or failure to properly account for the use, of funds received under the Grant; d) any release of any pollutant or hazardous substance or hazardous material, without regard to whether such release is negligent, reckless or violates any applicable local, state or federal ordinance, statute, rule or regulation; and e) any failure to comply with any applicable local, state, or federal ordinance, statute, rule, regulation or requirement including any permit, license or order issued thereunder which governs or applies to the work under this Contract.

(B) The Grantee understands and agrees that the Commission's only financial obligation with respect to the Grantee in connection with the Project is to provide funding as set forth herein. The Commission shall have no other liability or obligations to or on behalf of the Grantee except those expressly stated herein.

(C) The Grantee's obligation under Section X(A) shall survive the End Date or earlier termination of this Contract and shall remain in full force and effect.

(D) In the event of Grantee negligence, the Grantee shall be responsible for any repairs or replacements to the installed practices (at Grantee's expense) that may be needed to assure continued performance of practices for the intended life of the practice under the relevant USDA-NRCS practice standard. See also Section XIX, Force Majeure.

XI. CONFLICT OF INTEREST

No government employee, or member of the legislative, judicial, or executive branches, or member of the Grantee's Board of Directors, its employees, partner agencies or their families shall benefit financially from any part of this Contract.

XII. ANTI-LOBBYING

The Grantee shall ensure that no funds provided under this Contract are used to engage in lobbying of the Federal Government, in litigation against the United States unless authorized under existing law, or for other political activities. Further, the Grantee shall require that the language of this assurance be included in the agreement documents of all subcontracts at all tiers.

XIII. AUDIT AND ACCESS TO RECORDS

(A) Grantee agrees to maintain any and all Project files for all activities associated with this Project Contract for a period of three (3) years after the final payment has been issued to the Grantee by the Commission and in accordance with generally accepted accounting principles. The files shall contain at a minimum: Project work plans, copies of all federal and state permits/consultations associated with Project implementation, copies of all financial documents and supporting materials, including source documentation for all accounting records for all costs incurred under this grant. Such documentation includes, but is not limited to, canceled checks, paid bills, payroll records, and subcontract agreement documents. In addition, Grantee agrees to maintain comparable records of all maintenance and repair work performed pursuant to Section V(B)13 of this Contract until three (3) years after the intended life of the installed practices under the relevant USDA-NRCS practice standard.

(B) The Commission reserves the right to conduct a programmatic and financial audit of the Project, and the Commission may withhold payment until the audit is satisfactorily completed.

(C) The Commission, USDA-NRCS, EPA and the Federal Office of the Inspector General, at all reasonable times during normal business hours, shall have the right to inspect, audit, and reproduce all records, books, documents, correspondence, instruction, drawings, receipts, vouchers, memoranda, similar data and other evidence, and accounting procedures in any manner relating to this Contract, and the work performed and services rendered hereunder. Furthermore, Grantee agrees to allow an appropriate representative of the Commission, USDA-NRCS, EPA or the Federal Office of the Inspector General to interview any officer or employee of the recipient, subcontractor, grantee, sub grantee, or agency regarding such transactions related to this Contract. The Commission may demand, and Grantee shall be required to deliver, forthwith, such additional records, accounts, summaries, and supporting documents as the Commission in its sole discretion may deem appropriate.

(D) In accordance with Uniform Guidance 2 CFR 200 Subpart F, the Grantee hereby agrees to obtain a single audit from an independent auditor **if it expends $750,000 or more in total Federal funds in any fiscal year.** If this applies to the Grantee at any point during the Contract period, the Grantee shall submit the SF-SAC and a Single Audit Report Package using the Federal Audit Clearinghouse's Internet Data Entry System (see **https://facweb.census.gov/uploadpdf.aspx)** within nine months after the end of the Grantee's fiscal year or 30 days after receiving the report from the auditor and provide an additional copy to the Commission.

XIV. MATCH REQUIREMENTS

(A) The Grantee is committed to the match amount listed on page one of the Contract, in accordance with the approved budget in Appendix A. Match cannot be earned prior to the Start Date on page one of the Contract. The Grantee shall expend all local match committed to the Project by the End Date on page one of the Contract.

Match can be in cash, in-kind or a combination of both. The list below is not exhaustive.

1. Cash is any money received from any source, other than from federal sources, that is part of the applicant's annual budget and audit process and will be utilized in the implementation of the Project.

2. In-kind includes services or financial contributions to the Project not paid for with the grant or other federal funds. These include:

    a. Technical and/or administrative assistance provided by the Grantee, other entities, or persons not paid for with the grant or with federal funds.
    b. All or a portion of the Grantee's indirect costs not otherwise paid for with the grant or with federal funds.
    c. Use of local and state agency vehicles other than those of the Grantee.
    d. Cost-share agreements from landowners.

e. Unpaid members of local task forces, watershed councils, work groups, citizen groups, etc. are considered volunteers, and may be calculated at the prevailing national minimum wage (currently $7.25/hour) unless justification is provided for a higher rate. Additional skilled labor may be charged at a higher rate with additional, detailed justification.

(B) Grantee match from other projects may not be counted toward meeting the specific match requirement of this Contract and must come from non-Federal sources.

(C) Should the Grantee become aware that it may be unable to provide the Grantee match amount identified on page one of this Contract, the Grantee must:

1. Immediately notify the Commission's Point of Contact of the situation and provide a detailed description of the Grantee's impaired ability to provide the match amount;

2. Specify the steps Grantee plans to take to secure replacement Grantee match in writing for approval by the Commission; and

3. Indicate the Grantee's plans to either continue or phase out the Project in the absence of Grantee match.

(D) If the Commission agrees to the Grantee's proposed plans, the Grantee will be notified accordingly. If the Grantee's plans are not acceptable to the Commission, the Contract may be subject to termination or modification. Modifications to proposed Grantee match revisions may be made on a case-by-case basis.

(E) Failure by the Grantee to notify the Commission in accordance with paragraph (C) above may result in the disallowance of some or all of the costs charged to the grant, the subsequent recovery by the Commission of some of the grant funds, and possible termination of the Contract.

(F) The Grantee must maintain records of all Project costs that are claimed by the Grantee as Grantee match, as well as records of costs to be paid with grant funds. If the Grantee's match includes in-kind contributions, the basis for determining the valuation for volunteer services and donated property must be documented.

XV. OTHER SOURCES OF FUNDING

The Grantee guarantees that any claims for reimbursement made to the Commission under this Contract must not be financed by any source other than the Commission under the terms of this Contract. If funding is received through any other source, the Grantee agrees to delete the item(s) in question from its billings, or to immediately refund to the Commission, the total amount representing such duplication of funding.

XVI. COMPENSATION

(A) The Commission shall pay the Grantee a total amount not to exceed the amount on page one of this Contract, in accordance with the approved budget for the Project (Appendix A or its approved amendments), and only for eligible expenses already incurred and paid by the Grantee. Any change in the approved budget meeting the conditions listed in Section III must be approved in advance and in writing by the Commission. All other costs necessary to complete the Project are the sole responsibility of the Grantee. Labor cost charges to this grant must be based upon salaries actually earned and the time actually worked on this Project. Costs that cannot be supported by source documentation or that are incurred outside of the approved Project period and budget may be disallowed and may result in grant funds being returned to the Commission by the Grantee.

(B) Payments for work conducted under this Contract are made on a cost reimbursement basis. After reviewing the reports submitted by the Grantee as specified in Section IV for satisfactory progress and approving all submitted expenses, the Commission shall initiate the reimbursement process. This process can take up to 90 calendar days to complete. Compiled reimbursement requests from all Great Lakes Sediment and Nutrient Reduction Program grant projects are submitted to the USDA-NRCS each mid-month. If the Grantee does not submit a complete report, including a signed Invoice Form, by the fourteenth of the month, payment may be delayed by an additional 30 days. **The Commission is not responsible for delayed payments if funds from USDA-NRCS are not provided in a timely manner to cover the reimbursement request from the**

Grantee, nor is the Commission responsible for delays arising from incomplete or inaccurate reporting by the Grantee.

(C) The Commission reserves the right to request additional information necessary to substantiate payment requests.

(D) Expenses incurred by the Grantee prior to the Start Date or after the End Date of this Contract are not allowed under this Contract and the Commission is not liable for these costs.

(E) The Commission shall provide an advance of **ten percent (10%)** of the Project budget listed on page one of this Contract to the Grantee upon execution of this Contract. Grantee will draw upon these funds to cover initial costs for the Project and to assist in cash flow during the implementation. Advanced fund expenditures must be noted by the Grantee on the Invoice Form (Appendix B.1).

(F) Payment for reimbursable Project costs shall be made only upon receipt and approval of quarterly or monthly reports as specified in Section IV and described in the approved work plan (Appendix A). The final reimbursement request for the Contract shall be made only upon receipt and approval of the Final Project Report, final Invoice Form (Appendix B.1), and final Load Reduction Reporting Form (Appendix B.2).

(G) If the Final Project Report, final Invoice Form (Appendix B.1), final Load Reduction Reporting Form (Appendix B.2) or other Project deliverables are found to be incomplete or otherwise unacceptable by the Commission, or if the Project work has not been accomplished in accordance with the approved work plan (Appendix A), the Commission reserves the right to retain a **five percent (5%)** holdback of funds until the Project is completed in accordance with Section XVIII and Appendix A.

XVII. CLOSEOUT

(A) A determination of Project completion, which may include a site inspection and an audit, shall be made by the Commission after the Grantee has met all match obligations, satisfactorily completed required reports, and provided products and deliverables described in Appendix A. The determination shall be conveyed to the Grantee in the form of a Final Close-Out Letter from the Commission.

(B) Upon issuance of final payment from the Commission, the Grantee releases the Commission of all claims against the Commission arising under this Contract. Unless otherwise provided in this Contract or by state law, final payment under this Contract shall not constitute a waiver of the Commission's claims against the Grantee.

(C) The Grantee shall immediately refund to the Commission any payments made in excess of the documented costs allowed by this Contract.

XVIII. TERMINATION

(A) This Contract may be terminated by either Party before the End Date for any reason subsequent to the provision of 30 days advance notice to the other Party. Any termination notice shall be provided in writing specifying the reasons for termination and new project end date. Notices shall be sent by certified mail with return receipt requested.

(B) If the Contract is terminated, the Grantee shall continue to be responsible and liable for the proper performance of its obligations through the date of termination, unless otherwise instructed by the written notice. The Commission shall honor requests for just and equitable compensation to the Grantee for all satisfactory and eligible work completed under this Contract through the date of termination, upon which time all outstanding reports and documents are due to the Commission and the Commission shall no longer be liable to pay the Grantee for any further charges to the grant. If funds previously advanced to the Grantee have not been expended in the performance of the Project, all unexpended funds shall be returned to the Commission or a settlement shall be negotiated as to the proportion to be reimbursed based on satisfactory work completed.

XIX. FORCE MAJEURE

Neither of the Parties hereto shall be liable for damages for any delay or default in performance during the term hereof if such delay or default is caused by conditions beyond its control, including, but not limited to, acts of God, government restrictions, continuing domestic or international problems such as wars, threats of terrorism, or insurrections, strikes, fires, floods, work stoppages (not issued by the Commission), and embargoes.

XX. SAFETY

The Grantee agrees that it alone shall be responsible for the safety of its representatives while performing any services hereunder and will familiarize itself with any hazards it may encounter in conducting its work hereunder, including threats arising from the COVID-19 pandemic. The Grantee agrees to comply with all applicable federal, state, municipal and local laws, rules, ordinances and requirements concerning health, safety, and training with respect to Grantee's work hereunder, including the Federal Occupational Safety and Health Act of 1970, as amended under 29 CFR 1910 et seq., and all standards, rules, regulations and orders which have been or shall be adopted or issued thereunder.

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Accept and expend Great Lakes Sediment and Nutrient Reduction Program Funds

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Land Conservation Department (LCD) was awarded a federal financial assistance award from the Great Lakes Commission for the Great Lakes Sediment and Nutrient Reduction Program (GLSNRP) for the project Country Road Z and G Stream Restoration (Project Number GLSNRP-12-10) in the amount of **$116,541** for the time period starting upon contract execution through December 31, 2024. There is a project match of $37,862 for a total overall project cost of $154,403. The sources of match include indirect costs, NRDA funding, and landowner in-kind. This project is a streambank stabilization project located within Plum Creek of the Lower Fox River Basin that includes stabilization, floodplain reconnection, and riparian corridor restoration.

LCD is requesting approval to accept and expend these funds along with approval for a budget adjustment which includes an increase in Purchased Services in the amount of **$95,325**, Travel/Training in the amount of **$1,000**, and an increase in salary/fringe in the amount of **$20,216**. The aforementioned expenses are offset with a corresponding increase in Intergovernmental Revenues in the amount of **$116,541**. This proposed adjustment is budget neutral, requiring no county funding.

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (x) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Land Conservation Grants	Intergovernmental Revenues	2090300.4280.09	$116,541
Land Conservation Grants	Purchased Services	2090300.5500	$95,325
Land Conservation Grants	Salaries	2090300.5100	$13,660
Land Conservation Grants	Fringe Benefits	2090300.5200	$6,556
Land Conservation Grants	Travel/Training	2090300.5300	$1,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost - Annual Revenue -

Fiscal Note Prepared by: Greg Baneck

For Financial Services purposes only

Reviewed By: Kent Ritchie

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number Amount

Date: 09/07/2023	
Comments:	

LOCK IN & ADOPTION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Lock In of Resolution Nos. 47, 48, 49, 51—2023-24

Lock in of Resolution Nos. 47, 48, 49, 51—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

9-26-23 County Board Meeting - September 26 2023 07:36:57 PM

September 26, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Santonato, to reconsider Resolution Nos. 47, 48, 49 and 51—2023-24.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 — 2023-24 ARE RECONSIDERED.



VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Reconsideration of Resolution Nos. 47, 48, 49, 51—2023-24

Reconsideration of Resolution Nos. 47, 48, 49, 51—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

9-26-23 County Board Meeting - September 26 2023 07:36:48 PM

September 26, 2023 County Board Meeting

OpenMeeting

Resolution No. 48—2023-24 – Finance Committee. Authorize and approve the following Central Services line items: increase Capital Outlay by $16,000, and decrease the Salaries by $11,000, and decrease the Fringe Benefits by $5,000, as noted on the attached fiscal note, to purchase a folding machine and document cutter for the Central Services Department.

Supervisor Miller moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 48—2023-24 IS ADOPTED.



VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Resolution No. 48—2023-24

Finance Committee. Authorize and approve the following Central Services line items: increase Capital Outlay and decrease the Fringe Benefits by $5,000, as noted on the attached fiscal note, to purchase a folding machine and document cutter for the Central Services Department.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County

9-26-23 County Board Meeting - September 26 2023 07:30:55 PM

September 26, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 48—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Central Services Department is requesting a budget adjustment for a new folding machine and document cutter in 2023. Their existing machines, which are used to fulfill requests from all departments within the county, are not currently meeting the needs of the office due to outdated parts and accompanying frequest operational issues. Central Services has exhausted efforts as it relates to service calls and troubleshooting. The maintenance provider has reported replacement parts are not available due to the age of the machines. To cover the unanticipated cost in 2023, Central Services is able to transfer $11,000 from the Salaries budget line and $5,000 from the Fringe Benefits budget line due to a supervisory position that was vacant for three months in 2023. The adjustment noted is cost neutral and will not result in the need for any additional funding for 2023.

NOW THEREFORE, the following resolution is presented by the Finance Committee to the County Board.

BE IT RESOLVED, that that the Outagamie County Board of Supervisors does authorize and approve of increasing the Central Services Capital Outlay line item by $16,000 and decreasing the Central Services Salaries line item by $11,000, and decreasing the Central Services Fringe Benefits line item by $5,000, as noted on the attached fiscal note, which by reference is made a part hereof, said monies to be used to purchase a folding machine and document cutter for the Central Services Department, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director, the Outagamie County Executive, and the Outagamie County Central Services Supervisor.

Dated this 26th day of September 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: September 26, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 9-28-23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Central Services Budget Adjustment Request for New Folding Machine and Document Cutter

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Central Services is requesting a budget adjustment for a new folding machine and document cutter in 2023. Their existing machines, which are used to fulfill requests from all departments within the county, are not currently meeting the needs of the office due to outdated parts accompanying frequent operational issues. Central Services has exhausted efforts as it relates to service calls and troubleshooting. The maintenance provider has even stated that he doesn't carry the parts to replace any old parts due to the age of the machines. To cover this unanticipated cost in 2023, Central Services is able to transfer $11,000 from its Salaries budget line and $5,000 from its Fringe Benefits budget line due to a supervisory position that sat vacant for three months in 2023. The adjustment noted is cost neutral and will not result in the need for any additional funding for 2023.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Central Services	Capital Outlay	6040300.6000	16,000
Central Services	Salaries	6040300.5100	(11,000)
Central Services	Fringe Benefits	6040300.5200	(5,000)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost N/A; Annual Revenue N/A

Fiscal Note Prepared by: Anne Van/Kent Richie

For Financial Services purposes only

Reviewed By: Kent Ritchie

Date: 08/21/2023

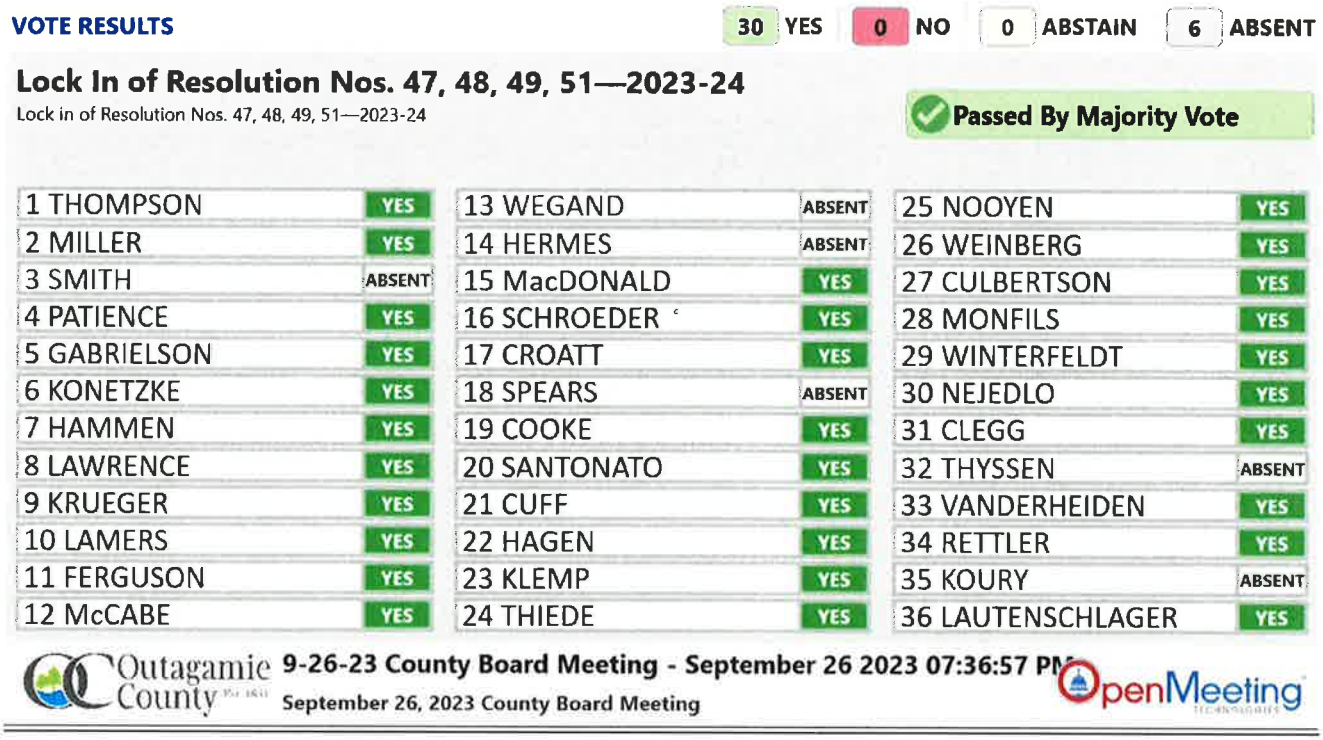
If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number — Amount

Comments:

LOCK IN & ADOPTION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24 ARE ADOPTED & LOCKED IN.



VOTE RESULTS — 30 YES | 0 NO | 0 ABSTAIN | 6 ABSENT

Lock In of Resolution Nos. 47, 48, 49, 51—2023-24

Lock in of Resolution Nos. 47, 48, 49, 51—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 9-26-23 County Board Meeting - September 26 2023 07:36:57 PM — OpenMeeting

September 26, 2023 County Board Meeting

RECONSIDERATION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Santonato, to reconsider Resolution Nos. 47, 48, 49 and 51—2023-24.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 — 2023-24 ARE RECONSIDERED.



VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Reconsideration of Resolution Nos. 47, 48, 49, 51—2023-24

Reconsideration of Resolution Nos. 47, 48, 49, 51—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

9-26-23 County Board Meeting - September 26 2023 07:36:48 PM

September 26, 2023 County Board Meeting

OpenMeeting

Resolution No. 49—2023-24 – Finance Committee. Support the attached Town of Freedom Tax Incremental District (TID) No. 3 Project Plan, and recommend that the County representative on the Town of Freedom TID Board of Review vote in favor of this plan.

Supervisor Lawrence moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 49—2023-24 IS ADOPTED.



VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Resolution No. 49—2023-24

Finance Committee. Support the attached Town of Freedom Tax Incremental District (TID) No. 3 Project Plan, on the Town of Freedom TID Board of Review vote in favor of this plan.

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

9-26-23 County Board Meeting - September 26 2023 07:31:31 PM

September 26, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 49—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Freedom (the Town) has submitted a Project Plan for the creation of Tax Incremental Finance District No. 3 (TID No. 3). The creation to TID No. 3 will allow the Town to make certain public improvements to the designated area so that business growth can occur. Anticipated growth, combined with the Town's commitment toward development and redevelopment, will ensure sufficient tax increment in order to retire all debt issued by the District for improvements. These improvements will allow the Town to attract and retain potential development and encourage further private investment in local businesses. The business development that is anticipated will provide long-term tax benefits to both the Town and all other overlying taxing jursidictions.

The District will be declared as a mixed-use District. The improvement to the area is likely to maximize private investment within TID No. 3 and is likely to significantly enhance the value of all other real estate in the District. The Project Plan is feasible and in conformity with the Town's comprehensive plan.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does go on record in support of the Town of Freedom TID No. 3 Project Plan as detailed in the attached Town of Freedom Project Plan Creation of Tax Incremental Finance District No. 3, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors recommend that the representative of Outagamie County on the Town of Freedom TID Board of Review vote in favor of the Town of Freedom TID No. 3 plan, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Town of Freedom, the Outagamie County Finance Director, the Outagamie County Executive, and the Outagamie County Development and Land Services Director.

Dated this 26th day of September 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: September 26, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 9 28 23

Vetoed: _____

Signed: _____
County Executive

Project Plan

Creation of Tax Incremental Finance District No. 3

Town of Freedom
Freedom, WI
Project No. 17727003

Development Schedule
Planning Commission Recommendation: **August 10, 2023**
Town Board Approval: **August 24, 2023**
Joint Review Board Approval: **September 11, 2023 (Tentative)**

MSA

Tax Incremental Finance District No. 3
Project Plan

Town of Freedom
Freedom, WI

Project No. 17727003

Prepared by:

MSA Professional Services, Inc.
11 E. Marshall Street Suite 201
Rice Lake, WI 54868
Phone: (715) 304-0303

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State statute prescribes the process for creating Tax Incremental Finance (TIF) District No. 3 for the Town of Freedom. The laws require public input in the TIF creation process, including a public hearing held by the Planning Commission whereby the TIF Project Plan and proposed boundaries are reviewed and discussed and citizen have an opportunity to comment. The following is the formal meeting/action calendar for the Town of Freedom Tax Incremental Finance District No. 3 process:

Date	Meeting/Action
July 25, 2023	Town notifies taxing entities (school district, county, vocational college, and any special taxing districts) on the proposed creation of TID No. 3 and upcoming meetings. MSA provides the letters for the Town's review and distribution.
July 27, 2023	First Notice of Public Hearing by the Plan Commission and first meeting of the Joint Review Board (Combined Notice) is published in the local newspaper (Class II). MSA prepares the Notice of Public Hearing and meetings.
August 3, 2023	Second Notice of Public Hearing is published in local newspaper.
August 10, 2023	Joint Review Board meets to choose chairperson and citizen member. A review of the draft of Project Plan and boundaries for TID No. 3 occurs.
August 10, 2023	Plan Commission holds the Public Hearing on the Project Plan and proposed boundaries of TIF No. 3. Following the Public Hearing, the Plan Commission shall meet and act on resolution recommending approval of the Project Plan and TID No. 3 boundaries to the Town Board. MSA attends the Public Hearing and the Plan Commission meeting.
August 24, 2023	Town Board action on the creation of TID No. 3. Approval by resolution contains findings that detail the TID's consistency with state statutes. MSA attends this meeting.
August 30, 2023	Second Joint Review Board public meeting notice is published. MSA prepares public meeting notice.
September 11, 2023 (Tentative)	Upon approval of the Town Board, the Joint Review Board holds a second meeting to review and act on the creation of TID No. 3. The JRB submits its decision to the Town no more than 7 days after the vote. MSA attends this meeting.
September 15, 2023	Department of Revenue is notified of the creation of TID No. 3 by the Town of Freedom and subsequent approval by the Joint Review Board.
On or Before October 31, 2023	Submit base packet documentation and Project Plan for Wisconsin Department of Revenue certification.

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The Town of Freedom has identified a need to expand its economic base through business development and redevelopment. In order to promote development and redevelopment, the Town is seeking to create Tax Incremental Finance District (TID) No. 3. The creation TID No. 3 will allow the Town to make certain public improvements to the designated area so that business growth can occur. Anticipated growth, combined with the Town's commitment toward development and redevelopment, will ensure sufficient tax increment to retire all debt issued by the District for improvements. These improvements will allow the Town to attract and retain potential development and encourage further private investment in local businesses. The business development that is anticipated to occur will provide long-term tax benefits to both the Town and all other overlying taxing jurisdictions.

A | Summary of Findings

In creating TID No. 3, the Town of Freedom has made the following findings, consistent with Section 66.1105 of Wisconsin Statutes:

- At least 50% of the real property in TID No. 3 is suitable for "mixed-use development" as defined in WI Statutes 66.1105 (2)(cm).
- The Town declares TID No. 3 as a mixed-use District.
- Project costs relate directly to promoting mixed-use development.
- The equalized value of the taxable property within the District boundary plus the value increment of all existing districts within the Town does not exceed 12% of the total value of equalized taxable property within the Town.
- The improvement to the area is likely to maximize private investment within TID No. 3 and is likely to significantly enhance the value of all other real estate in the District.
- The Project Plan is feasible and in conformity with the Town's comprehensive plan.
- The estimated percentage of territory within the District that will be devoted to retail business at the end of the maximum expenditure period is not anticipated to exceed 35 percent of the area of the District.
- The Town confirms that less than 35% of the District is land proposed for newly-platted residential development and that the Town will only allow tax increment revenue to be spent on newly-platted residential development in the District if the density of the residential housing is at least three (3) units per acre.
- Private and public improvements are not likely to occur "but for" the creation of TID No. 3.

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The Town of Freedom intends to implement a number of public works projects that will positively impact businesses and community related development in the TID No. 3 area. It is important to note that this Project Plan is not meant to be an appropriation of funds for specific projects, but a framework with which to manage projects. All costs identified are preliminary estimates made prior to design considerations, or engineering studies, and are subject to change after planning is complete. All of the customary expenses are considered in these estimates, including but not limited to: legal fees, engineering fees, architectural fees, planning fees, surveying and mapping fees, inspection, construction costs, materials and apparatus, restoration work, permits, reports, judgments, claims for damages and other expenses. **These projects may be undertaken within TID No. 3 or within ½ mile of the TID No. 3 boundary, per Wis. Stats. §66.1105 (2)(f)1.n.** A brief description of each project is provided below. The Town anticipates that all project cost expenditures in the project Plan (approximately $1.6 million) is expected to be paid within 90% of the TID's maximum life.

A | TID No. 3 Public Works Project Costs

Parks & Trails **$50,000**
Improvements shall include, but not be limited to, development of trails, landscaping, site modification, and maintenance at parks throughout the district.

Building Improvements **$100,000**
Improvements shall include, but not be limited to, acquisition, rehabilitation, demolition, or reconstruction of structures within the district.

Developer Incentives **$500,000**
Provide assistance to private developers/business including, but not be limited to, modifications, additions, and relocations within the district including providing funding to assist businesses with expansions and other improvements within the district. Provide assistance as necessary to develop potential residential, industrial, and commercial areas of the district.

Sanitary Sewer &
Water System Improvements **$300,000**
Replace, rehabilitate, upgrade, and/or extend sanitary sewer, water main (including the closing of loops), services, and laterals as necessary to service TID No. 3. Construct, modify, upgrade or replace wells, water system, water treatment equipment, or water treatment supply to assist development in the district, including water tower repairs, improvements and painting. This may also include modification, rehabilitation, or reconstruction of wastewater treatment facility or lift stations as needed to benefit the district.

New Streets & Street Improvements **$300,000**
Reconstruct and/or replace streets and utilities throughout TID No. 3. Improvements shall include but not be limited to curb, gutter, street, sidewalk, sewer, water, and storm sewer. This project also includes the maintenance of these facilities throughout the life of the district. Construct sidewalk as

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necessary to assist or maintain development of TID No. 3.

Utility Extensions **$50,000**
Improvements shall include, but not be limited to, extending gas, electric, telecommunications and Internet services to develop the district.

District Improvements &
Site Modifications **$100,000**
Installation of pavement, curb, gutter, sidewalk, storm sewer and street lighting on various streets throughout and in service to the district as required. Additional costs to the district shall include, but not be limited to, street light rental, lease agreements and maintenance agreements. Assist development in the district through the modification of sites and utilities. Modifications could include, but not be limited to, storm water management, water and sewer main relocation and service and lateral installations.

TID Project Planning, Creation,
And Amendments **$30,000**
Will provide funding as necessary for TID project planning, creation and amendments as well as assistance with the creation of development agreements as necessary to assist in the development of the district.

Environmental Cleanup & Remediation **$100,000**
Will provide funding as necessary for environmental cleanup and remediation as necessary to assist in the development of the district.

Land & Right-of-Way Acquisition **$20,000**
Will provide funding to assist in land and right-of-way acquisitions and relocations as necessary for the development of the district.

Municipal Equipment **$50,000**
Obtain municipal equipment as necessary to support new development.

Administration, Planning, & Mapping **$25,000**
Will provide funding for administration, planning and mapping expenses that are necessary for the development and administration of the district, including, but not limited to, housing studies, Capital Improvement Plans, Comprehensive Plan Updates, community facilities needs assessments, etc.

Organization, Computer, & Legal Services **$25,000**
Will provide funding for organizational, computer and legal services that are necessary for the development of the district.

The locations of these projects are shown on Map 3 in Appendix A.

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B | TID No. 3 Project Cost Summary

All of the customary expenses are considered in these estimates, including but not limited to: legal fees, engineering fees, architectural fees, planning fees, surveying and mapping fees, inspection, construction costs, materials and apparatus, restoration work, permits, reports, judgments, claims for damages and other expenses. Table 1 lists all of the proposed project and non-project costs.

Table 1 – Freedom TID No. 3 Project Costs

Project	Estimated Total Cost	Estimated TID Share	% of Total
1. Parks & Trails	$50,000	$25,000	50%
2. Building Improvements	$100,000	$100,000	100%
3. Development Incentives	$500,000	$500,000	100%
4. Sanitary Sewer & Water System Improvements	$300,000	$300,000	100%
5. New Streets & Street Improvements	$300,000	$300,000	100%
6. Utility Extensions	$50,000	$50,000	100%
7. District Improvements & Site Modifications	$100,000	$100,000	100%
8. TID Project Planning, Creation, & Amendments	$30,000	$30,000	100%
9. Environmental Cleanup & Remediation	$100,000	$100,000	100%
10. Land & Right-of-Way Acquisition	$20,000	$20,000	100%
11. Municipal Equipment	$50,000	$25,000	50%
12. Administration, Planning, & Mapping	$25,000	$25,000	100%
13. Organization, Computer, & Legal Services	$25,000	$25,000	100%
Total	**$1,650,000**	**$1,600,000**	

All TID/Town eligible costs (estimated at $1,600,000) are stated in 2023 prices and are preliminary estimates. The Town reserves the right to increase the costs to reflect inflationary increases and other unforeseen or uncontrollable circumstances between 2023 and the time of construction/implementation. The Town reserves the right to increase particular project costs without amending this Plan.

SECTION V: Detailed Description and Expenditure Items [illegible]

Tax Incremental District No. 3 is being created by the Town of Freedom under the authority provided by Wisconsin Statute Section 66.1105. The Town of Freedom finds that at least 50%, by area, of real property within the District is suitable for mixed-use development with a combination of industrial, commercial, or residential development, and that no more than 35% of the proposed TIF district area is for newly-platted residential use.

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A | TIF District Boundary Criteria

The boundary for TID No. 3 was established using the following criteria:

A. The equalized value of the taxable property of the District plus the aggregate value increment of all existing districts within the Town did not exceed 12% of the total value of equalized taxable property within the Town at the time of creation.

B. The District is contiguous and contains only whole parcels.

C. A map identifying the boundaries for the TID No. 3 is provided in Appendix A.

Table 2: Equalized Value Test

12% Calculation – Maximum Allowable TID Property Value	
Equalized Value (as of January 1, 2023)	$833,096,400
Maximum Allowable TID Property Value (12%)	$99,971,568
12% Test – Compliance	
Total Existing Value Increment (TID No. 1 and 2 Value as of 1/1/23)	$34,758,00
Proposed Base Value of TIF No. 3	$2,465,648
Total Value	**$37,223,650**
Percentage	**4.46 %**

B | Boundary Description

The formal boundary description of TID No. 3 is provided in Appendix A.

C | Tax Parcels

TID No. 3 is located in the northern part of the Town. The following tax parcels are located in TID No. 3:

Table 3: Town of Freedom TID No. 3 Tax Parcels

MAP ID	PARCEL NO.
1	090061400
2	090065201
3	090041500
4	090065101
5	090040900
6	090040800
7	090038110
8	090039500
9	090065300
10	090039610
11	090065000
12	090065100
13	090039629
14	090061800

MAP ID	PARCEL NO.
15	090038108
16	090038111
17	090041400
18	090037901
19	090038104
20	090038100
21	090038116
22	090038106
23	090139300
24	090038102
25	090038201
26	090038117
27	090041000
28	ROW

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D | Existing Uses and Conditions

Maps identifying the zoning and existing land uses in TID No. 3 are provided in Appendix A.

E | Newly Platted Residential Subdivision

The Town has identified several parcels that potentially could be developed into a newly-platted residential subdivision. The following table identifies the parcels and calculates the percentage of newly-platted residential subdivisions in TID No. 3:

Table 4 - Town of Freedom TID No. 3 - Newly Platted Residential Subdivision

Map Label	Potential Parcels/Area	Acres	Notes
1	090061400	19.47	Estimated at 50 % of Parcel
6	090040800	17.85	Estimated at 50 % of Parcel
14	090061800	19.50	Estimated at 50 % of Parcel
17	090041400	19.05	Estimated at 50 % of Parcel
25	090038201	36.75	
	Total Potential Acreage	112.61	
	Total Acreage of TID No. 3	373.20	
	% Newly Platted Residential	30.17%	

Newly-platted residential development is estimated to be 30.17% of the total acreage of TID No. 3.

SECTION 5 | Economic Feasibility

The economic feasibility of the TID No. 3 depends on the tax incremental revenue generated from within the District. New development activities are the primary revenue generator. The economic feasibility of the amended TID No. 3 is based on the assumptions identified below and in Tables 6 and 7:

A | New Development Activities

The economic feasibility analysis assumes additional new development in the amount of $8,000,000 between 2024 and 2027. This includes a mixture of residential, commercial, and industrial development.

B | Proposed Debt Service (Future Projects)

The proposed debt service includes loans for eligible projects in 2024 and 2027. The estimated borrowing for these projects are $525,000 in 2024 and $1.0 million in 2027. Both loans have interest rates if 5.0% and terms of 15 years. This can change due to such factors as interest rates, project costs associated with the TID, and other factors.

Tables 6 & 7 presents the economic feasibility of the TID No. 3 for the Town of Freedom. Based on the assumptions above and presented in Table 6 & 7, the TID No. 3 is feasible.

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C | Impact on Taxing Authorities

The impact on the various taxing jurisdictions in TID No. 3 for the Town of Freedom is estimated as follows:

Table 5 – Impact on Taxing Jurisdictions

Total Projected Tax Increment of TID No. 3	Town of Freedom	School District of Freedom	Fox Valley Technical College	Outagamie County
$2,191,000	$1,660,823	$1,536,263	$207,603	$747,371

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Table 6: TID No. 3 Cash Flow Revenue Projections

A	B	C	D	E	F	G	H
YEAR	TOTAL DISTRICT VALUE	DEVELOPMENT CONSTRUCTION	ANNUAL VALUE INCREMENT	TAX RATE	TAX INCREMENTS (INCOME)	OTHER INCOME	TOTAL INCOME
2022	$0	$0	$0	14.48	$0	$0	$0
2023	$2,465,648	$0	$0	15.65	$0	$0	$0
2024	$2,465,648	$2,000,000	$0	15.65	$0	$3,000	$3,000
2025	$4,465,648	$2,000,000	$2,000,000	15.65	$0	$3,000	$3,000
2026	$6,465,648	$2,000,000	$4,000,000	15.65	$31,300	$3,000	$34,300
2027	$8,465,648	$2,000,000	$6,000,000	15.65	$62,600	$3,000	$65,600
2028	$10,465,648	$0	$8,000,000	15.65	$93,900	$3,000	$96,900
2029	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2030	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2031	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2032	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2033	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2034	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2035	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2036	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2037	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2038	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2039	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2040	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2041	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2042	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2043	$10,465,648	$0	$8,000,000	15.65	$125,200	$3,000	$128,200
2044				15.65	$125,200	$3,000	$128,200
TOTAL		$8,000,000			$2,191,000		

ASSUMPTION
1. Development Construction (Column C) is estimated at $2.0 million per year from 2024-2027.
2. Tax Rate (Column E) is $15.65 per $1000 of value and remains constant throught the life of the TID

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Table 7: TID No. 3 Cash Flow Expense Projections

YEAR	I DEVELOPMENT INCENTIVE	J ANNUAL DEBT SERVICE	K OTHER EXPENSES	L TOTAL EXPENSES	M ANNUAL CASH FLOW	N DEC. 31ST ACCT BALANCE
2022	$0	$0	$0	$0		$0
2023	$0	$0	$18,000	$18,000	($18,000)	($18,000)
2024	$0	$0	$3,000	$3,000	$0	($18,000)
2025	$0	$49,820	$3,000	$52,820	($49,820)	($67,820)
2026	$0	$49,820	$3,000	$52,820	($18,520)	($86,340)
2027	$0	$49,820	$3,000	$52,820	$12,780	($73,560)
2028	$0	$144,820	$3,000	$147,820	($50,920)	($124,480)
2029	$0	$144,820	$3,000	$147,820	($19,620)	($144,100)
2030	$0	$144,820	$3,000	$147,820	($19,620)	($163,720)
2031	$0	$144,820	$3,000	$147,820	($19,620)	($183,340)
2032	$0	$144,820	$3,000	$147,820	($19,620)	($202,960)
2033	$0	$144,820	$3,000	$147,820	($19,620)	($222,580)
2034	$0	$144,820	$3,000	$147,820	($19,620)	($242,200)
2035	$0	$144,820	$3,000	$147,820	($19,620)	($261,820)
2036	$0	$144,820	$3,000	$147,820	($19,620)	($281,440)
2037	$0	$144,820	$3,000	$147,820	($19,620)	($301,060)
2038	$0	$144,820	$3,000	$147,820	($19,620)	($320,680)
2039	$0	$144,820	$3,000	$147,820	($19,620)	($340,300)
2040	$0	$95,000	$3,000	$98,000	$30,200	($310,100)
2041	$0	$95,000	$3,000	$98,000	$30,200	($279,900)
2042	$0	$95,000	$3,000	$98,000	$30,200	($249,700)
2043	$0		$3,000	$3,000	$125,200	($124,500)
2044	$0		$3,000	$3,000	$125,200	$700
TOTAL		$2,172,300	$75,000	$2,247,300		

ASSUMPTIONS
1. Debt Service (Column J) based on $525,000 in 2024 and $1.0 million in 2027 at 5.0% interest for 15 years)
2. Other Expenses (Column K) includes TID #3 planning, administrative, legal, and miscellaneous costs.

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SECTION 6 | Financing

Under Wisconsin law there are several methods of borrowing, some of which apply against a municipality's debt limit, and others that do not apply against the limit. The state sets this limit at five percent (5%) of the municipality's total equalized property valuation. The feasibility of financing specific projects at any given time using a particular method can be determined based on the municipality's current fiscal situation, anticipated non-TID related capital needs, the amount of money to be borrowed, interest rates, and lending terms.

Possible funding sources include:

A | General Obligation Borrowing

General Obligation Borrowing includes all types of municipal borrowing from banks, the State Trust Fund, or other lending institutions. This method of borrowing requires little effort or legal expenditures and works particularly well for smaller projects.

B | General Obligation Bonding

General Obligation Bonds are a debt instrument backed by the full faith and credit of the municipality and its ability to raise revenue through taxation. In the case of default, the municipality is liable for repayment of the debt. As a result, this type of debt can often result in lower interest rates than regular General Obligation Borrowing. The high fees associated with the issuance of the bonds makes them more attractive for larger projects.

C | Mortgage Revenue Bonds

Revenue Bonds are a debt instrument backed by revenue generated from the project. These types of bonds are also mainly used for larger debt issuances due to their relatively high associated fees. They are typically issued by municipal bodies that raise revenues on a fee for service type basis, such as the Water & Sewer Utility. These types of bonds generally do not count against a municipality's five percent debt limit.

D | Special Assessment "B" Bonds

Special Assessment "B" Bonds are a debt instrument backed by the municipality's ability to raise revenue from special assessments charged to persons, organizations, or businesses receiving benefits from the project. These bonds also do not normally count against a municipality's debt limit.

E | Federal/State Loan and Grant Programs

The State and Federal Government often sponsor grant and loan programs that municipalities may potentially use to supplement TID expenditures or provide financing for capital costs which positively impact the District. These programs include Wisconsin Community Development Block Grants, Rural Development Administration Community Facility Loan/Grants, Transportation Economic Assistance Grants, and Economic Development Administration Grants. These programs require local match funding to insure State and Federal participation in the project.

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The Town of Freedom is zoned in accordance with an ordinance formally adopted by the Town Board. There may be some zoning changes associated with new development.

The creation of TID No. 3 will not require any changes to the existing community development plans or the Town's municipal codes or ordinances. The projects proposed in the Project Plan are consistent with the development policies of the municipality, as well as existing building codes, maps, and ordinances.

Non-project costs are public works projects that only partly benefit the District or are not eligible to be paid with tax increments (Refer to Wis. Stat. 66.1105(2)(f)(2). Non-project cost are shown in Table 2 and include a portion of the following:

- Parks & Trails - $25,000
- Municipal Equipment - $25,000

No persons are expected to be displaced or relocated as a result of proposed projects in the District; however, if relocation were to become necessary in the future, the following is the method proposed by the Town for displacement or relocation. Before negotiations begin for the acquisition of property or easements, all property owners will be contacted to determine if there will be displaced persons as defined by Wisconsin Statues and Administrative Rules. If it appears there will be displaced persons, all property owners and prospective displaced persons will be provided an informational pamphlet prepared by the Wisconsin Department of Administration (DOA). The Town will file a relocation plan with the DOA and shall keep records as required in Wisconsin Statutes 32.27. The Town will provide each owner a full narrative appraisal, a map showing the owners of all property affected by the proposed project and a list of neighboring landowners to whom offers are being made as required by law.

TID No. 3 will promote orderly development in the Town of Freedom by marketing and attracting economic activity to a specified area. This allows the Town greater control over economic activity in order to ensure that development and/or growth is orderly, harmonious with adjoining land uses, and enhances the health and welfare of the community.

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An opinion from the Town legal counsel regarding the Project Plan for TID No. 3 and its compliance with s. 66.1105 of Wisconsin Statutes is provided in Appendix F.

Base Value: The aggregate value, as equalized by DOR, of the real, personal, and non-exempt municipal-owned property located within the TID as of the valuation date.

Equalized Value: The estimate of the State of Wisconsin Department of Revenue of the full market value of property; used to apportion property tax levies of counties, school districts and municipalities among tax districts.

Expenditure Period: The time during which expenses may be incurred for the implementation of the approved project plan and the completion of the projects outlined therein. The current maximum expenditure period for all districts ends five years before the un-extended maximum life of the TID.

Non-Project Costs: As part of the project plan, there may be investments that are not eligible for TIF, or that are paid for with revenue other than tax increment revenue – such as a grant.

Project Plan: The plan, properly submitted and approved by the Wisconsin Department of Revenue, for the financial development or redevelopment of a TID, including all properly approved amendments.

Tax Incremental District (TID): The contiguous geographical area within a municipality consisting solely of whole units of property as are assessed for general property tax purposed not including railroad rights of way, rivers or highways, or wetlands as defined in Wisconsin Statutes 23.32.

Tax Incremental Financing (TIF): A mechanism for financing development and redevelopment projects whereby property tax revenue from increased property values in a defined geographic district is used to pay for public improvements, such as roads, sewer and water lines. Once the improvements are paid for, the property taxes go to the municipality, county and school districts.

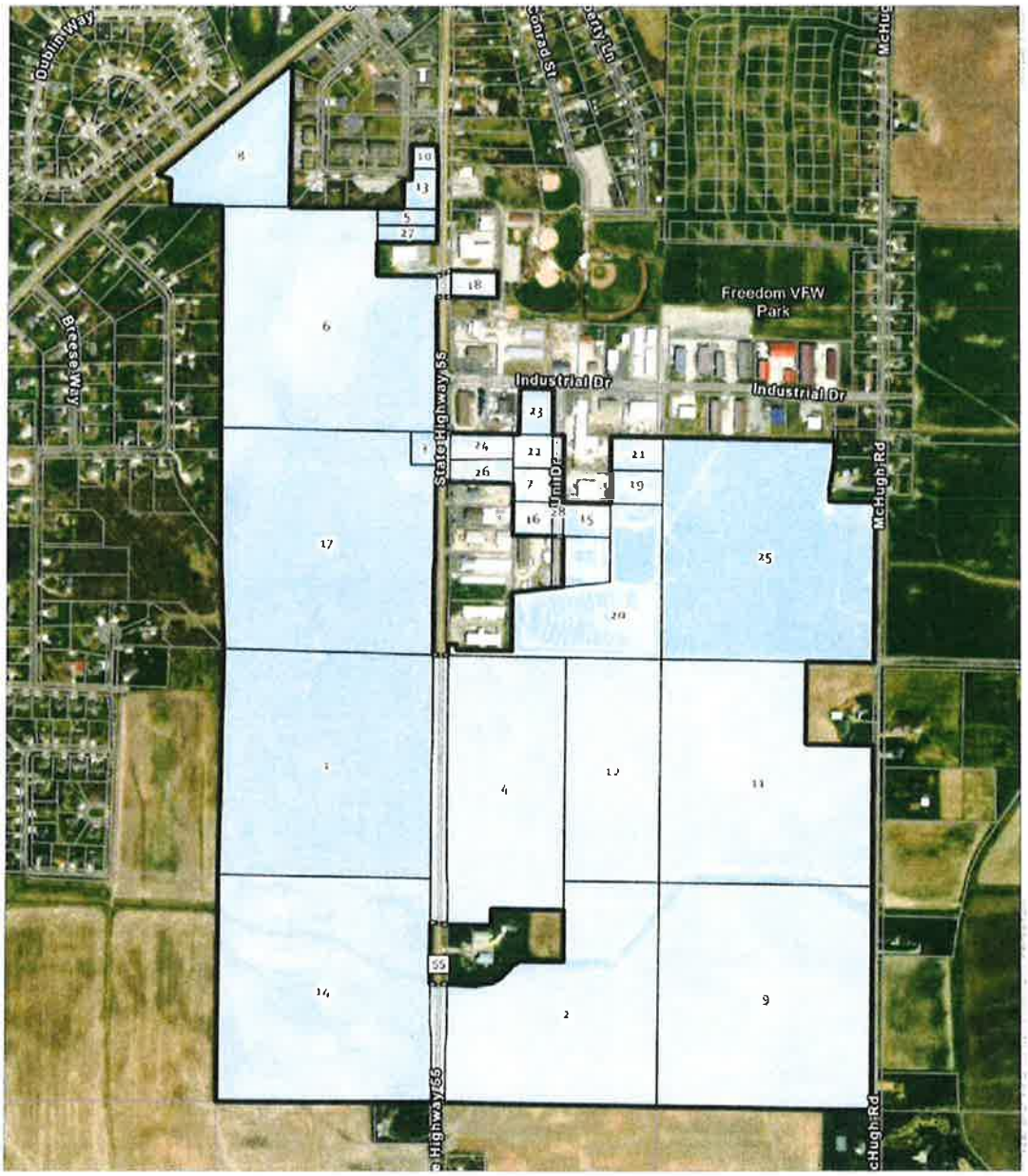
Tax Increment: The taxes levied by all overlying taxing jurisdictions on the difference between the base value and the current value of the TID, also known as the value increment. These taxes are sent to the municipality who operates the TID, and used to pay for the approved project costs laid out in the project plan.

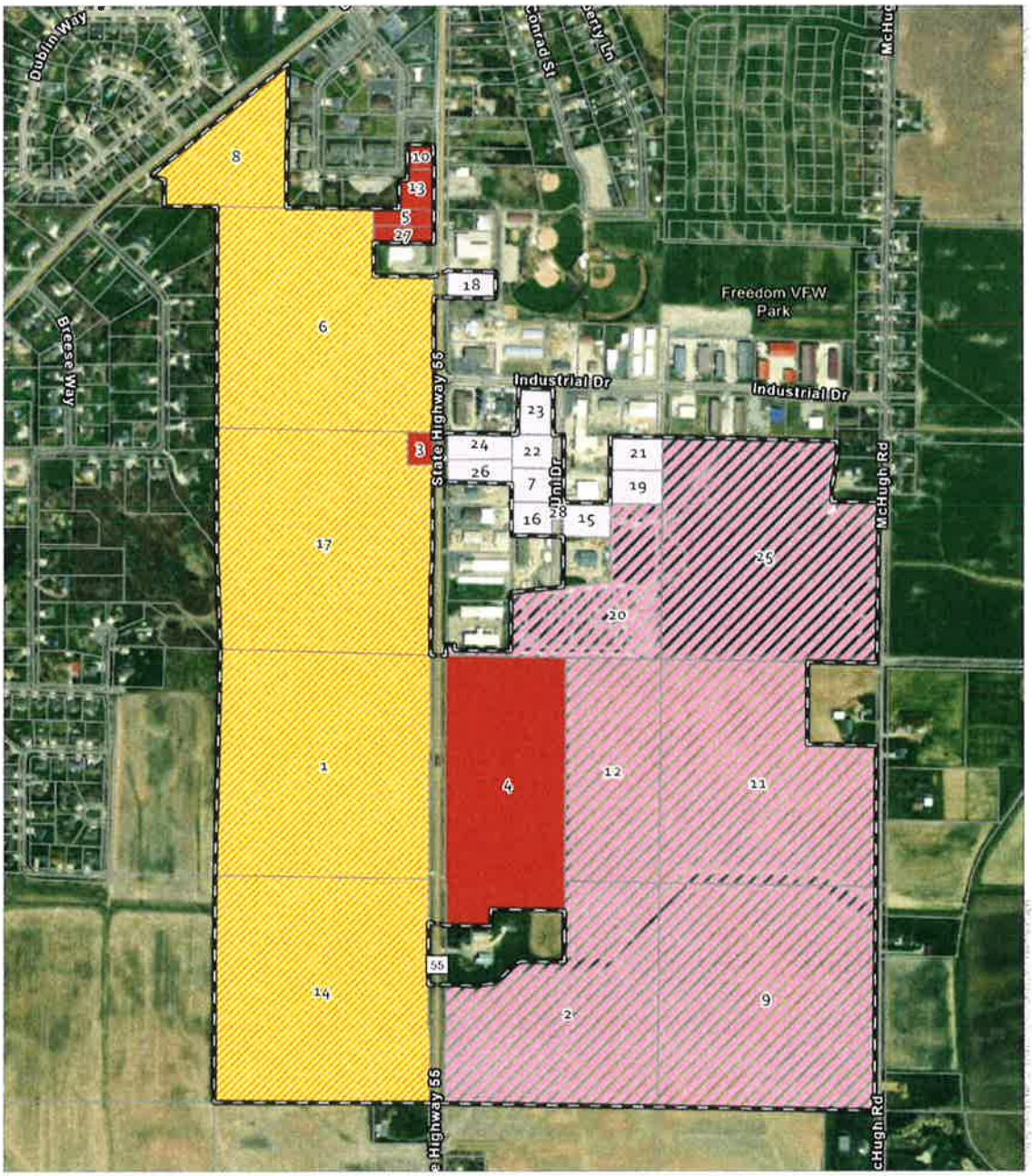
Tax Rate: The rate, usually expressed in terms of dollars per one thousand dollars of assessed valuation, at which taxes are levied against the total assessed valuation of the municipality. Due to changes in the total assessed valuation of the municipality from year to year, the tax levy change and the tax rate change will not be the same. The tax rate change reflects what impact the property owner will see in their total taxes.

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Value Increment: The difference in value between the base value and the current value. This is the amount of property value that can be attributed to the TIF investment, and as such is the portion of the tax base that is used to generate the tax increment that pays for the investment.

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Dublin Way
Conrad St
Liberty Ln
McHugh Rd
Freedom VFW Park
Industrial Dr
Industrial Dr
Breezeway
State Highway 55
Unit Dr
McHugh Rd
State Highway 55
McHugh Rd
MSA
TID_3_Parcels
TID_3_Boundary
V900_Wisconsin_Parcels_OUTAGAMIE
BOUNDARY MAP
TID #3
TOWN OF FREEDOM
OUTAGAMIE COUNTY, WI



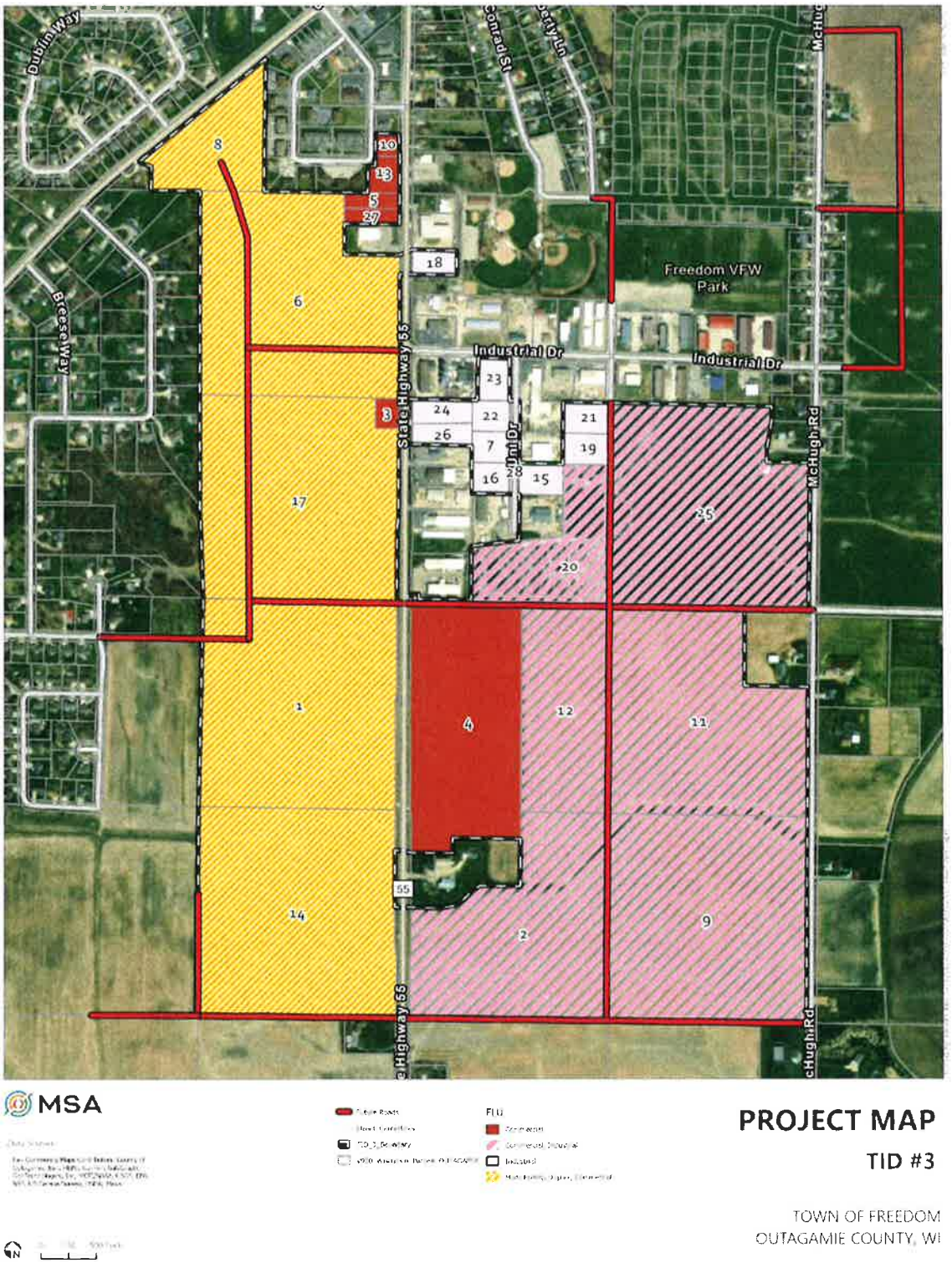
MSA

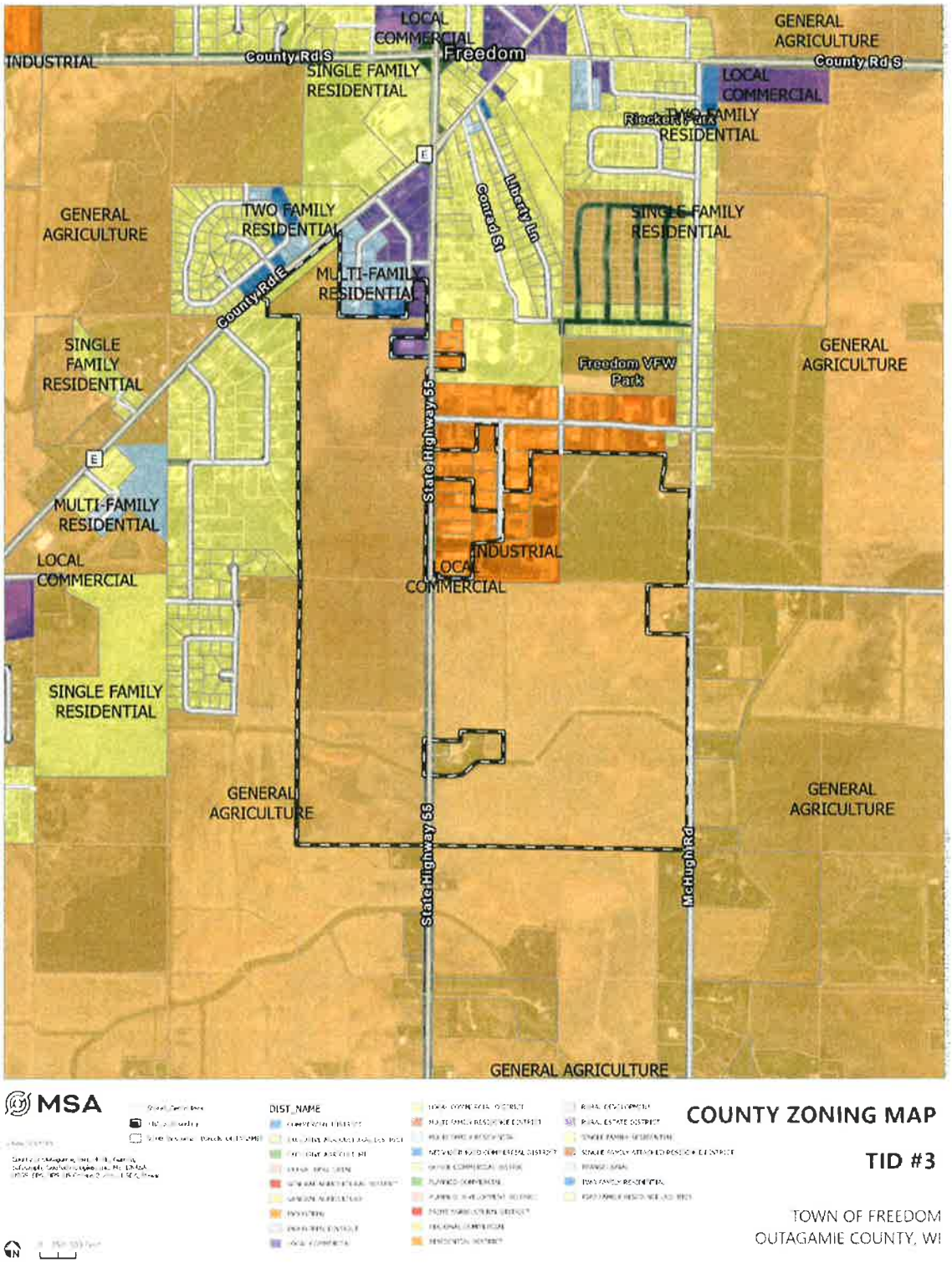
FLU

FUTURE LAND USE MAP

TID #3

TOWN OF FREEDOM
OUTAGAMIE COUNTY, WI


Dublin Way
Conrad St
McHugh Rd
Freedom VFW Park
Industrial Dr
Industrial Dr
State Highway 55
Jill Dr
McHugh Rd
Freeway
State Highway 55
McHugh Rd
8
10
13
5
27
18
6
3
24
22
26
7
16
28
15
23
21
19
17
25
20
1
4
12
11
55
14
2
9
MSA
PROJECT MAP
TID #3
TOWN OF FREEDOM
OUTAGAMIE COUNTY, WI


LOCAL COMMERCIAL
Freedom
GENERAL AGRICULTURE
INDUSTRIAL
County Rd S
SINGLE FAMILY RESIDENTIAL
LOCAL COMMERCIAL
TWO FAMILY RESIDENTIAL
Rocket Park
Conrad St
Liberty Ln
GENERAL AGRICULTURE
TWO FAMILY RESIDENTIAL
SINGLE FAMILY RESIDENTIAL
County Rd E
MULTI-FAMILY RESIDENTIAL
SINGLE FAMILY RESIDENTIAL
Freedom VFW Park
GENERAL AGRICULTURE
State Highway 55
MULTI-FAMILY RESIDENTIAL
LOCAL COMMERCIAL
INDUSTRIAL
LOCAL COMMERCIAL
SINGLE FAMILY RESIDENTIAL
GENERAL AGRICULTURE
GENERAL AGRICULTURE
State Highway 55
McHugh Rd
GENERAL AGRICULTURE
MSA
DIST_NAME
COUNTY ZONING MAP
TID #3
TOWN OF FREEDOM
OUTAGAMIE COUNTY, WI

Resolution No. 50—2023-24 – Highway, Recycling and Solid Waste Committee. Authorize the Recycling and Solid Waste Director, Acting Director, Interim Director, Recycling Manager, or Solid Waste Manager to act on behalf of the County to sign and submit applications to the Department of Natural Resources for financial assistance, sign necessary documents, and submit a final report, as defined by §287.23 and §287.24, Wis. Stats., and Chapter NR 542, 544 Wis. Admin. Code.

Supervisor Clegg moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 50—2023-24 IS ADOPTED.

VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Resolution No. 50—2023-24

Highway, Recycling and Solid Waste Committee. Authorize the Recycling and Solid Waste Director, Acting Dir **Passed By Majority Vote**
Solid Waste Manager to act on behalf of the County to sign and submit applications to the Department of Natural Resources for financial assistance, sign necessary documents, and submit a final report, as defined by §287.23 and §287.24, Wis. Stats., and Chapter NR 542, 544 Wis. Admin. Code.

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **9-26-23 County Board Meeting - September 26 2023 07:35:42 PM** OpenMeeting
September 26, 2023 County Board Meeting

RESOLUTION NO.: 50—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The State of Wisconsin offers recycling grants to Responsible Units of Government. To apply for these grants, the Responsible Unit of Government must designate authorized representative(s) and give authority to that representative to apply for the State recycling grants. Outagamie County is a Responsible Unit of Government as defined by §287.23 and §287.24, Wis. Stats., and Chapter NR 542, 544 Wis. Admin. Code, and requests financial assistance in order to continue making progress in operating an effective recycling program.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the Recycling and Solid Waste Director, Acting Director, Interim Director, Recycling Manager, or Solid Waste Manager to act on behalf of Outagamie County to sign and submit applications to the Department of Natural Resources (DNR) for financial assistance, sign necessary documents, and submit a final report, as defined by §287.23 and §287.24, Wis. Stats., and Chapter NR 542, 544 Wis. Admin. Code, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive and the Outagamie County Recycling and Solid Waste Director.

Dated this 26th day of September 2023

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: September 26, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 9.28.23 Vetoed: _____

Signed: _____ County Executive

LOCK IN & ADOPTION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24 ARE ADOPTED & LOCKED IN.



VOTE RESULTS — 30 YES | 0 NO | 0 ABSTAIN | 6 ABSENT

Lock In of Resolution Nos. 47, 48, 49, 51—2023-24

Lock in of Resolution Nos. 47, 48, 49, 51—2023-24

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 9-26-23 County Board Meeting - September 26 2023 07:36:57 PM

September 26, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NOS. 47, 48, 49 AND 51 —2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Santonato, to reconsider Resolution Nos. 47, 48, 49 and 51—2023-24.

Vote for reconsideration. ROLL CALL: 30 yes, 6 absent. RESOLUTION NOS. 47, 48, 49 AND 51 — 2023-24 ARE RECONSIDERED.



VOTE RESULTS 30 YES 0 NO 0 ABSTAIN 6 ABSENT

Reconsideration of Resolution Nos. 47, 48, 49, 51—2023-24

Reconsideration of Resolution Nos. 47, 48, 49, 51—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	ABSENT	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

9-26-23 County Board Meeting - September 26 2023 07:36:48 PM

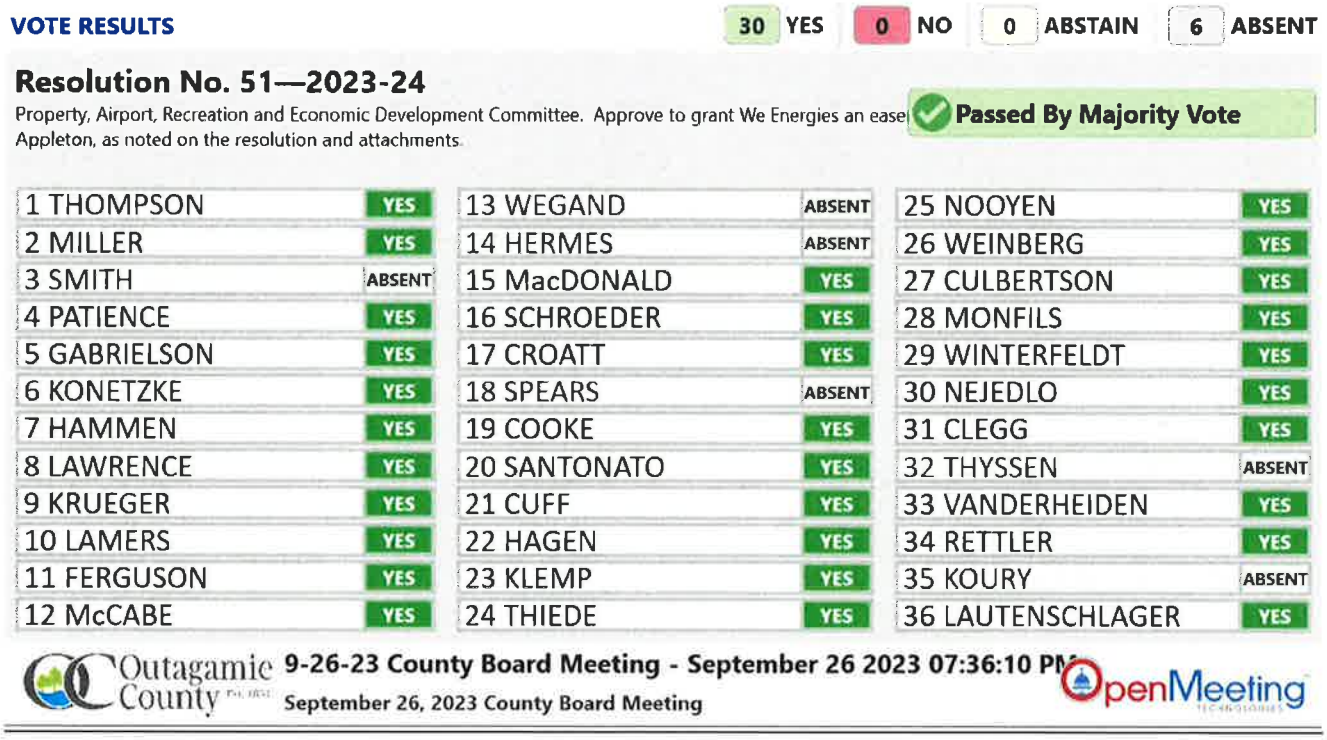
September 26, 2023 County Board Meeting

OpenMeeting

Resolution No. 51—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to grant We Energies an easement for parcel number 311672311 in the City of Appleton, as noted on the resolution and attachments.

Supervisor Culbertson moved, seconded by Supervisor Monfils, for adoption.

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 51—2023-24 IS ADOPTED



VOTE RESULTS — 30 YES | 0 NO | 0 ABSTAIN | 6 ABSENT

Resolution No. 51—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to grant We Energies an ease… Appleton, as noted on the resolution and attachments.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND ABSENT	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY ABSENT
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 9-26-23 County Board Meeting - September 26 2023 07:36:10 PM
September 26, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 51—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wisconsin Electric Power Company, doing business as We Energies (Grantee), is requesting an easement in order to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize granting We Energies an easement for the area described as a strip of land 12 feet in width being a part of Lot 3 of Certified Survey Map No. 3490 as recorded in the office of the Register of Deeds for Outagamie County and being a part of the Northwest ¼ of the Southeast ¼ of Section 18, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin; said land is shown on the attached Distribution Easement Underground and Exhibit "A" which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Facilities Director and We Energies, Property Rights & Information Group, 231 W. Michigan Street, Room P277, P. O. Box 2046, Milwaukee, WI 53201-2046.

Dated this 26th day of September 2023

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: September 26, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 9.28.23 Vetoed: _____

Signed: _____
County Executive

DISTRIBUTION EASEMENT UNDERGROUND

Document Number

WR NO. **4863487** IO NO. **5469**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **OUTAGAMIE COUNTY,** hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies,** hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as a strip of land 12 feet in width being a part of **Lot 3 of Certified Survey Map No. 3490** as recorded in the office of the Register of Deeds for Outagamie County in Volume 18 of Certified Survey Maps on Page 3490 as **Document No. 1325228** and being a part of the **Northwest ¼ of the Southeast ¼ of Section 18,** Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM P277
PO BOX 2046
MILWAUKEE, WI 53201-2046

311672311
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.

3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.

4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to the initial installation of said facilities or any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.

7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five day review period.

Grantor:

OUTAGAMIE COUNTY

By: _____

(Print name and title): _____

By _____

(Print name and title): _____

Personally came before me in _____ County, Wisconsin on _____, 2023,

the above named _____, the _____

and _____, the _____

of OUTAGAMIE COUNTY pursuant to a Resolution adopted by the County Board on _____

as Resolution No. _____.

_____

Notary Public Signature, State of Wisconsin

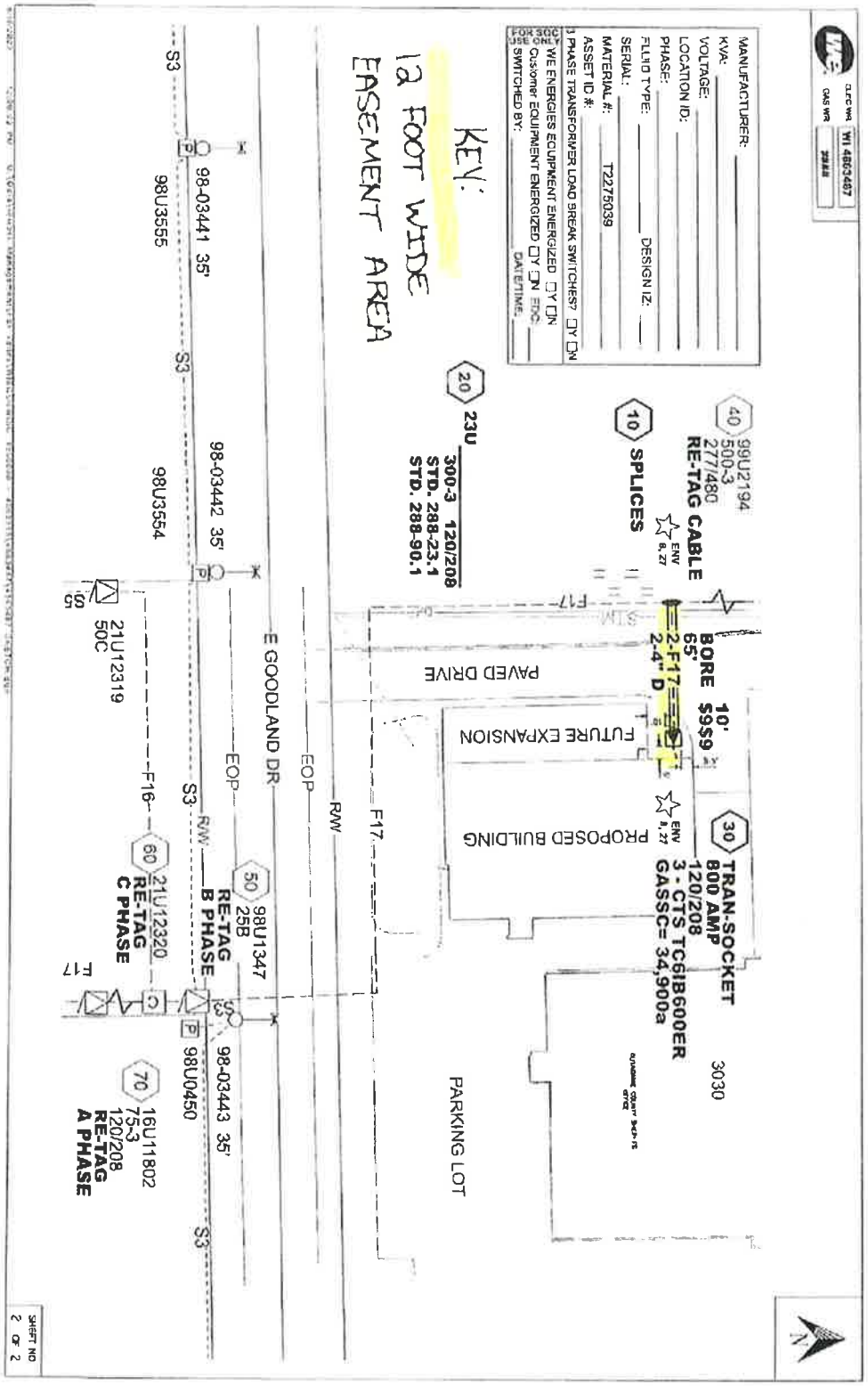
_____

Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL) My commission expires _____

This instrument was drafted by Douglas J. Hartmann on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

Exhibit "A"


KEY:
12 FOOT WIDE
EASEMENT AREA
MANUFACTURER:
KVA:
VOLTAGE:
LOCATION ID:
PHASE:
FLUID TYPE:
DESIGN IZ:
SERIAL:
MATERIAL #: T2275039
ASSET ID #:
3 PHASE TRANSFORMER LOAD BREAK SWITCHES? ☐Y ☐N
FOR SCC USE ONLY
WE ENERGIES EQUIPMENT ENERGIZED ☐Y ☐N
Customer EQUIPMENT ENERGIZED ☐Y ☐N
SWITCHED BY:
DATE/TIME:
40 99U2194 500-3 277480 RE-TAG CABLE
10 SPLICES
20 23U 300-3 120/208 STD. 288-23.1 STD. 288-90.1
BORE 65' 10' $959
2-F17 2-4" D
30 TRAN-SOCKET 800 AMP 120/208 3 - CTS TC6IB600ER GASSC= 34,900a
3030
PAVED DRIVE
FUTURE EXPANSION
PROPOSED BUILDING
PARKING LOT
E GOODLAND DR
EOP
R/W
F17
S3
98-03441 35'
98-03442 35'
98-03443 35'
98U3555
98U3554
98U0450
50 98U1347 25B RE-TAG B PHASE
60 21U12320 RE-TAG C PHASE
70 16U11802 75-3 120/208 RE-TAG A PHASE
55 21U12319 50C
F16
SHEET NO 2 OF 2

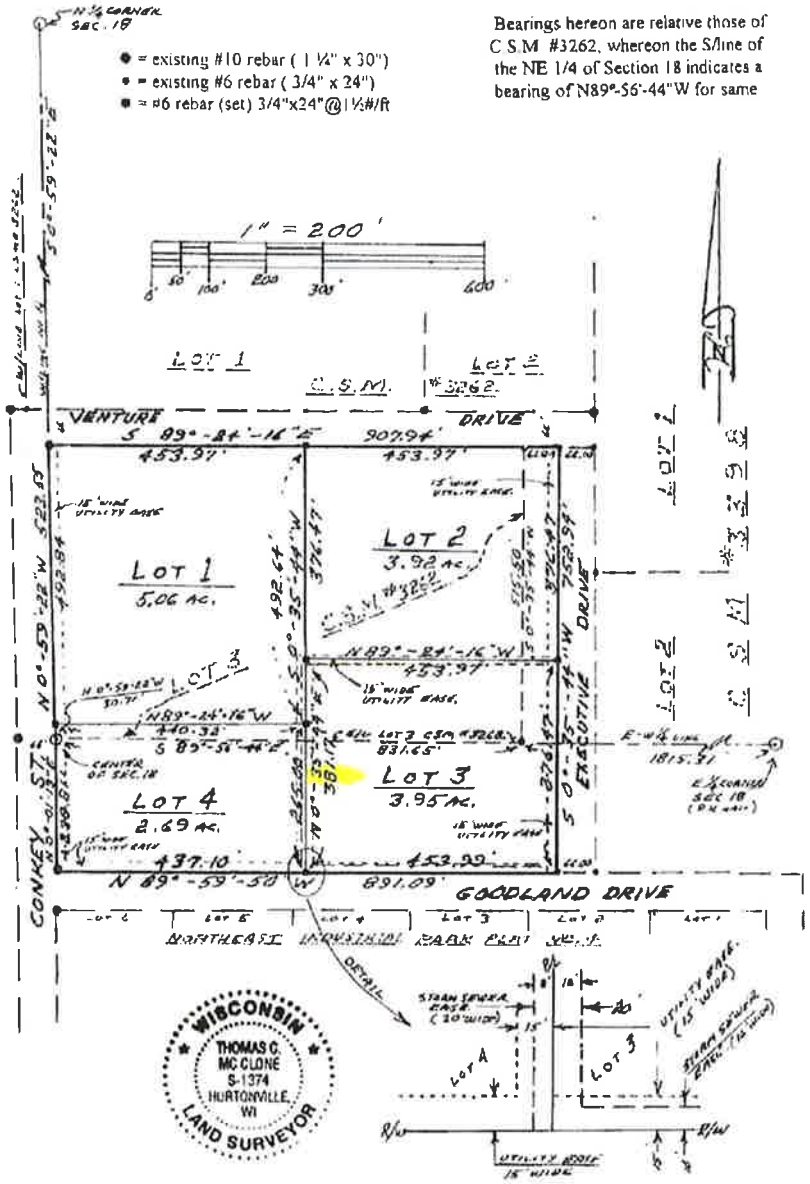
DOC. # 1325228 RECEIVED FOR FILING THIS 7th DAY OF MAY 1999 AT 4:00 P.M. AND FILED IN VOLUME 18 OF CERTIFIED SURVEY MAPS ON PAGE 3490 AS NUMBER 3490. Grace Hark
Register of Deeds Page 3490 (both sides)

CERTIFIED SURVEY MAP # 3490 Page 1 of 2 E/12 ↔

Part of the SW 1/4 of the NE 1/4, together with part of the NW 1/4 of the SE 1/4, together with all of Lot 3, C.S.M. #3262, all in the East half of Section 18, T21N, R18E, City of Appleton, Outagamie County, Wisconsin.

● = existing #10 rebar (1 ¼" x 30")
• = existing #6 rebar (3/4" x 24")
■ = #6 rebar (set) 3/4"x24"@1½#/ft

Bearings hereon are relative those of C.S.M. #3262, whereon the S/line of the NE 1/4 of Section 18 indicates a bearing of N89°-56'-44"W for same



I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the September 26, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on September 26, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 26th Day of September, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: October 30, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, October 10, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. by teleconference.

ROLL CALL: 32 present, 4 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Lamers, Ferguson, Wegand, Hermes, MacDonald, Schroeder, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Clegg, Thyssen, VanderHeiden, Koury, and Lautenschlager. Members Absent: Krueger, McCabe, Nejedlo, Rettler

The Board Chairperson requested the Board's confirmation to excuse Supervisor Krueger, Supervisor McCabe, Supervisor Nejedlo, and Supervisor Rettler. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE SEPTEMBER 26, 2023 COUNTY BOARD MEETING
Supervisor Patience moved, seconded by Supervisor Lawrence, to approve the minutes of the September 26, 2023, County Board meeting.

VOICE VOTE CARRIED WITH TWENTY-EIGHT (28) YES AND FOUR (4) ABSTENTIONS (KOURY, SPEARS, SMITH, WEGAND). MINUTES OF THE SEPTEMBER 26, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS –

2024 Proposed Budget Remarks – County Executive Thomas Nelson; 2024 County Board Budget Process – Finance Committee Chairperson Nadine Miller

- County Executive Thomas Nelson provided an update on the 2024 Budget.
    - The total tax levy has increased from last year (+2.42%) and the tax rate has decreased (-10.11%) due to increased property values across the County.
    - What allows the tax levy to fluctuate year to year is net new construction. Net new construction is expected to have gone up by 2.260% as in previous years.
    - This translates into roughly $1.4M in “New” money compared to last year’s tax levy.
    - Wages and salaries:
        - Raises are expected to increase $4.315M ($3.7M – Levy).
        - Steps throughout the departments are expected to be $1.2M ($1.0M – Levy).
        - Health insurance is going to be increasing 6.5%, with employee share remaining unchanged.
        - How will step and wages/salaries be funded?
            - $1.4M – New Levy
            - $1.4M – New Shared Revenue
            - $1.4M – Interest Income

- Capital Budget includes:
  - $22.5M in pre-approved levy and enterprise
  - $13.8M in proposed capital projects
  - $36.3 grand total

Supervisor questions and comments followed.

- Finance Committee Chairperson Nadine Miller presented on the County Board budget process.
  - The Board makes policy, while the Executive & staff administer those policies.
  - The budget is where the Board makes decisions that make a difference.
  - The work is done primarily at Committee level, then to Finance for balancing.
  - Supervisor responsibilities include:
    - Reviewing jurisdictional budgets prior to meeting. These budgets have been emailed to Supervisors. Supervisors can also request a printed copy.
    - Prepare your questions, any proposed changes & funding.
    - Committees will vote to either support budgets of jurisdiction or recommend changes.
    - Committee chairs and members are encouraged to attend Finance Committee meetings to share feedback and have discussion.
    - Finance Committee Budget Review Meetings will take place every Tuesday and Thursday throughout the next four weeks at 11:00 am.
  - The Public Budget Hearing will take place Tuesday, October 24th at 7:00 pm before the County Board meeting.
  - The Annual Budget Adoption Meeting will be held Monday, November 6th in the County Board room at 5:30 pm.
  - Budget adoption meeting:
    - The Executive proposes the budget; the Board approves the budget.
    - A majority vote is required for budget and table of organization changes.
    - The process has been built for transparency, full participation of committees and the public, and to avoid marathon budget meetings.
    - Please contact the Finance Chair or Committee Chairs with any questions.

Supervisor questions and comments followed.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have Resolution Nos. 52, 53, 54, 55, 56, 57 and 58—2023-24 locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle all reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –
Chairperson Nooyen summarized the following communications:

- There are two Supervisors that have yet to complete the IT security training. Please get this completed as soon as possible. If you need the link, please contact the Legislative Services office.

- Next Tuesday, October 17th there will be an open house at the new pavilion at Plamann Park from 5:00-6:30 pm. Please RSVP to Sara in Legislative Services if you have not already done so.
- Supervisors should have received an invite for the Appleton Flight Center anniversary party taking place this Thursday, October 12th from 3:00-6:00 pm.
- As of November 10th, Supervisor Konetzke will be resigning from the County Board. Unfortunately, he will be moving out of the County. The County Board appreciates everything Supervisor Konetzke has done over the past several years and he will be greatly missed.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. Z-5—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Fox Communities Credit Union for parcels 102036900 and 102038800, from the Local Commercial District to the Single-Family Residential District, in the Town of Grand Chute, as noted on the attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Weinberg, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-5—2023-24 IS ADOPTED.

Resolution No. 52—2023-24 – Finance Committee. Approve to disallow the claim submitted by Thomas Shannon Buckley, Jr., on file in the County Clerk's Office, and no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Supervisor Croatt moved, seconded by Supervisor Thiede, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 52—2023-24 IS ADOPTED.

Resolution No. 53—2023-24 – Finance Committee. Approve of the County Clerk entering into an Intergovernmental Agreement with five municipalities to perform WisVote services, said revenues are included in the 2024 Executive budget, as noted on the attachments.

Supervisor Miller moved, seconded by Supervisor Cuff, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 53—2023-24 IS ADOPTED.

Resolution No. 54—2023-24 – Health and Human Services Committee. Authorize and approve of creating the Intoxicated Driver Program (IDP) cost center line items, as noted on the attached fiscal note

and memo; and authorize and approve the Intoxicated Driver Program Assessment fee for 2023-2024 to be set at $325.00, the existing Intoxicated Driver Program Assessment Amendment Fee be established at $162.50, and that a client appointment no-show fee be set at $100.00.

Supervisor Gabrielson moved, seconded by Supervisor Thompson, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 54—2023-24 IS ADOPTED.

Resolution No. 55—2023-24 – Health and Human Services Committee and Public Safety Committee. Authorize and approve to increase the following Opioid Settlement cost center line items: Supplies by $10,648; Purchased Services by $189,985; Fund Balance Applied by $200,633, as noted on the attached fiscal note and memo.

Supervisor Patience moved, seconded by Supervisor Schroeder, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 55—2023-24 IS ADOPTED.

Resolution No. 56—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to authorize execution of a Warranty Deed to the Wisconsin Department of Transportation for the sum of $700.00 for property described as Parcel 9 of Transportation Project Plat 1130-63-21 – 4.04, recorded as Document #2288266, in Outagamie County, with property interests and right of said Parcel 9 consisting of Fee Simple, Temporary Limited Easement, as noted in the attachments; and authorize and approve of the line items by increasing the Plamann Park Revenue by $700, and decreasing the General Fund Surplus Fund Balance Applied by $700, as detailed in the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 56—2023-24 IS ADOPTED.

Resolution No. 57—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve of naming the new Plamann Park pavilion shelter “The Hillside at Plamann Park”.

Supervisor Culbertson moved, seconded by Supervisor Klemp, for adoption.

Supervisor Croatt moved to amend Resolution No. 57—2023-24 to authorize and approve of naming the new Plamann Park pavilion shelter “The Hillside Pavilion at Plamann Park”. Supervisor Thiede seconded the motion.

ROLL CALL VOTE WITH FIVE (5) YES (HERMES, CROATT, HAGEN, THIEDE, CLEGG) AND TWENTY-SEVEN (27) NO. PROPOSED RESOLUTION NO. 57–2023-24 AMENDEMENT IS DEFEATED.

VOICE VOTE CARRIED WITH THIRTY (30) YES AND TWO (2) NO (THIEDE, HERMES). RESOLUTION NO. 57—2023-24 IS ADOPTED.

Resolution No. 58—2023-24 – Finance Committee. Resolution awarding the sale of $25,000,000 General Obligation Airport Bonds, series 2023A (AMT).

Supervisor Miller moved, seconded by Supervisor Croatt, for adoption.

VOICE VOTE CARRIED WITH THIRTY-ONE (31) YES AND ONE (1) NO (THIEDE). RESOLUTION NO. 58—2023-24 IS ADOPTED.

Ordinance No. E—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH M from Kelldale Ct to the south town line and CTH T from Meadowview Dr to the north town line, in the Town of Dale, as an ATV/UTV route, as detailed in the attachments.

Supervisor Hagen moved, seconded by Supervisor Thyssen, for adoption.

VOICE VOTE CARRIED WITH TWENTY-FIVE (25) YES AND SEVEN (7) NO (THIEDE, FERGUSON, MACDONALD, KONETZKE, SMITH, SANTONATO, THOMPSON). ORDINANCE NO. E—2023-24 IS ADOPTED.

Ordinance No. F—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH D from Schweitzer Road to the west county line, CTH F from CTH D to the east town line, CTH FF from CTH F to the south town line, and CTH XX from CTH F to CTH D, in the Town of Deer Creek, as an ATV/UTV route, as detailed in the attachments.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

VOICE VOTE CARRIED WITH TWENTY-FIVE (25) YES, SIX (6) NO (THIEDE, FERGUSON, MACDONALD, KONETZKE, SANTONATO, THOMPSON) AND ONE (1) ABSTENTION (SMITH). ORDINANCE NO. F—2023-24 IS ADOPTED.

RECONSIDERATION OF RESOLUTION NOS. 52, 53, 54, 55, 56, 57 AND 58 —2023-24.

Supervisor Koury moved, seconded by Supervisor Konetzke, to reconsider the above listed resolutions.

Vote for reconsideration. VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NOS. 52, 53, 54, 55, 56, 57 AND 58 —2023-24 ARE RECONSIDERED.

Vote for lock in. VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NOS. 52, 53, 54, 55, 56, 57 AND 58—2023-24 ARE ADOPTED & LOCKED IN.

REPORTS– None.

ADJOURNMENT
Supervisor Patience moved, seconded by Supervisor Lawrence to adjourn until October 24, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 8:26 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO THE NEW BUSINESS FOLLOW:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # Z-5--2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Fox Communities Credit Union for parcels 102036900 and 102038800, from the Local Commercial District to the Single-Family Residential District, in the Town of Grand Chute, as noted on the attachments.

MOTION: Approve the rezone request for Fox Communities Credit Union for parcels 102036900 and 102038800, from the Local Commercial District to the Single-Family Residential District, in the Town of Grand Chute, as noted on the attachments.

MADE BY: VanderHeiden SECONDED BY: Weinberg

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	BSTAI	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: Z-5—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Grand Chute has adopted a comprehensive Zoning Ordinance separate from that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that all zoning amendments made by the Town of Grand Chute be approved by Outagamie County before they are effective. The Outagamie County Planning Staff and Zoning Committee both recommend approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the proposed rezoning request for Fox Communities Credit Union. The proposed rezoning is for parcels 102036900 and 102038800, from the Local Commercial District to the Single-Family Residential District. The parcels are located at 2607 W. Highway Drive and 2606 W. Heather Avenue in the Town of Grand Chute, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Zoning Administrator and the Town of Grand Chute Clerk, the Town of Grand Chute Community Development Director, and the Town of Grand Chute Community Development Administrative Assistant.

Dated this 10th day of October, 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: October 10, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 10 13 23

Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **September 7, 2023**
RE: **PL202300405: Rezoning – Town, Review and Recommendation**

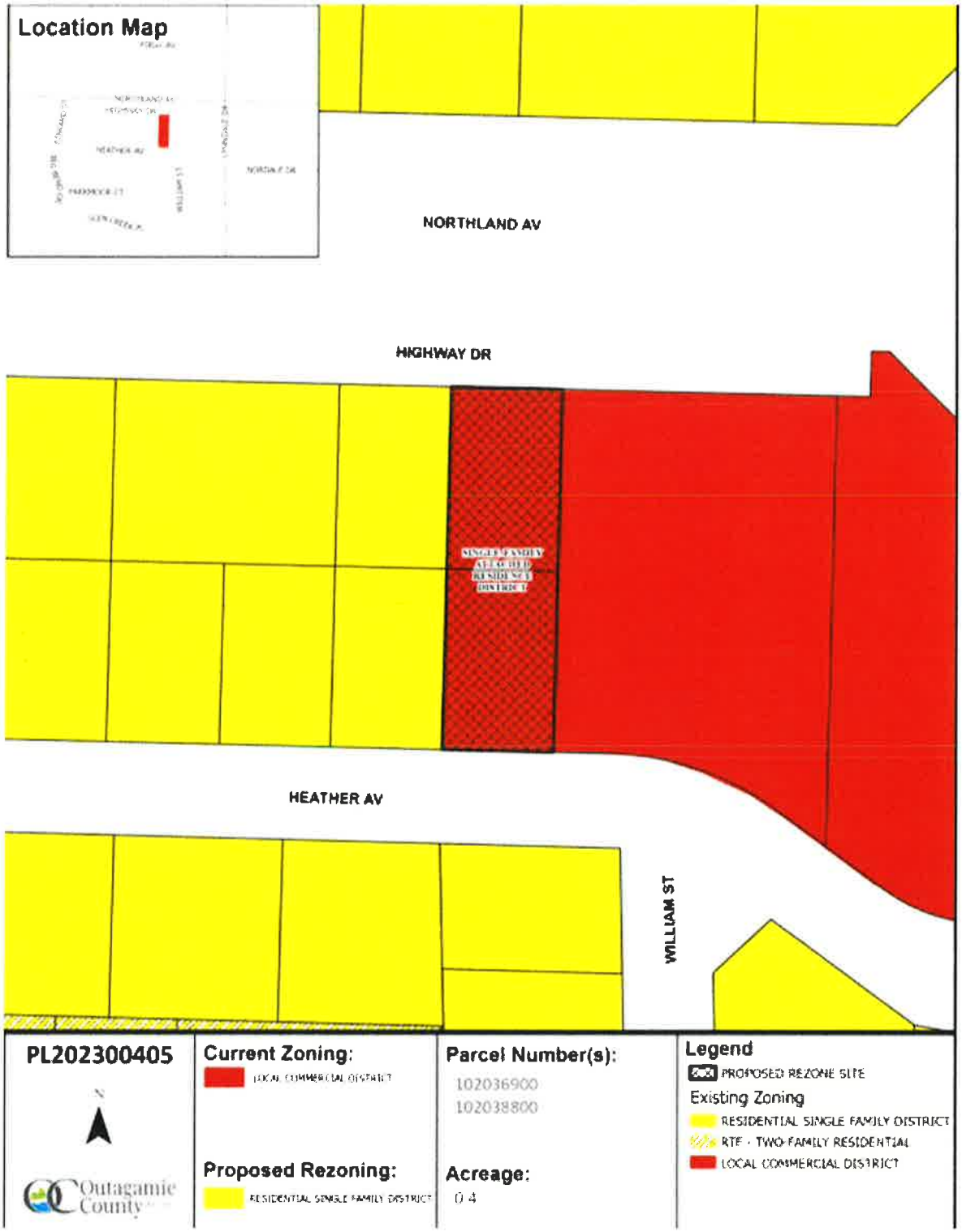
Application Details:

Applicant and Owner:	The Town of Grand Chute, Applicant on behalf of Fox Communities Credit Union (Owner)
Request:	Rezoning - Town
Parcel:	102036900 and 102038800
Location:	2607 W. Highway Drive and 2606 W. Heather Avenue TOWN OF GRAND CHUTE
Public Hearing:	August 15, 2023 at 6:00 PM held by the Town of Grand Chute

Background:
A Town Rezoning request was received from the Town of Grand Chute, as depicted on the attached Rezoning Map. The proposal would rezone parcels 102036900 (0.20 acres) and 102038800 (0.20 acres) from the Local Commercial District to the Single-Family Residential District. Rezoning these lots would allow for the development of two single-family homes (one home on each lot). More information is in the attached Town of Grand Chute staff memo.
The Town of Grand Chute exercises village powers and adopted General Town Zoning. The Town of Grand Chute is required to find this rezoning consistent with its Comprehensive Plan. They have identified the rezoning to be consistent with its Plan, which designates this area as "Suburban."

The Town Board voted to approve the rezoning request on September 5, 2023.

Staff Recommendation:
Based on County planning staff's review of this proposed Town Rezoning, Staff recommends to: approve the rezoning of parcels 102036900 and 102038800 from the Local Commercial District to the Single-Family Residential District.


Location Map
NORTHLAND AV
HIGHWAY DR
HEATHER AV
WILLIAM ST
PL202300405
N
Outagamie County
Current Zoning:
LOCAL COMMERCIAL DISTRICT
Proposed Rezoning:
RESIDENTIAL SINGLE FAMILY DISTRICT
Parcel Number(s):
102036900
102038800
Acreage:
0.4
Legend
PROPOSED REZONE SITE
Existing Zoning
RESIDENTIAL SINGLE FAMILY DISTRICT
RTF - TWO-FAMILY RESIDENTIAL
LOCAL COMMERCIAL DISTRICT

7/8.

Town of Grand Chute
Fox Communities Credit Union, on behalf of Greater Fox Cities Area Habitat for Humanity
Rezoning Request

To: Plan Commission

From: Tanner Russell, Town Planner

Date: August 15, 2023

Address: 2607 W. Highway Drive & 2606 W. Heather Avenue (Tax Key Parcel No. 102-038900 & 102-038800) **App. #: Z-05-2023**

REQUEST
The applicant is requesting to rezone 0.4 acres of referenced property from **CL Local Commercial District to RSF Single-Family Residential District**, to accommodate future single-family residential development.

ANALYSIS
The request is to rezone two adjacent 0.2 acre lots of land from CL Local Commercial District to RSF Single-Family Residential District. The lots are currently undeveloped and adjoin the Fox Communities Credit Union located at 2531 W. Highway Drive. The northern lot has roadway access to W. Highway Drive and the southern to W. Heather Avenue. Rezoning these lots would allow for single-family homes on both lots.

The parcels are currently located on the edge of an existing residential subdivision, and the rezone request is consistent with the zoning classification of the adjacent single-family residential properties to the west and south. Rezoning of this property to RSF Single-Family Residential District classification is also consistent with the Suburban designation for this district as identified in the Town of Grand Chute Comprehensive Plan.

RECOMMENDATION
Staff has reviewed and supports a Plan Commission recommendation to rezone the property located at 2607 W. Highway Drive & 2606 W. Heather Avenue from CL Local Commercial District to RSF Single-Family Residential District. (Ordinance No. O-11-2023)

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MADE BY: Koury SECONDED BY: Konetzke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52--2023-24

Finance Committee. Approve to disallow the claim submitted by Thomas Shannon Buckley, Jr., on file in the County Clerk's Office, and no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

MOTION:

Approve to disallow the claim submitted by Thomas Shannon Buckley, Jr., on file in the County Clerk's Office, and no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

MADE BY: Croatt SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 52—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

A Claim for Damages was filed on August 22, 2023 by Thomas Shannon Buckley, Jr. in the Outagamie County Clerk's Office. Upon review of this matter by the Outagamie County Risk Administrator and the Finance Committee, a recommendation was made that the claim be disallowed.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does disallow the claim submitted by Thomas Shannon Buckley, Jr. that has been placed on file in the office of the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to Thomas Shannon Buckley, Jr., NRNC, LLC, 29599 N. Birch Ave., Lake Bluff, IL 60044 by certified mail, return receipt requested as a notice of disallowance, the Outagamie County Corporation Counsel, and the Outagamie County Risk Administrator.

Dated this 10th day of October 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: October 10, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 10-13-23

Vetoed: _____

Signed: _____ County Executive

Outagamie County Est. 1851

OUTAGAMIE COUNTY
RISK ADMINISTRATOR

320 South Walnut St.
Appleton, WI 54911
920.832.5494

Summary of Claim/Suit Filed Against OC
Request for formal disallowance.

Claim Information:

- On August 22, 2023 via certified mail I received notice of claim pertaining to a Piper Navajo Chieftain tail #N440AP
- Claimant is alleging that on July 28, 2023 while parked at Appleton International Airport a crack is the nose gear housing occurred. Claimant is alleging the crack is consistent due to overturning from ground handling
- Claimant noticed crack during preflight inspection
- The itemized claim relief sought is $16,996.91

Background/Basis:

- Upon investigation and follow up with Airport Ground Handling Employees, no instances of overturning occurred
- Training records of employees involved were retrieved and verified as well as statements from those employees
- Surveillance video was secured and time stamps of N440AP movement were evaluated. It does not appear any overturning occurred
- The claim references damage consistent with ground handling but does not provide any evidence of actual occurrence
- Following a review of the information and an investigation of the facts, it has been determined that Outagamie County and Appleton International Airport has no liability for this claim. There is sufficient lack of proof of burden

Chuck Schroeder, Outagamie County Risk Administrator

Date: 9/7/23

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MADE BY: Koury SECONDED BY: Konetzke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 53--2023-24

Finance Committee. Approve of the County Clerk entering into an Intergovernmental Agreement with five municipalities to perform WisVote services, said revenues are included in the 2024 Executive budget, as noted on the attachments.

MOTION:

Approve of the County Clerk entering into an Intergovernmental Agreement with five municipalities to perform WisVote services, said revenues are included in the 2024 Executive budget, as noted on the attachments.

MADE BY: Miller SECONDED BY: Cuff

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 53—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Outagamie County Clerk is requesting to enter into an Intergovernmental Agreement with five (5) municipalities to perform WisVote services. The County Clerk's Office has been completing this function for five municipalities for the past two years under the 2022-2023 agreement. The Intergovernmental Agreements must be signed for the upcoming 2024 and 2025 elections. Fees are calculated by municipalities paying a flat amount based on the number of elections each year ($425 per municipality for the four elections in 2024 and $200 for the two elections in 2025). Additional fees would be charged for any additional elections, as noted in Addendum C of the Agreement. The 2024 amount, estimated at $2,125, has been included in the 2024 Executive Budget. Therefore, no budget adjustment is needed at this time.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the County Clerk entering into an Intergovernmental Agreement with five (5) municipalities to perform WisVote services, said revenues included in the 2024 Executive budget, as noted on the attached fiscal note, Intergovernmental Agreement, and Addendums A, B, and C, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to retain a copy of this resolution for their records and forward a copy to of this resolution to the Outagamie County Finance Director.

Dated this 10th day of October 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: October 10th, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 10 13 23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** County Clerk Wisvote 2024-2025 Intergovernmental Agreement with Municipalities

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Outagamie County Clerk is requesting to enter into an Intergovernmental Agreement with five municipalities to perform Wisvote services. The County Clerk's office has been completing this function for five municipalities for the past two years under the 2022-2023 agreement. There intergovernmental agreements must be signed for the upcoming 2024 and 2025 elections. Fees are calculated by municipalities paying a flat amount based on the number of elections each year ($425 per municipality for the four elections in 2024 and $200 for the two elections in 2025). Additional fees would be charged for any additional elections, as noted in Addendum C of the agreement. The 2024 amount estimated at $2,125 has been included in the 2024 Executive Budget.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [X] None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )
4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)
5. Is the proposal to accept additional revenues only? yes ( ) no (X)
6. Does this request modify/adjust the current year budget? yes ( ) no (X)
   If no, skip to question 8 below.
7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a ( )
9. What is the anticipated annual and/or long-term cost or revenue impact?
   Annual Cost $2,125
   Annual Revenue $2,125

Fiscal Note Prepared by: Jeff King, County Clerk

For Financial Services purposes only

Reviewed By: Kay L Hamilton

Date: 9/8/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE MUNICIPALITY AND OUTAGAMIE COUNTY
FOR WISVOTE SPECIFIED SERVICES**

This Intergovernmental Agreement is hereby entered into by and between the **Municipality** (hereafter referred to as the "LOCAL UNIT") and Outagamie County (hereafter referred to as the "PROVIDER UNIT").

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the parties hereto agree as follows:

1. The LOCAL UNIT understands that the State of Wisconsin requires the maintenance of an official centralized database of voter registration information.

2. Respective Roles and Responsibilities:

   a. The LOCAL UNIT understands their responsibilities and requirements for complying with the Help America Vote Act 2002 (HAVA) and Wisconsin Law. LOCAL UNIT AND PROVIDER UNIT accepts their respective responsibilities to implement voter registration policies, procedures, and practices and to maintain each voter's current registration documentation.

   b. The LOCAL UNIT agrees to the roles and responsibilities as set forth in Addendum A attached hereto and made a part hereof.

   c. The PROVIDER UNIT agrees to the roles and responsibilities as set forth in Addendum B attached hereto and made a part hereof.

3. The LOCAL UNIT understands and acknowledges the staffing, training, technology, and maintenance costs required to enter and maintain the data within Wisvote, and electronic poll books, if or when utilized.

4. The LOCAL UNIT understands and acknowledges the PROVIDER UNIT roles and responsibilities will be charged to the LOCAL UNIT per Addendum C, attached hereto and made a part hereof. The LOCAL UNIT will be responsible for costs incurred for additional copies, reports and expedited mailings or deliveries.

5. Based upon the above, the LOCAL UNIT herein declares its intention to utilize technology and resources of PROVIDER UNIT. It is the understanding of the LOCAL UNIT, that the PROVIDER UNIT accepts the technology and resource responsibilities of Addendum B –

Provider Unit Roles and Responsibilities for this sharing agreement, subject to Section 6, Section 7, and Section 8 below.

6. Although not currently required, the PROVIDER UNIT may, during the term of this agreement, opt to utilize electronic poll books. Should the PROVIDER UNIT exercise this option, the LOCAL UNIT shall implement the use of such electronic poll books and the PROVIDER UNIT and LOCAL UNIT shall have the following duties:
   a. PROVIDER UNIT shall purchase and supply the LOCAL UNIT with the electronic poll book(s). PROVIDER UNIT shall be responsible for maintaining the hardware and have ownership of the hardware. By separate agreement, PROVIDER UNIT hardware may be transferred to the LOCAL UNIT as mutually agreed upon.
   b. LOCAL UNIT shall be responsible for updating and maintaining the software for the electronic poll books that have been supplied by the PROVIDER UNIT.
   c. Training costs will be equally shared costs between the PROVIDER UNIT and LOCAL UNIT.

7. LOCAL UNIT may exercise an option to procure and utilize electronic poll books at LOCAL UNIT full cost. If LOCAL UNIT chooses this option, LOCAL UNIT must:
   a. Notify the PROVIDER UNIT of its intention and implementation 30 days prior to the implementation of electronic poll books at an election.
   b. During LOCAL UNIT implements of electronic poll book(s), LOCAL UNIT agrees at LOCAL UNIT cost to provide training to PROVIDER UNIT staff, in transferring data to and from the electronic poll book(s) and Wisvote.

8. Term of Intergovernmental Agreement:
   a. This agreement with regard to Wisvote services as outlined above and in Addendums A, B, and C is valid from the date signed through December 31, 2025.
   b. This agreement for Wisvote services as outlined above and in Addendums A, B, and C will extend in 90 day increments, unless officially terminated, for all Wisvote services. This agreement can only be officially terminated if the following guidelines have been met:
      i. Official written termination notice to terminate the agreement is issued by either party to the other at least 30 days prior to termination. At the same time, official written termination notice will be provided by the terminating party to the Wisconsin Elections Commission 30 days prior to the agreement termination.
      ii. The LOCAL UNIT, that previously did not have responsibility for updating WisVote information (Addendum B), has validated with the Wisconsin Elections Commission

that they are capable of taking on the technology and resource (all hardware and software) responsibilities of Wisvote.

iii. The LOCAL UNIT, that previously did not have responsibility for updating Wisvote information (Addendum B), has validated with the Wisconsin Elections Commission that their clerk and appointed associates have been properly trained in the use and functions of Wisvote.

c. This Intergovernmental Agreement will not require the PROVIDER UNIT to:

i. Track the absentee voting process through Wisvote. The LOCAL UNIT is responsible for Wisvote absentee voter/ballot tracking, including Wisvote voter registrations data entry prior to Election Day (Addendum A).

ii. Track late statistical election information (beyond two weeks post statutory deadline) related to election costs, election statistics, etc.

iii. Track individual voter verification postcards related to registrations through Wisvote, if the State of Wisconsin, requires this data entry in the future. PROVIDER UNIT will post Wisvote information currently tracked (as of September 1, 2023), which includes the return of voter verification postcards or undeliverable voter verification postcards.

Dated this _____ of _____, 2023.

Municipality

_____

_____

_____

OUTAGAMIE COUNTY

_____

Jeff King, County Clerk

Approved to Form: _____
Outagamie County Corporation Counsel

_____

Date

Addendum A –

LOCAL UNIT (Relying Clerk)
Roles and Responsibilities

Voter Registration:
The relying clerk will be responsible for:
1. Collecting in-person, mail-in, and e-mail (Uniformed and Overseas Citizens Absentee or UOCAVA voters) registration applications;
2. Approving the application, if complete, and contacting the voter, if not;
3. Maintaining the original application in the municipal clerk's office;
4. Entering into Wisvote, voter registration data prior to Election Day.
5. Sending a copy of the Election Day Registration application(s), within established timelines (see 6. below), to the PROVIDER UNIT to enter the information into Wisvote before the statutory deadline;
6. Delivering Election Day Registration applications to the PROVIDER UNIT, after reviewing for data quality (penalties assessed for insufficient data (see Addendum C) and/or late submissions to Relier Unit), no later than one week following the election, and
7. Delivering statistical information no later than two weeks prior to statutory deadlines. Penalties assessed for late submission (see Addendum C). If data not submitted by two weeks post statutory deadline, LOCAL UNIT will be responsible for data entry into Wisvote.
8. Verifying all the information the PROVIDER UNIT has entered into the Wisvote is correct.

Absentee Voter Information/Ballots
The relying clerk will be responsible for:
1. Receiving and logging requests for absentee ballots into Wisvote;
2. Sending the voter an absentee ballot and envelope within required deadlines;
3. Processing the returned envelopes and delivering them to poll places if complete; contact voter if incomplete and sufficient time to correct;
4. Processing voter return of absentee ballots into Wisvote;
5. Producing Wisvote Absentee Ballot Logs, and verifying all the information is correct (making Election Inspector comments, if necessary).

Elections Management
The relying clerk will be responsible for:
1. All Wisconsin Laws pertaining to the administration of elections;
2. Identifying both the need for an election and the offices it will cover and providing this information to the PROVIDER UNIT within established timelines;
3. Receiving and approving candidate filings, and providing this information to the PROVIDER UNIT within established timelines.
4. Determining municipal-level ballot placement within the established deadlines and providing this information to the PROVIDER UNIT within established deadlines and verifying that the PROVIDER UNIT has followed LOCAL UNIT instructions for ballot placement.
5. Submitting to the PROVIDER UNIT statistical information necessary to enter into Wisvote no later than two weeks prior to statutory deadline. LOCAL UNIT agrees to pay penalty fees up to two weeks following statutory deadline if statistical data is submitted late. LOCAL UNIT agrees to post statistical data if data is not submitted to PROVIDER UNIT after two weeks post deadline.

Miscellaneous
The relying clerk will:
1. Coordinate with the PROVIDER UNIT to obtain copies of documents, verify and proof documents in a timely manner. The LOCAL UNIT will be responsible for costs incurred for expedited mailings or deliveries.
2. Perform duties as specified by the Wisconsin Elections Commission for administrating Wisvote.

Addendum B –
PROVIDER UNIT (Outagamie County)
Roles and Responsibilities

Outagamie County will provide services for municipalities that are under 1,000 in population that request services enumerated below. If a municipality reaches population over 1,000, the agreement will be terminated automatically at the end of year.

Technical
PROVIDER UNIT will be responsible to meet the baseline hardware, software, and connectivity requirements as specified by the Wisconsin Elections Commission needed to use Wisvote.

Logistical
PROVIDER UNIT will train and maintain a staff sufficient to handle the incoming elections-related requests from relier municipalities.

Process-related
PROVIDER UNIT is responsible for the following process-related duties of Wisvote:

1. Entering relier information into Wisvote prior to applicable statutory deadline (dependent upon data being provided in a timely fashion by LOCAL UNIT (see Addendum A). Relier information data entry includes:
    - Entering Election Day voter registration information,
    - Elections management,
    - Poll-worker contact information (optional),
    - Candidate filings,
    - Ballot placement,
    - Election Day provisional ballot information,
    - Voter Participation (post-election),
    - Voter Verification Data (required as of September 1, 2017), and
    - Post-election statistical information (see Addendum A regarding late information).

    All other Wisvote data entry responsibilities are the responsibility of the LOCAL UNIT (see Addendum A).
2. Generating printed or electronic produced (Adobe) Wisvote documents as follows:
    - Reports, readily available in Wisvote, reflecting changes made to the voter records and other records required within Wisvote in a relying clerk's municipality (as requested by municipality),
    - Reports, readily available in Wisvote, as requested by relier clerks (except for absentee ballot information reports, which are a municipal clerk's responsibility).
    - Ineligible voter lists
    - Poll lists.

Miscellaneous
The PROVIDER UNIT will perform duties as specified by the Wisconsin Elections Commission for administrating Wisvote subject to the Intergovernmental Agreement.

ADDENDUM C

WISVOTE PROVIDER TO RELIER CHARGES****

Towns:	2022 Population	2024 Four Elections	2025 Two Elections
Deer Creek	628	$ 425	$ 200
Liberty	822	$ 425	$ 200
Maple Creek	589	$ 425	$ 200
Villages:			
Bear Creek	426	$ 425	$ 200
Nichols	289	$ 425	$ 200
Totals	**2,754**	**$ 2,125**	**$ 1,000**

2024/2025 Fee Structure		
Fees based on population breakdown:	**2024 Four Elections**	**2025 Two Elections**
1-1000	$ 425	$ 200

*Municipalities for each election beyond four per year in a four-year cycle, and beyond two per year in a two-year election cycle, shall be charged an additional one quarter of its annual fee or one half of its annual fee for each respective cycle.

* Price is for combined election, i.e. Feb/April = one charge, Aug/Nov = one charge
Price higher in four-election year cycle due to high voter participation.

Services outlined in Addendum B:
- Election Day Voter Registration (EL131) entry/revisions
- Poll Book Printing - 2 sets
- Recording Voter Activity after each election
- Setup of Municipal Candidates into WisVote
- Wisvote Revisions, i.e. creating/revising address ranges
- Enter EL190 data provided from Relier into WisVote
- Entry of Provision Ballot Information (EL123r) on Election Night for Relier into WisVote

**Penalties assessed for incomplete or late information. Information outlined in Addendums A + B

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MADE BY: Koury SECONDED BY: Konetzke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 54--2023-24

Health and Human Services Committee. Authorize and approve of creating the Intoxicated Driver Program (IDP) cost center line items, as noted on the attached fiscal note and memo; and authorize and approve the Intoxicated Driver Program Assessment fee for 2023-2024 to be set at $325.00, the existing Intoxicated Driver Program Assessment Amendment Fee be established at $162.50, and that a client appointment no-show fee be set at $100.00.

MOTION: Health and Human Services Committee. Authorize and approve of creating the Intoxicated Driver Program (IDP) cost center line items, as noted on the attached fiscal note and memo; and authorize and approve the Intoxicated Driver Program Assessment fee for 2023-2024 to be set at $325.00, the existing Intoxicated Driver Program Assessment Amendment Fee be established at $162.50, and that a client appointment no-show fee be set at $100.00.

MADE BY: Gabrielson SECONDED BY: Thompson

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 54—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

For almost 40 years, the Outagamie County Department of Health and Human Services (DHHS) has contracted out its statutory requirements to provide an Intoxicated Driver Program (IDP) to ThedaCare, Inc. In 2022, ThedaCare announced that it would no longer be able to provide IDP assessments for the County. DHHS then conducted an extensive Request for Proposal (RFP) to find a new provider for IDP assessments, however, no proposals were received. Winnebago County, with very short notice, began providing the required IDP assessments for Outagamie County residents while DHHS staff applied for proper State Certification to provide IDP assessments with county staff members through the Mental Health and Alcohol and Other Drug Abuse Division. The certification process is currently underway with the Department of Health Services in Madison and it is anticipated that the process will be complete by the end of 2023.

In order for DHHS to prepare for providing state required and mandated IDP Assessments by January 1, 2024, the department is requesting permission to amend the 2023 budget and create an IDP cost center effective October 1, 2023 for the purposes of hiring and training needed staff members to conduct IDP assessments and set up the necessary fiscal and administrative support systems to provide fee collections, assessment documentation and reporting of the completed assessments, as well as ensure compliance with all necessary State requirements for this new program.

Based on projected expenses for the IDP Assessment Program, DHHS is also requesting that the IDP Assessment fee for 2023-2024 be set at $325.00, and that the existing IDP Assessment Amendment fee be established at $162.50 and that a client appointment no-show fee is set at $100.00.

Additionally, DHHS is requesting to create the IDP cost center effective October 1, 2023. Anticipated start-up expenses and revenues for the IDP for the remainder of calendar year 2023 are included on the attached. The DHHS 2024 budget will include this new cost center and will detail all anticipated expenses and revenues to provide this State mandated service through the DHHS.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of creating the following IDP (Intoxicated Driver Program) cost center line items by increasing: Salaries by $36,672; Fringe Benefits by $17,050; Travel / Training by $3,000; Supplies by $5,778; Purchased Services by $9,340; Allocated Applied Expense by $7,430; and Decreasing IDP (Intoxicated Driver Program) Fees, Fines and Costs Initial Assessment line item by $79,270, as noted on the attached fiscal note and memo which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Intoxicated Driver Program Assessment fee for 2023-2024 to be set at $325.00 and that the existing Intoxicated Driver Program Assessment Amendment Fee be established at $162.50 and that a client appointment no-show fee be set at $100.00, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Health and Human Services Director and the Outagamie County Finance Director.

Dated this 10th day of October 2023

Respectfully Submitted,

HEALTH AND HUMAN SERVICES COMMITTEE

Dan Gabrielson	Justin Krueger
Jeff McCabe	Cathy Thompson
Kelly Schroeder	

Duly and officially adopted by the County Board on: October 10, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 10 13 23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Department of Health and Human Services Request to Create Intoxicated Driver Program (IDP) Cost center effective 10/01/2023

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

For almost 40 years, Outagamie County Health and Human Services has contracted out its statutory requirements to provide an Intoxicated Driver Program (IDP) to Thedacare, Inc. In 2022, Thedacare announced that it would no longer be able to provide IDP assessments for us. Health and Human Services then conducted an extensive Request for Proposal (RFP) to find a new provider for IDP assessments but no one responded to the RFP. Winnebago County then stepped up with very short notice and began providing the required IDP assessments for our county residents while we worked to apply for proper State Certification to provide IDP Assessments with county staff members through our Mental Health and Alcohol and Other Drug Abuse Division. Our certification process is presently underway with the Department of Health Services in Madison and we hope to have that process completed by the end of this year.

To prepare for Outagamie County Health and Human Services starting to provide state required and mandated Intoxicated Driver Program Assessments by January 1, 2024, we are requesting permission to amend our 2023 budget and create an Intoxicated Driver Program (IDP) cost center effective October 1, 2023 for the purposes of hiring and training needed staff members to conduct IDP assessments and to set up the necessary fiscal and administrative support systems to provide fee collections, assessment documentation and reporting of the completed assessments, as well as ensure compliance with all necessary State requirements for this new program.

Based on projected expenses for the Intoxicated Driver Program Assessment Program, we are also requesting that our Intoxicated Driver Program Assessment fee for 2023-2024 be set at $325.00, that our amending an existing Intoxicated Driver Program Assessment fee be established at $162.50 and that a client no-showing for an appointment fee be set at $100.00.

Health and Human Services is requesting to create the Intoxicated Driver Program (IDP) cost center effective October 1, 2023. Anticipated start-up expenses and revenues for the Intoxicated Driver Program for the remainder of calendar year 2023 are included below. The Department's 2024 budget will also include this new cost center and will detail all anticipated expenses and revenues to provide this State mandated service through our Department.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget?	yes ( ) no (X) partially ( )
4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item?	yes ( ) no ( ) n/a (X)
5. Is the proposal to accept additional revenues only?	yes ( ) no (X)
6. Does this request modify/adjust the current year budget? If no, skip to question 8 below.	yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

2023 Budget Adjustment:			
Cost Center Name	Line Item	Account Number including Cost Center	Increase Amount
IDP	Salary	2066565.5100	$ 36,672
IDP	Benefits	2066565.5200	$ 17,050
IDP	Travel Training	2066565.5300	$ 3,000
IDP	Supplies	2066565.5400	$ 5,778
IDP	Purchased Services	2066565.5500	$ 8,340
IDP	Allocated Applied Expense	2066565.5914	$ 7,430
IDP	Fees, Fines and Costs Initial Assessment	2066090.4410.69	$ (79,270)
		Net Change	$ -

2024 Budget Adjustment: Will be incorporated into 2024 Budget

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost $253,369
Annual Revenue $253,369

Fiscal Note Prepared by: Betty Gehring

For Financial Services purposes only	
Reviewed By: Kaye L Hamilton Deputy Finance Director	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 9/12/23	
Comments:	

Health and Human Services Request to Create Intoxicated Driver Program (IDP) Cost Center
September 11, 2023

For almost 40 years, Outagamie County Health and Human Services has contracted out its statutory requirements to provide an Intoxicated Driver Program (IDP) to Thedacare, Inc. In 2022, Thedacare announced that it would no longer be able to provide IDP assessments for us. Health and Human Services then conducted an extensive Request for Proposal (RFP) to find a new provider for IDP assessments but no one responded to the RFP. Winnebago County then stepped up with very short notice and began providing the required IDP assessments for our county residents while we worked to apply for proper State Certification to provide IDP Assessments with county staff members through our Mental Health and Alcohol and Other Drug Abuse Division. Our certification process is presently underway with the Department of Health Services in Madison and we hope to have that process completed by the end of this year.

To prepare for Outagamie County Health and Human Services starting to provide state required and mandated Intoxicated Driver Program Assessments by January 1, 2024, we are requesting permission to amend our 2023 budget and create an Intoxicated Driver Program (IDP) cost center effective October 1, 2023 for the purposes of hiring and training needed staff members to conduct IDP assessments and to set up the necessary fiscal and administrative support systems to provide fee collections, assessment documentation and reporting of the completed assessments, as well as ensure compliance with all necessary State requirements for this new program.

Based on projected expenses for the Intoxicated Driver Program Assessment Program, we are also requesting that our Intoxicated Driver Program Assessment fee for 2023-2024 be set at $325.00, that our amending an existing Intoxicated Driver Program Assessment fee be established at $175.00 and that a client no-showing for an appointment and rescheduling fee be set at $100.00.

Anticipated start-up expenses and revenues for the Intoxicated Driver Program for the remainder of calendar year 2023 are detailed on the attachment to this request. The Department's 2024 budget will also include this new cost center and will detail all anticipated expenses and revenues to provide this State mandated service through our Department.

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MADE BY: Koury SECONDED BY: Konetzke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 55--2023-24

Health and Human Services Committee and Public Safety Committee. Authorize and approve to increase the following Opioid Settlement cost center line items: Supplies by $10,648; Purchased Services by $189,985; Fund Balance Applied by $200,633, as noted on the attached fiscal note and memo.

MOTION: Authorize and approve to increase the following Opioid Settlement cost center line items: Supplies by $10,648; Purchased Services by $189,985; Fund Balance Applied by $200,633, as noted on the attached fiscal note and memo.

MADE BY: Patience SECONDED BY: Schroeder

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 55—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Outagamie County was a party seeking relief from the opiate litigation (National Prescription Opiate Litigation, Case No.: MDL 2804). The first initial award(s) were received in 2022 in the amount of $867,510, with subsequent payments in 2023 ($34,574 received to date) and additional payments in subsequent years. Administration met with various departments to identify the best use of these dollars to have the greatest impact for our community. Both the Sheriff's Office and Department of Health and Human Services (DHHS) have identified expenditures relating to the Opioid settlement.

Expenditures for DHHS will include personnel, purchased services, and other supplies that will be used for treatment, prevention, or other strategies. (See attached memo from DHHS with additional explanations of expenditures to be incurred.) The Sheriff's Office expenditures include testing kits and strips and various types of filters that will be used with the department's vent hood where suspected fentanyl or other powdered substances are tested, as well as specialized narcotics/Opioid electronic testing equipment and the maintenance on the equipment.

The DHHS personnel request was included in the DHHS 2023 mid-year position requests which were adopted by the County Board on September 12, 2023 (Resolution 44—2023-2024). The Sheriff's Office will be coming forward later this year requesting two sunset positions assigned to the Meg Unit to continue to fight the Opioid issue at the dealer level.

The financing sources will cover the cost of these expenditures in 2023 and will automatically revolve each year (segregated fund balance) given the statutory requirements of this funding source.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee and Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the following Opioid Settlement cost center line items: Supplies by $10,648; Purchased Services by $189,985; Fund Balance Applied by $200,633, as noted on the attached fiscal note and memo which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Health and Human Services Director, the Outagamie County Sheriff, and the Outagamie County Finance Director.

Dated this 10th day of October 2023

Respectfully Submitted,
HEALTH AND HUMAN SERVICES COMMITTEE
AND
PUBLIC SAFETY COMMITTEE

Dan Gabrielson	Justin Krueger
Jeff McCabe	Cathy Thompson
Kelly Schroeder	Katrin Patience
Christine Lamers	Michael Smith
Timothy Hermes	Chad Cooke

Duly and officially adopted by the County Board on: October 10, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 10 17 23 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for a Budget Adjustment related to 2023 Expenditures of Opioid Settlement Funds

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Outagamie County was a party seeking relief from the opiate litigation (National Prescription Opiate Litigation, Case No: MDL 2804). The first initial award(s) were received in 2022 ($867,510) with subsequent payments in 2023 ($34,574 received to date) and additional payments in subsequent years. Administration met with various departments to identify the best use of these dollars to have the greatest impact for our community. Both the Sheriff's department and the Health and Human Services (DHHS) department have identified expenditures relating to the Opioid settlement. Expenditures for the Department of Health and Human Services will include personnel, purchased services and other supplies that will be used for treatment, prevention or other strategies. See attached memo from the department with additional explanations of expenditures to be incurred. The Sheriff's department includes testing kits and strips and various types of filters that are for the department's vent hood where they test suspected fentanyl or other powdered substances as well as specialized narcotics/Opioid electronic testing equipment and the maintenance on the equipment. DHHS personnel request was included in the HHS 2023 mid-year position Fiscal Note and Resolution that has already gone before the Board. The Sheriff's department will be coming forward later this year requesting two sunset positions to assign to the Meg Unit to continue to fight the Opioid issue at the dealer level. The financing sources other will cover the cost of these expenditures in 2023 and it will automatically revolve each year (segregated fund balance) given the statutory requirements of this funding source.

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Opioid Settlement (2170100)	Supplies	2170100.5400	10,648
Opioid Settlement (2170100)	Purchased Services	2170100.5500	189,985
Opioid Settlement (2170100)	Fund Balance Applied	2170100.8955	200,633

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost TBD – Fully funded by Annual Revenue Revenues/Fnd Balance

Fiscal Note Prepared by: Brian Massey/Betty Gehring/Corey Besaw

For Financial Services purposes only	
Reviewed By: *Kent Ritchie 9/15/23*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number Amount

Health and Human Services Request to Expend Opioid Settlement Dollars
September 11, 2023

The Department of Health and Human Services requests permission to draft a County Board Resolution to allow us to expend the following dollars from the county's opioid settlement fund. These requests are for expenditures anticipated to occur during the final quarter of 2023 (from October 1, 2023 through December 31, 2023) and fall into three anticipated categories.

Substance Use Treatment Services – Our mental health and alcohol and other drug abuse division is anticipating a need to provide treatment to current and prior opioid addicted county residents at various treatment facilities that would provide inpatient, outpatient and community support services during the last quarter of 2023. ***Anticipated budget needs to provide necessary treatment is $93,909.***

Regional Opioid Use Awareness Campaign – Outagamie, Oconto and Shawano Counties have all agreed to partner with Brown County to bring awareness of the opioid crisis to our four counties. This awareness we be accomplished by airing two Public Service Announcements on our local television stations. An assessment will be conducted to determine which television stations and what programming time frame to target maximum impacted viewers. Pre-selected and pre-developed Public Service Announcements will be used in preparation for this media campaign. ***Anticipated budget needs for our share of this aware campaign is $50,000.***

Local Opioid Prevention Efforts- Outagamie County Public Health has been awarded a Department of Health Services grant to install a Public Health Vending Machine at the downtown government complex to help distribute items that will assist our county residents with the prevention of Opioid addictions as well as other public health hazards. We request local opioid dollars to help print infographics and flyers/brochures to help spread awareness of this new vending machine and how the general public can use and access its contents. A portion of the opioid funds will also be used to run digital ads and to boost posts on Facebook, YouTube and other social media sites that will include a how-to-use the new vending machine video. The video will be created within the Public Health Division. ***Anticipated budget needs for these local opioid prevention efforts is $10,000.***

Health and Human Services is thus requesting to expend up to $153,909 of county opioid settlement dollars to implement the three projects highlighted above during the final quarter of 2023.

We appreciate the county board committee and board support of these efforts.

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MADE BY: Koury SECONDED BY: Konetzke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 56--2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to authorize execution of a Warranty Deed to the Wisconsin Department of Transportation for the sum of $700.00 for property described as Parcel 9 of Transportation Project Plat 1130-63-21 – 4.04, recorded as Document #2288266, in Outagamie County, with property interests and right of said Parcel 9 consisting of Fee Simple, Temporary Limited Easement, as noted in the attachments; and authorize and approve of the line items by increasing the Plamann Park Revenue by $700, and decreasing the General Fund Surplus Fund Balance Applied by $700, as detailed in the attached fiscal note.

MOTION:

Approve to authorize execution of a Warranty Deed to the Wisconsin Department of Transportation for the sum of $700.00 for property described as Parcel 9 of Transportation Project Plat 1130-63-21 – 4.04, recorded as Document #2288266, in Outagamie County, with property interests and right of said Parcel 9 consisting of Fee Simple, Temporary Limited Easement, as noted in the attachments; and authorize and approve of the line items by increasing the Plamann Park Revenue by $700, and decreasing the General Fund Surplus Fund Balance Applied by $700, as detailed in the attached fiscal note.

MADE BY: Culbertson SECONDED BY: Hammen

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 56—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Wisconsin Department of Transportation (WisDOT) is planning a roadway improvement project on I-41 located in Outagamie County which includes a new right-of-way acquisition. This resolution approves payment from the WisDOT to the county for the land needed, as well as approving a Warranty Deed needed for the project.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize execution of a Warranty Deed to the Wisconsin Department of Transportation for the sum of $700.00 for property described as Parcel 9 of Transportation Project Plat 1130-63-21 – 4.04, recorded as Document #2288266, in Outagamie County, Wisconsin, with property interests and right of said Parcel 9 consisting of Fee Simple, Temporary Limited Easement, as noted in the attached State of Wisconsin Department of Transportation Project Plat Title Sheet, Warranty Deed, Legal Description, Statement to Construction Engineer, and W-9 Form, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Plamann Park Revenue line item by $700, and decreasing the General Fund Surplus Fund Balance Applied line item by $700, as detailed in the attached fiscal note, which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Parks Director and the Outagamie County Finance Director.

Dated this 10th day of October 2023

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: October 10, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 10, 13, 23

Vetoed: _____

Signed: _____ County Executive

WARRANTY DEED

Exempt from fee [s. 77.25(2r) Wis. Stats.]
RE1560 01/2023

THIS DEED, made by **Outagamie County, a body corporate, being one of the Counties of the State of Wisconsin**, GRANTOR, conveys and warrants the property described below to the **Wisconsin Department of Transportation**, GRANTEE, for the sum of **Seven Hundred and 00/100 Dollars ($700.00)**.

Any person named in this deed may make an appeal from the amount of compensation within six months after the date of recording of this deed as set forth in s. 32.05(2a) Wisconsin Statutes. For the purpose of any such appeal, the amount of compensation stated on the deed shall be treated as the award, and the date the deed is recorded shall be treated as the date of taking and the date of evaluation.

Other persons having an interest of record in the property: None.

This is not homestead property.

LEGAL DESCRIPTION IS ATTACHED AND MADE A PART OF THIS DOCUMENT BY REFERENCE.

This space is reserved for recording data

Return to
ATTN: Peter Miesbauer
MSA Senior Real Estate Project Manager
1702 Pankratz Street
Madison, WI 53704

Parcel Identification Number/Tax Key Number
101087400

Outagamie County

Signature Date

Print Name, Title

Signature Date

Print Name, Title

Date

State of _____
) ss.
_____ County)

On the above date, this instrument was acknowledged before me by the named person(s).

The signer was: ____ Physically in my presence. OR

____ In my presence involving the use of communication technology.

Signature, Notary Public, State of

Print Name, Notary Public, State of

Date Commission Expires

Project ID
1130-63-21
QJ105038 1

This instrument was drafted by
Wisconsin Department of Transportation

Parcel No.
9

LEGAL DESCRIPTION

Parcel 9 of Transportation Project Plat 1130-63-21 - 4.04, recorded as Document #2288266, recorded in Outagamie County, Wisconsin.

Property interests and rights of said Parcel 9 consist of:

Fee Simple.
Temporary Limited Easement.

Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.

Parcel ID. # 101087400

STATEMENT TO CONSTRUCTION ENGINEER
RE1528 01/2023 s. 84.09 Wis. Stats.

COPY

Owner Name(s)	Property Address	
Outagamie County Loren Dieck, Director of Parks	North Casaloma Drive Appleton, WI 54913	Cell: (920) 420-4579 Work: (920) 832-4791 Email: loren.dieck@outagamie.org
	Mailing Address 320 South Walnut Street, Appleton, WI 54911	
Tenant, if any	Property Address North Casaloma Drive Appleton, WI 54913	Area code - phone Home: Cell: Work: Email:
	Mailing Address	

Commitments made (fences, driveways, trees, drainage or other items):
No commitments made.

Other matters of interest and owner concerns:

Property Owner Signature Date

Property Owner Signature Date

Negotiator Signature Date

Peter T. Miesbauer
Print Negotiator Name

Commitments Approved:

Approving Authority Signature and Title Date

Print Approving Authority Name

QJ10504700

Project ID
1130-63-21

County
Outagamie

Parcel No.
9

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

Print or type. See Specific Instructions on page 3.

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

___ - ___ - ____

or

Employer identification number

__ - _____

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person** ▶ **Date** ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

Cat. No. 10231X Form **W-9** (Rev. 10-2018)

WisDOT Division of Transportation
System Development
Northeast Region
944 Vanderperren Way
Green Bay WI 54304-5344

Governor Tony Evers
Secretary Craig Thompson
wisconsindot.gov
Telephone: (920) 492-5643
FAX: (920) 492-5640
Email: ner.dtsd@dot.wi.gov

August 3, 2023

CERTIFIED MAIL

ATTN: Loren Dieck
Outagamie Park System Director
C/o Outagamie County
1375 Broadway Drive
Appleton, WI 54911

RE: Parcel No.: 9
Parcel Address: 2520 North Casaloma Drive
Appleton, WI 54913
Project ID: 1130-63-21, IH-41, Outagamie & Brown Counties
Appleton – De Pere (STH 96 – CTH F)

Dear Loren Dieck:

The Wisconsin Department of Transportation (WisDOT) is planning a roadway improvement project on IH-41 located in both Outagamie and Brown Counties which includes new right of way acquisition in multiple areas. MSA Professional Services has been hired to act as an agent for WisDOT to acquire the needed right of way for the improvement project. I will be your point of contact and will work closely with you through the real estate acquisition process. In compliance with Wisconsin statutes and federal regulations, you are receiving this letter to initiate negotiations for the acquisition of your property and/or property interests needed for the above referenced improvement project.

Enclosed are the following documents:

- Appraisal Report
- The Rights of Landowners Under Wisconsin Eminent Domain Law
- Appraisal Guidelines and Agreement
- Transportation Project Plat with Names of 10 Other Neighboring Landowners Affected by the Project, if Applicable
- Warranty Deed with Legal Description of the Land and/or Interest(s) Needed for the Project
- Statement to Construction Engineer
- Internal Revenue Service Form W-9 Request for Taxpayer Identification

WisDOT's approved estimate of just compensation is $700.00 and is based on the enclosed appraisal report. This amount does not consider any decrease or increase in the market value of the property caused by the anticipation of the project. The allocation of this amount is as follows:

Allocation	Description	Size	Unit	Per Unit	Value ($)
Land		6,841.00	Sq. Ft.	$0.08	$565.00
Temporary Limited Easement (TLE)		1,535.00	Sq. Ft.	$0.03	$50.00
Property Improvements	None				$0.00
Damages to Remaining Property	None				$0.00
Appraiser Rounding					$85.00

Total Allocation $700.00*

**General taxes shall be prorated at the time of closing based on the net general taxes for the preceding year.*

If you agree with the value stated in the appraisal report and wish to enter into an agreement with WisDOT, please sign the following documents and return them to me in a timely manner for final review and approval. Also enclosed is a self-addressed (MSA), postage-paid envelope for your convenience. Upon receipt of these documents, we will submit a payment request.

A. **Warranty Deed**: All landowners whose names are listed or assigned to this parcel **must** sign and date this document. Each signature must be notarized in the presence of a Notary Public.

B. **Statement to Construction Engineer**: This form requires the signature of only **one** landowner and is used to inform the construction engineer of any special commitments, if any, that were agreed to by you and WisDOT for construction purposes.

C. **Form W-9**: This form is required by the IRS for any transaction valued at $600.00 or more. If more than one landowner, unless husband and wife at the time of the conveyance, each should submit a W-9. If exempt, please provide an exemption form.

If you are not satisfied with the above-stated conclusions of value for your property, you are eligible to obtain an additional appraisal from a qualified appraiser of your choice. If you elect to have an appraisal report prepared, you must take certain steps to qualify for reimbursement.

Your eligibility for appraisal cost reimbursement will expire 60 days from your receipt of the agency's appraisal, which is estimated to be on October 5, 2023. Receipt of the agency's appraisal is considered to have been accomplished either upon the date of personal delivery or date of postmark. See the enclosed Appraisal Guidelines and Agreement document for further explanation. If your appraisal report is submitted after the 60-day statutory date, the agency may consider it for negotiation purposes; however, it will not be eligible for reimbursement.

It is important to us that you are satisfied that your property and your rights have been fully considered. We will provide any additional information requested, if available, or further discuss any other concerns you may have. Should you have any questions or concerns, please feel free to contact me at the phone number or email addressed below.

Sincerely,

MSA Professional Services

Peter T. Miesbauer
MSA Senior Real Estate Project Manager
1702 Pankratz Street
Madison, WI 53704
(608) 242-6641
pmiesbauer@msa-ps.com

Enclosures: As stated in letter

cc: Jodie Platzke, WisDOT Real Estate Specialist – Northeast Region

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Wisconsin Department of Transportation Real Estate Acquisition

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Wisconsin Department of Transportation is planning a roadway improvement project on IH-41 located in Outagamie County which includes new right of way acquisition. This fiscal includes both payment from the WI DOJ do the county for the land needed, and a Temporary Limited Easement (TLE) needed for construction purposes.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (X) no ( )

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Plamann Park	Revenue	1006200.4510.18	700
General Fund Surplus	Fund Balance Applied	1002223.8955	(700)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Loren Dieck

For Financial Services purposes only

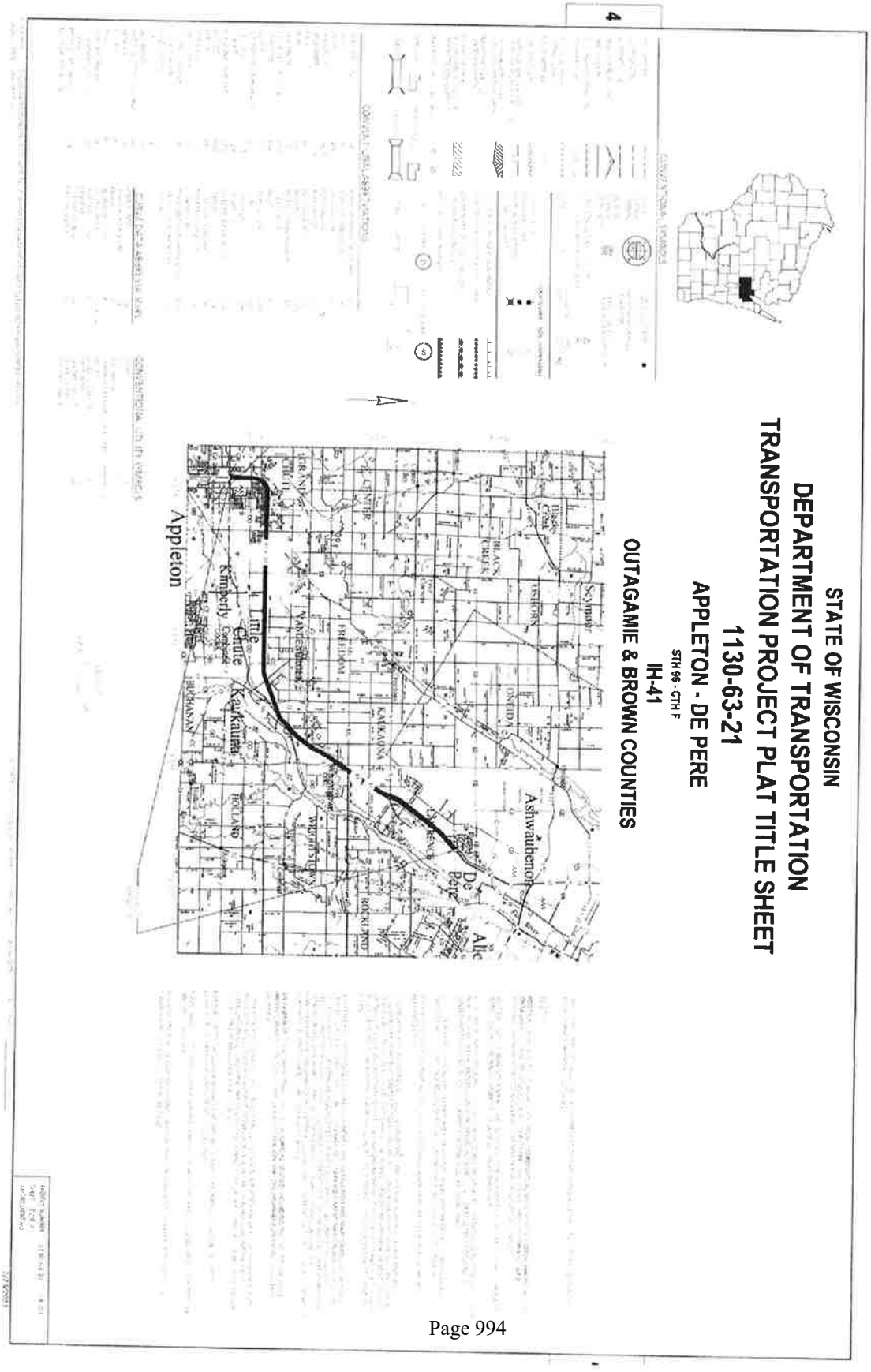
Reviewed By: Kent Ritchie

Date: 09/05/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

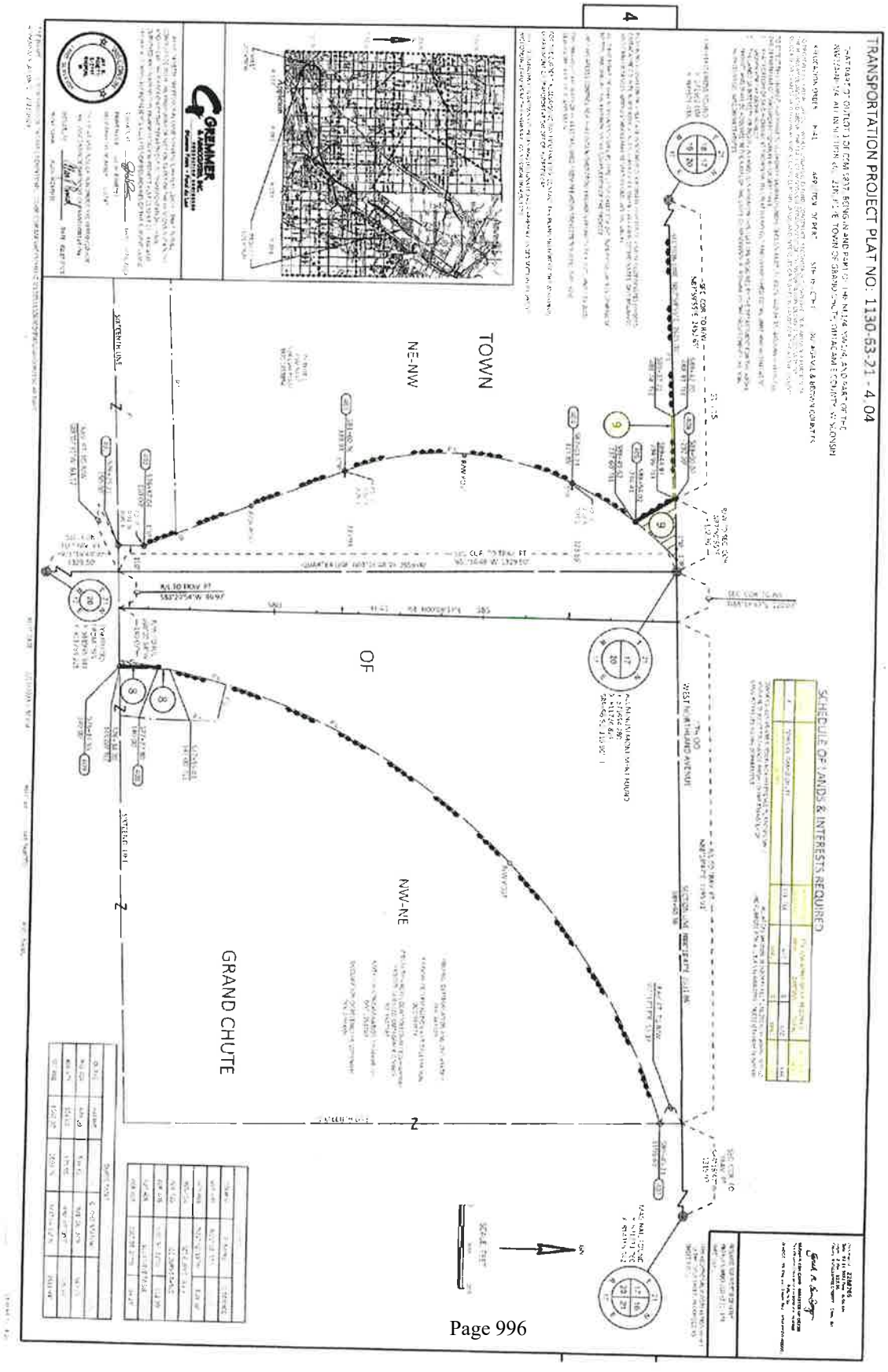
Comments:


STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
TRANSPORTATION PROJECT PLAT TITLE SHEET
1130-63-21
APPLETON - DE PERE
STH 96 - CTH F
IH-41
OUTAGAMIE & BROWN COUNTIES
Appleton
Little Chute
Kaukauna
Kimberly
De Pere
Ashwaubenon
Allouez

PROPERTY LANDOWNER REPORT

Project ID:	**1130-63-21 (Segment #1)**
Project:	**IH-41, Appleton - De Pere (STH 96 - CTH F)**
County:	**Outagamie & Brown Counties**
PARCELS	*LANDOWNER NAMES*
8	Town of Grand Chute
9	Outagamie County
10	Bergstrom Premier Motorcars, Inc.
11	Bergstrom Luxury Imports of the Fox Valley, Inc.
12	Chelsea L. Klein and Andrew J. Klein
13	Hunter Ottow and Lindsay Ottow
14	Jordan Webb
16	Kimberly Finnell
17	Benjamin Jaeger and Susan Jaeger
18	Collin Schroeder
19	Gerald L. Van Stippen, Jr. and Brenda L. Van Stippen
21	Roger W. Hyler, David Hyler, Paula E. Baker-Koehler, Eugene C. Hyler, Ronald L. Hyler, Naomi Schmoll, Jeffrey K. Hyler, and Pamela R. Fleming
22	Benjamin T. Morgan
170	Joseph Cvetan
175	Michael E. Van Handel
179	Paul K. Ristow
180	611 Properties, LLC
181	Jeffrey M. Bunker and Mary Jo Bunker Revocable Trust
182	Options in Housing, Inc.
183	Gary A. Lichtenberg and Sharon R. Lichtenberg Revocable Trust
184	Deborah A. Willenkamp and Richard L. Jentz
185	Banner Partners, LLC
186	Luke Brockman, Matt Brockman, Holly Brockman, and Kayla Brockman
187	Kari A. Boor
188	Penny M. Navrestad
189	Thrivent Financial for Lutherans
191	2300 East Capital Drive, LLC
192	DOC-2105 East Enterprise Avenue MOB, LLC
193	Fox Communities Credit Union
194	MCWP & H Properties, LLC
281	Donna Van Asten Trust
282	Michael J. Junio and Anne E. Pennings
283	John Rothlesberger
284	Albert J. DeCoster
285	Village of Little Chute
286	Salvador Soloranzo and Martha S. Barraza
287	Samuel R. Hartjes and Lindsay T. Welch
297	Thomas Weyenberg, Sandra Rutelewski, Maxine Newhouse, Glenda Kufner, Dulcie Sorenson, Kim Hauser, Tara Hansen, and Jeremy J. Danke
328	Bergstrom Kaukauna, Inc.
377	Gail Cordry
378	Mark E. Soderlund and Michael P. Fleming
379	BBKP, LLC
381	South Bridge Properties, LLC
382	Roger Kriete, LLC
383	Detrie Properties, Inc. and Robert J. Detrie, Jr.
384	John A. Krawczyk
386	Innovation Properties One, LLC

Per WisStats 32.05(2a), the condemnor shall provide to the owner or his/her representative the names of at least 10 neighboring landowners to whom offers are being made or all offerees if less than 10 are affected.


TRANSPORTATION PROJECT PLAT NO: 1130-53-21 - 4 04
TOWN
OF
GRAND CHUTE
NE-NW
NW-NE
SCHEDULE OF LANDS & INTERESTS REQUIRED
GREENMER

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MADE BY: Koury SECONDED BY: Konetzke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 57--2023-24

Property, Airport, Recreation and Economic Development Committee. Authorize and approve of naming the new Plamann Park pavilion shelter "The Hillside at Plamann Park".

MOTION:

Authorize and approve of naming the new Plamann Park pavilion shelter "The Hillside at Plamann Park".

MADE BY: Culbertson SECONDED BY: Klemp

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes		x		
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DS	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede		x		
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	30
NAY	2
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 57--2023-24

TO AMEND Property, Airport, Recreation and Economic Development Committee. Authorize and approve of naming the new Plamann Park pavilion shelter "The Hillside Pavilion at Plamann Park".

MOTION: TO AMEND Property, Airport, Recreation and Economic Development Committee. Authorize and approve of naming the new Plamann Park pavilion shelter "The Hillside Pavilion at Plamann Park".

MADE BY: Croatt SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson		x		
2	Miller		x		
3	Smith		x		
4	Patience		x		
5	Gabrielson		x		
6	Konetzke		x		
7	Hammen		x		
8	Lawrence		x		
9	Krueger				x
10	Lamers		x		
11	Ferguson		x		
12	McCabe				x
13	Wegand		x		
14	Hermes	x			
15	MacDonald		x		
16	Schroeder		x		
17	Croatt	x			
18	Spears		x		

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke		x		
20	Santonato		x		
21	Cuff		x		
22	Hagen	x			
23	Klemp		x		
24	Thiede	x			
25	Nooyen		x		
26	Weinberg		x		
27	Culbertson		x		
28	Monfils		x		
29	Winterfeldt		x		
30	Nejedlo				x
31	Clegg	x			
32	Thyssen		x		
33	VanderHeiden		x		
34	Rettler				x
35	Koury		x		
36	Lautenschlager		x		

AYE		5
NAY		27
ABSTAIN		0
ABSENT		4
	TOTAL	36

APPROVED
DEFEATED x

RESOLUTION NO.: 57—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

As part of the Plamann Park Master Plan, a new pavilion shelter was constructed into the hill off the large central parking lot at Plamann Park. The name for the new pavilion shelter needs to be recognizable and unique.

This resolution approves naming the new Plamann Park pavilion shelter "The Hillside at Plamann Park."

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of naming the new Plamann Park pavilion shelter "The Hillside at Plamann Park", and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Parks Director and the Outagamie County Executive.

Dated this 10th day of October 2023

Respectfully submitted,
PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson	Lee W. Hammen
Ronald Klemp	Yvonne Monfils
Jayson Winterfeldt	

Duly and officially adopted by the County Board on: October 10, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: _____ Vetoed: _____

Signed: _____ 10/13/23
County Executive

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

ADOPT & LOCK IN Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 52, 53, 54, 55, 56, 57, 58--2023-24

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MOTION:

Reconsideration of Resolution Nos. 52, 53, 54, 55, 56, 57, 58--2023-24.

MADE BY: Koury SECONDED BY: Konetzke

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 RESOLUTION # 58--2023-24

Finance Committee. Resolution awarding the sale of $25,000,000 General Obligation Airport Bonds, Series 2023A (AMT).

MOTION:

Resolution awarding the sale of $25,000,000 General Obligation Airport Bonds, Series 2023A (AMT).

MADE BY: Miller SECONDED BY: Croatt

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Konetzke	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson	x			
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede		x		
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	31
NAY	1
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 58—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

"RESOLUTION AWARDING THE SALE OF $25,000,000
GENERAL OBLIGATION AIRPORT BONDS, SERIES 2023A (AMT)"

NOW THEREFORE, the following resolution is presented by the Finance Committee to the County Board.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the attached resolution, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Appleton International Airport Director.

Dated this 10th day of October, 2023.

Duly and officially adopted by the County Board On: October 10, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 10 13 23 Vetoed: _____

Signed: _____
County Executive

RESOLUTION NO. 58—2023-24

RESOLUTION AWARDING THE SALE OF $25,000,000
GENERAL OBLIGATION AIRPORT BONDS, SERIES 2023A (AMT)

WHEREAS, on August 22, 2023, the County Board of Supervisors of Outagamie County, Wisconsin (the "County") adopted an initial resolution (the "Initial Resolution"), by at least a 3/4th vote, authorizing the issuance of general obligation bonds in an amount not to exceed $25,000,000 for the public purpose of paying the cost of the design and construction of terminal concourse modifications including adding an additional concourse to the end of Appleton International Airport (collectively, the "Project");

WHEREAS, the County has directed PMA Securities, LLC ("PMA") to take the steps necessary to sell general obligation bonds designated "General Obligation Airport Bonds, Series 2023A (AMT)" (the "Bonds") to pay the cost of the Project;

WHEREAS, none of the proceeds of the Bonds shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by property taxes including Appleton International Airport;

WHEREAS, it is the expectation that a $10,000,000 portion of the Bonds will be paid from the tax levy or other sources of funds of the County and a $15,000,000 portion of the Bonds will be paid from revenues derived from the operation of Appleton International Airport which will be used to abate the County's tax levy;

WHEREAS, on October 3, 2023 the Finance Committee of the County Board held a public hearing concerning the issuance of the Bonds and the financing of the Project and notice of such hearing was published in the Appleton Post Crescent on September 24, 2023, which is not fewer than 7 days prior to the public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code");

WHEREAS, PMA, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on October 10, 2023;

WHEREAS, the County Clerk (in consultation with PMA) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on October 10, 2023;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. PMA has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by PMA are hereby ratified and approved in all respects. All actions taken by officers of the County and PMA in connection with the preparation and distribution of the Official Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1A. Award of the Bonds. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes and the Initial Resolution, the principal sum of TWENTY-FIVE MILLION DOLLARS ($25,000,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Airport Bonds, Series 2023A (AMT)"; shall be issued in the aggregate principal amount of $25,000,000; shall be dated their date of issuance; shall be in the denomination of $5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on October 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2024. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on October 1, 2034 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on October 1, 2033 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

If the Proposal specifies that any of the Bonds shall be subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the County shall direct.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2023 through 2042 for the payments due in the years 2024 through 2043 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Airport Bonds, Series 2023A (AMT)" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Code and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the County and disbursed solely for the purpose or purposes for which borrowed. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that it will comply with the provisions of the Code (including restrictions on the ownership, management, leasing and use of the Project, the purpose for which Bond Proceeds can be used, limitations on the investment of Bond Proceeds and the payment of any required rebates or penalties to the United States) to the extent necessary to maintain the tax-exempt status of the interest on the Bonds. The County also represents and covenants that it will not use or permit the Project to be used in a manner which would cause such facilities not to be used in a manner described in Section 142(a)(1) of the Code. The Finance Director of the County or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 15. Issuer and Host Approval. The issuance of the Bonds is hereby approved by the County Board of Supervisors. This Resolution is intended to constitute the issuer and host approval (within the meaning of Section 147(f) of the Code and applicable Regulations) of the issuance of the Bonds.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby

ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded October 10, 2023.

EXHIBIT A

Official Notice of Sale

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

ADDENDUM
(OCTOBER 6, 2023)
TO
OFFICIAL NOTICE OF SALE
DATED OCTOBER 3, 2023

RELATING TO:

OUTAGAMIE COUNTY, WISCONSIN
$25,000,000* GENERAL OBLIGATION AIRPORT BONDS, SERIES 2023 (AMT)

This addendum should be affixed to and considered part of the October 3, 2023, Official Notice of Sale.

1. The following replaces the paragraph under the section "Bidding Parameters" in the Official Notice of Sale.

Bidding Parameters

The interest rates must be in multiples of one-eighth or one-twentieth of one percent (1/8 or 1/20 of 1%), and not more than one rate for a single maturity shall be specified. The rate bid for each maturity shall not be less than 2.00% and not more than 6.00%. All bids must be for all of the Bonds and must be for not less than 100.00% and not more than 102.00% of the par amount thereof.

Underwriter compensation is not allowed to exceed 1.50% of the par amount of the Bonds.

* Preliminary, subject to change.

OFFICIAL NOTICE OF SALE

OUTAGAMIE COUNTY, WISCONSIN
$25,000,000* GENERAL OBLIGATION AIRPORT BONDS, SERIES 2023 (AMT)

NOTICE IS HEREBY GIVEN that the County Board of Supervisors (the "Board") of Outagamie County, Wisconsin (the "County"), will receive bids either (i) electronically via **Parity**® or (ii) sent via e-mail to compbidWI@pmanetwork.com (each as more fully described below), for the purchase of its $25,000,000* General Obligation Airport Bonds, Series 2023 (AMT) (the "Bonds"), on an all or none basis at the following time and place:

DATE AND TIME:	10:00 a.m. Central Daylight Saving Time October 10, 2023
PLACE:	Offices of the County's Municipal Advisor: PMA Securities, LLC (the "Municipal Advisor") 770 N. Jefferson Street, Suite 200 Milwaukee, Wisconsin 53202
AWARD OF BONDS:	Bids will be publicly announced at the above time and place. Unless all bids are rejected, award will be made by a notification of sale to the bidder offering the lowest true interest cost ("TIC") to the County.

The Bonds

Proceeds of the Bonds will be used (i) to pay the costs of the design and construction of terminal concourse modifications including adding an additional concourse to the end of Appleton International Airport and (ii) to pay certain costs associated with the issuance of the Bonds.

The Bonds are being issued pursuant to Chapter 67 of the Wisconsin Statutes, an initial resolution adopted by the Board on August 22, 2023 and a resolution to be adopted by the Board on October 10, 2023. The Bonds will be general obligations of the County for which its full faith and credit and taxing powers are pledged which taxes may, under current law, be levied without limitation as to rate or amount. The County is authorized and required by law to levy on all property taxable by the County such ad valorem taxes as may be necessary to pay the Bonds and the interest thereon. See "THE BONDS" and "CONSTITUTIONAL AND STATUTORY CONSIDERATIONS AND LIMITATIONS CONCERNING THE COUNTY'S POWER TO INCUR INDEBTEDNESS" in the Preliminary Official Statement for further information on the authorization and security for the Bonds.

* Preliminary, subject to change.

Bidding Instructions

Each proposal must be submitted on the Official Bid Form without alteration or change no later than 10:00 a.m. Central Daylight Saving Time on October 10, 2023 either:

(i) via **Parity®** in accordance with this Official Notice of Sale. To the extent any instructions or directions set forth in **Parity®** conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. For further information about **Parity®**, potential bidders may contact the Municipal Advisor or i-Deal LLC at 1359 Broadway, New York, NY 10018, telephone (212) 849-5021; or

(ii) via e-mail to compbidWI@pmanetwork.com.

The Bidder ("Bidder") bears all risk of transmission failure.

Any Bidder intending to bid via e-mail shall notify the Municipal Advisor of such intention no later than the close of business on October 6, 2023.

Determination of Winning Bid

The Bonds will be awarded to the single and best Bidder (the "Underwriter") whose bid will be determined upon the basis of the **lowest TIC** at the rates designated in said bid from the dated date to the maturity dates after deducting the bid premium or adding the bid discount, if any. The TIC will be calculated as the rate which, when used in computing the present value of all principal and interest to be paid on the Bonds (commencing on April 1, 2024 and semiannually on each April 1 and October 1 thereafter), produces an amount on the date of issuance of the Bonds (expected to be November 1, 2023) equal to the purchase price set forth in the bid. In the event of more than one proposal specifying the lowest TIC, the Bonds will be awarded to the Bidder whose proposal is selected by lot from among all such proposals.

Terms of the Bonds

The Bonds will be dated the date of issuance thereof, will mature on the dates and in the amounts, and not more than one rate should be specified for each maturity as described in the Official Bid Form attached hereto.

The Bonds due on and after October 1, 2034 are subject to redemption prior to maturity, at the option of the County, in whole or in part, from maturities selected by the County and within each maturity by lot, in integral multiples of $5,000, on October 1, 2033 or on any date thereafter, at a redemption price of par plus accrued interest to the redemption date.

Term bonds are not allowed.

Bidding Parameters

The interest rates must be in multiples of one-eighth or one-twentieth of one percent (1/8 or 1/20 of 1%), and not more than one rate for a single maturity shall be specified. The rate bid for each maturity shall not be less than 2.00% and not more than 5.00%. All bids must be for all of the Bonds and must be for not less than 100.00% and not more than 102.00% of the par amount thereof.

Underwriter compensation is not allowed to exceed 1.50% of the par amount of the Bonds.

Attorneys' fees, Municipal Advisor fees, rating agency fees, the cost of distributing the Official Notice of Sale, the Preliminary Official Statement and the final Official Statement and miscellaneous expenses of said County incurred in connection with the offering and delivery of the Bonds shall all be the obligation of the County.

A good faith deposit will not be required prior to bid opening. The Underwriter is required to submit a certified or cashier's check on a solvent bank or trust company or a wire transfer for $250,000 payable to the County as evidence of good faith of the bidder (the "Deposit") not later than 3:30 P.M. Central Daylight Saving Time on the sale date. The Deposit of the Underwriter will be retained by the County pending delivery of the Bonds. The County may hold the proceeds of any Deposit or invest the same (at the County's risk) in obligations that mature at or before the delivery of the Bonds, until disposed of, as follows: (a) at the delivery of the Bonds and upon compliance with the Underwriter's obligation to take up and pay for the Bonds, the full amount of the Deposit held by the County, without adjustment for interest, shall be applied toward the purchase price of the Bonds at that time, and the full amount of any interest earnings thereon shall be retained by the County; and (b) if the Underwriter fails to take up and pay for the Bonds when tendered, the full amount of the Deposit plus any interest earnings thereon will be forfeited to the County as liquidated damages.

The Underwriter shall provide Bond Counsel, within 48 hours of the award, the required issue statistics to complete parts II-V of Department of Treasury Form 8038-G.

The County will furnish to the Underwriter the approving legal opinion of Bond Counsel. After delivery, the County will furnish to the Underwriter a complete certified transcript of all proceedings in connection with the issuance of the Bonds which shall include a non-litigation certificate showing that there is no litigation pending or threatened as to the validity or security of the Bonds.

Establishment of Issue Price

(a) The winning bidder (the "Purchaser") shall assist the County in establishing the issue price of the Bonds and shall execute and deliver to the County at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the Public (as hereinafter defined) or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit A, with such modifications as may be appropriate or necessary, in the reasonable judgment of the

Purchaser, the County and Bond Counsel. All actions to be taken by the County under this Official Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the County by the County's Municipal Advisor, identified herein, and any notice or report to be provided to the County may be provided to the County's Municipal Advisor. Within one hour of the award, the Purchaser will provide the County and its Municipal Advisor the expected initial offering price of the Bonds, which the Purchaser used to formulate its bid.

(b) The County intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "Competitive Sale Requirements") because:

(1) the County will disseminate this Official Notice of Sale to potential Underwriters in a manner that is reasonably designed to reach potential Underwriters;

(2) all bidders will have an equal opportunity to bid;

(3) the County may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(4) the County anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the lowest TIC, as set forth in this Official Notice of Sale.

Any bid submitted pursuant to this Official Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

(c) In the event that the Competitive Sale Requirements are not satisfied, the County shall so advise the Purchaser. In such event, any bid proposal submitted will not be subject to cancellation or withdrawal, and the County agrees to use the rule selected by the Purchaser on its bid form to determine the issue price for the Bonds. On the bid form, each bidder must select one of the following rules to establish the issue price of the Bonds: (i) the first price at which 10% of a maturity of the Bonds (the "10% Test") is sold to the Public as the issue price of that maturity, or (ii) the initial offering price of that maturity (the "Hold-the-Offering-Price Rule"), in each case applied on a maturity-by-maturity basis. The Purchaser shall advise the County if any maturity of the Bonds satisfies the 10% Test as of the date and time of the award of the Bonds. The Purchaser shall promptly advise the County, at or before the time of award of the Bonds, which maturities of the Bonds shall be subject to the 10% Test or shall be subject to the Hold-the-Offering-Price Rule. ***Bidders should prepare their bids on the assumption that some or all of the maturities of the Bonds will be subject to the Hold-the-Offering-Price Rule or the 10% Test, as selected on the bid form, in order to establish the issue price of the Bonds.*** In addition, if the 10% Test has not been satisfied with respect to any maturity of the Bonds prior to closing, then the Purchaser shall provide the County with a representation as to the price or prices as the date of closing at which the Purchaser reasonably expects to sell the remaining Bonds of such maturity.

(d) **If the Competitive Sale Requirements are not satisfied and the Purchaser**

selects the Hold-the-Offering-Price Rule, then the Purchaser shall (i) confirm that the Underwriters (as hereinafter defined) have offered or will offer the Bonds to the Public (as hereinafter defined) on or before the date of award at the offering price or prices (the "Initial Offering Price"), or at the corresponding yields set forth in the bid submitted by the Purchaser and (ii) agree, on behalf of the Underwriters participating in the purchase of the Bonds, that the Underwriters will neither offer nor sell unsold Bonds of any maturity to which the Hold-the-Offering-Price Rule shall apply to any person at a price that is higher than the Initial Offering Price to the Public during the period starting on the Sale Date (as hereinafter defined) and ending on the earlier of the following:

(1) the close of the fifth (5^{th}) business day after the Sale Date; or

(2) the date on which the Underwriters have sold at least 10% of that maturity of the Bonds to the Public at a price that is no higher than the Initial Offering Price to the Public.

The Purchaser will advise the County promptly after the close of the fifth (5^{th}) business day after the Sale Date whether it has sold 10% of that maturity of the Bonds to the Public at a price that is no higher than the Initial Offering Price to the Public. Within one hour of the award, the Purchaser will inform the County of the Initial Offering Price for each maturity of the Bonds.

(e) **If the Competitive Sale Requirements are not satisfied and the Purchaser selects the 10% Test**, then until the 10% Test has been satisfied as to each maturity of the Bonds, the Purchaser agrees to promptly report to the County the prices at which the unsold Bonds of that maturity have been sold to the Public. That reporting obligation shall continue, whether or not the closing date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% Test has been satisfied as to the Bonds of that maturity, provided that, the Purchaser's reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the County or Bond Counsel. In addition, if the 10% test has not been satisfied with respect to any maturity of the Bonds prior to closing, then the Purchaser shall provide the County with a representation as to the price or prices as of the date of closing at which the Purchaser reasonably expects to sell the remaining Bonds of such maturity.

(f) The County acknowledges that, in making the representations set forth above, the Purchaser will rely on (i) the agreement of each Underwriter to comply with requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule, if applicable to the Bonds, as set forth in an agreement among Underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the Public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule, if applicable to the Bonds, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an Underwriter is a party to a third-party distribution agreement that was employed in connection with the initial sale of the Bonds to the Public, the agreement of each broker-dealer that is a party to such agreement to comply with the requirements for establishing the issue price of the Bonds including, but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule, if applicable to the Bonds, as set forth in the third-party

distribution agreement and the related pricing wires. The County further acknowledges that each Underwriter shall be solely liable for its failure to comply with its agreement regarding the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule, if applicable to the Bonds, and that no Underwriter shall be liable for the failure of any other Underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a third-party distribution agreement to comply with its corresponding agreement to comply with the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule if applicable to the Bonds.

(g) By submitting a bid, each bidder confirms that:

(i) any agreement among Underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the Public, together with the related pricing wires, contains or will contain language obligating each Underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable:

(A)(i) to report the prices at which it sells to the Public the unsold Bonds of each maturity allocated to it whether or not the closing date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the Purchaser that the 10% Test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the Purchaser and (ii) to comply with the Hold-the-Offering-Price Rule, if applicable, if and for so long as directed by the Purchaser and as set forth in the related pricing wires, which shall be until the 10% Test has been satisfied as to the Bonds of that maturity or until the close of business on the fifth (5^{th}) business day following the date of award,

(B) to promptly notify the Purchaser of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an Underwriter participating in the initial sale of the Bonds to the Public (each such term being used as defined below), and

(C) to acknowledge that, unless otherwise advised by the Underwriter, the Purchaser shall assume that each order submitted by the Underwriter is a sale to the Public.

(ii) any agreement among Underwriters or selling group agreement relating to the initial sale of the Bonds to the Public, together with the related pricing wires, contains or will contain language obligating each Underwriter that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the Public to require each broker-dealer that is a party to such third-party distribution agreement to (A) report the prices at which it sells to the Public the unsold Bonds of each maturity allocated to it, whether or

not the closing date has occurred, until either all Bonds of that maturity allocated to it have been sold or until it is notified by the Purchaser or such Underwriter that the 10% Test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the Purchaser or such Underwriter and (B) comply with the Hold-the-Offering-Price Rule, if applicable, if and for so long as directed by the Purchaser or the Underwriter and as set forth in the related pricing wires, which shall be at least until the 10% Test has been satisfied as to the Bonds of that maturity or until the close of business on the fifth (5th) business day following the date of the award.

(h) Sales of any Bonds to any person that is a Related Party to an Underwriter participating in the initial sale of the Bonds to the Public shall not constitute sales to the Public for purposes of this Official Notice of Sale. Further, for purposes of this Official Notice of Sale:

(i) "Public" means any person other than an Underwriter or a Related Party,

(ii) "Underwriter" means (A) any person that agrees pursuant to a written contract with the County (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public),

(iii) a purchaser of any of the Bonds is a "Related Party" to an Underwriter if the Underwriter and the Purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(iv) "Sale Date" means the date that the Bonds are awarded by the County to the Purchaser.

Tax Status

Quarles & Brady LLP, Milwaukee, Wisconsin, Bond Counsel, will deliver a legal opinion with respect to the federal income tax status applicable to the interest on the Bonds under existing law substantially in the form attached to the Preliminary Official Statement as Appendix A.

Not Qualified Tax-Exempt Obligations

The Bonds are not "qualified tax-exempt obligations" under the small issuer exception provided under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), which affords banks and certain other financial institutions more favorable treatment of their deduction for interest expense than would otherwise be allowed under Section 265(b)(2) of the Code.

Book-Entry Only

The Bonds will be issued as fully-registered Bonds without coupons and, when issued, will be registered in the name of CEDE & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository of the Bonds. A single Bond certificate for each maturity will be issued to DTC and immobilized in its custody. Individual purchases may be made in book-entry-only form only through DTC participants, in the principal amount of $5,000 or any integral multiple thereof. Individual purchasers will not receive certificates evidencing their ownership of the Bonds purchased. The Underwriter shall be required to deposit the Bond certificates with DTC as a condition to delivery of the Bonds. The County will make payments of principal and interest on the Bonds to DTC or its nominee as registered owner of the Bonds in same-day funds. Transfer of those payments to participants of DTC will be the responsibility of DTC; transfer of the payments to beneficial owners by DTC participants will be the responsibility of such participants and other nominees of beneficial owners all as required by DTC rules and procedures. No assurance can be given by the County that DTC, its participants and other nominees of beneficial owners will make prompt transfer of the payments as required by DTC rules and procedures. The County assumes no liability for failures of DTC, its participants or other nominees to promptly transfer payments to beneficial owners of the Bonds.

In the event that the securities depository relationship with DTC for the Bonds is terminated and the County does not appoint a successor depository, the County will prepare, authenticate and deliver, at its expense, fully-registered certificate Bonds in the denominations of $5,000 or any integral multiple thereof in the aggregate principal amount of the Bonds of the same maturities and interest rate then outstanding to the beneficial owners of the Bonds.

CUSIP Numbers

It is intended that CUSIP numbers will be printed on the Bonds, but neither the failure to print or type such numbers on any Bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the Underwriter to accept delivery of and make payment for the Bonds. All expenses in relation to the printing of CUSIP numbers, including CUSIP Service Bureau charges for the assignment of said numbers, shall be the responsibility of and shall be paid by the Underwriter.

Continuing Disclosure

The County covenants and agrees to enter into a written agreement or contract, constituting an undertaking (the "Undertaking") to provide ongoing disclosure about the County for the benefit of the beneficial owners of the Bonds on or before the date of delivery of the Bonds as required under Section (b)(5) of Rule 15c2-12 (the "Rule") adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended. The form of the Undertaking is set forth in Appendix C in the Preliminary Official Statement. Please see the section entitled "CONTINUING DISCLOSURE" in the Preliminary Official Statement for a description of the County's compliance over the last five years with undertakings previously entered into by it pursuant to the Rule.

The Underwriter's obligation to purchase the Bonds shall be conditional upon the County delivering the Undertaking on or before the date of delivery of the Bonds.

Official Statement

The County declares the Preliminary Official Statement provided in connection with the sale of the Bonds to be final as of its date for purposes of the Rule, except for the omission of the offering prices or yields, the interest rates, any other terms or provisions required by the County specified in the bid, ratings, other terms of the Bonds depending on such matters, and the identity of the Underwriter. Upon the sale of the Bonds, the County will publish an Official Statement in substantially the same form as the Preliminary Official Statement, subject to minor additions, deletions and revisions as required to complete the Preliminary Official Statement. By submission of its bid, the Underwriter will be deemed to have certified that it has obtained and reviewed the Preliminary Official Statement. Promptly after the sale date, but in no event later than seven business days after the sale date, the County will provide the Underwriter with an electronic copy of the final Official Statement. The Underwriter agrees to supply to the County all information necessary to complete the Official Statement within 24 hours after the award of the Bonds.

Conditions of Closing

The County reserves the right to reject any or all bids and to determine the best bid in its sole discretion, and to waive any irregularity in any bid. Additionally, the County reserves the right to modify or amend this Official Notice of Sale; however, any such modification or amendment shall not be made less than twenty-four (24) hours prior to the date and time for receipt of bids on the Bonds and any such modification or amendment will be announced on the Amendments Page of the **Parity**® webpage and through *Thompson Municipal News*.

By submitting a bid, any bidder makes the representation that it understands Bond Counsel represents the County in the Bond transaction and, if such bidder has retained Bond Counsel in an unrelated matter, such bidder represents that the signatory to the bid is duly authorized to, and does consent to and waive for and on behalf of such bidder any conflict of interest of Bond Counsel arising from any adverse position to the County in this matter; such consent and waiver shall supersede any formalities otherwise required in any separate understandings, guidelines or contractual arrangements between the bidder and Bond Counsel.

The Bonds will be delivered to the Underwriter against full payment in immediately available funds as soon as they can be prepared and executed, which is expected to be November 1, 2023. Should delivery, however, be delayed beyond forty-five (45) days from the date of sale for any reason beyond the control of the County except failure of performance by the Underwriter, the County may cancel the award or the Underwriter may withdraw the Deposit and thereafter the Underwriter's interest in and liability for the Bonds will cease.

Additional Information

The Preliminary Official Statement and the Official Bid Form, together with other pertinent information, may be obtained from the County, Attention: Alison Bong, Finance Director, 320 South Walnut Street, Appleton, Wisconsin 54911, telephone: (920) 832-1674, or from the Municipal Advisor, Attention: Phil Hohlweck, 770 N. Jefferson Street, Suite 200, Milwaukee, Wisconsin 53202, telephone: (414) 436-1943.

By order of the County Board of Supervisors of the County, dated this 3rd day of October, 2023.

/s/ Alison Bong
Finance Director
Outagamie County, Wisconsin

EXHIBIT B

Bid Tabulation

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

Bid Tabulation

Outagamie County, Wisconsin

$25,000,000 General Obligation Airport Bonds, Series 2023 (AMT)
Sale Date: October 10, 2023

Bidder Name	TIC*
HilltopSecurities	4.776203%
Morgan Stanley & Co, LLC	4.788438%
J.P. Morgan Securities LLC	4.856072%
Mesirow Financial, Inc.	5.026750%
KeyBanc Capital Markets	5.148751%
Robert W. Baird & Co., Inc.	5.171867%

Source: Parity — Total Bids: 6

*Note: After adjusting par amounts, the final statistics are as follows:

TIC: 4.781324%

EXHIBIT C

Winning Bid

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

OFFICIAL BID FORM

County Board of Supervisors
Outagamie County, Wisconsin

October 10, 2023

Ladies and Gentlemen:

Subject to all the provisions of the Official Notice of Sale, which is expressly made a part of this bid, we offer to purchase the General Obligation Airport Bonds, Series 2023 (AMT) (the "Bonds") as described below:

Par amount of Bonds:	$25,000,000
Dated date:	Date of issuance
Purchase price:	$25,107,359.55

(not less than 100.00% and not more than 102.00% of the par amount of the Bonds)

The Bonds shall bear interest as follows (each rate (i) a multiple of 1/8 or 1/20 of 1% and (ii) not be less than 2.00% and not more than 5.00%). Underwriter compensation is not allowed to exceed 1.50% of the par amount of the Bonds.

Maturity (October 1)	Amount ($)	Rate (%)
2024	860,000	5.000
2025	800,000	5.000
2026	840,000	5.000
2027	880,000	5.000
2028	925,000	5.000
2029	975,000	5.000
2030	1,025,000	5.000
2031	1,075,000	5.000
2032	1,125,000	5.000
2033	1,185,000	5.000
2034	1,240,000	4.375
2035	1,295,000	4.375
2036	1,350,000	4.500
2037	1,415,000	4.625
2038	1,475,000	4.750
2039	1,550,000	4.750
2040	1,625,000	4.875
2041	1,700,000	5.000
2042	1,785,000	5.000
2043	1,875,000	5.000

Term bonds are not allowed.

The Bonds due on and after October 1, 2034 are subject to redemption prior to maturity, at the option of the County, in whole or in part, from maturities selected by the County and within each maturity by lot, in integral multiples of $5,000, on October 1, 2033 or on any date thereafter, at a redemption price of par plus accrued interest to the redemption date.

The Bonds are to be accompanied by the unqualified approving legal opinion of Quarles & Brady LLP, Milwaukee, Wisconsin, Bond Counsel, and a certificate evidencing that no litigation is pending against the County, which will affect the validity or security of these Bonds.

Attorneys' fees, Rating Agency fees, Municipal Advisor fees, the cost of distributing the Official Notice of Sale, the Preliminary Official Statement and the Official Statement and miscellaneous expenses of said County incurred in connection with the offering and delivery of the Bonds shall all be the obligation of the County.

If the net interest cost or the true interest cost stated below is incorrectly computed, the undersigned agrees that the purchase price and interest rates above shall prevail.

Net Interest Cost:	$14,286,842.19
True Interest Cost:	4.781324%

This bid is a firm offer for the purchase of the Bonds identified in the Official Notice of Sale, on the terms set forth in this bid form and the Official Notice of Sale, and is not subject to any conditions, except as permitted by the Official Notice of Sale. If the Competitive Sale Requirements are not met, the bidder selects the following rule to establish the issue price of maturities of the Bonds for which 10% is not sold to the Public on the date hereof applied on a maturity-by-maturity basis (mark one):

_____ 10% Test: the first price at which 10% of a maturity of the Bonds is sold to the Public for the following maturities: _____

_____ Hold-the-Offering-Price Rule: the initial offering price of that maturity for the following maturities: _____

By submitting this bid, we confirm that we have an established industry reputation for underwriting new issuances of municipal bonds. *[If the bidder cannot confirm an established industry reputation for underwriting new issuances of municipal bonds, the preceding sentence should be crossed out.]*

We understand that if we are the winning bidder that we will deposit with the County not later than 3:30 P.M. Central Daylight Saving Time on the sale date a certified or cashier's check or wire transfer in the amount of $250,000 payable to said County as a guarantee of good faith, to be applied in accordance with the Official Notice of Sale.

WP

Managing Underwriter Signature

Name of Firm: Hilltop Securities

Direct Contact: William Evans

Address: 717 N. Harwood st

Dallas, TX

Phone Number: 214-859-9421

E-Mail Address: William.Evans@Hilltopsecurities.com

—PLEASE ATTACH A LIST OF ACCOUNT MEMBERS—

The foregoing offer is hereby accepted this 10th day of October, 2023 by the County Board of Supervisors of the Outagamie County, Wisconsin, and in recognition therefore is signed by the official of the County empowered and authorized to make such acceptance.

_____

Chairperson, County Board of Supervisors
Outagamie County, Wisconsin

_____

County Clerk
Outagamie County, Wisconsin

EXHIBIT D-1

Pricing Summary

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

Outagamie County

$25,000,000 - FINAL

General Obligation Airport Project Bonds, Series 2023 (AMT)

Dated/Close: November 1, 2023

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
10/01/2024	Serial Coupon	5.000%	4.600%	860,000.00	100.351%	863,018.60
10/01/2025	Serial Coupon	5.000%	4.500%	800,000.00	100.904%	807,232.00
10/01/2026	Serial Coupon	5.000%	4.300%	840,000.00	101.896%	855,926.40
10/01/2027	Serial Coupon	5.000%	4.200%	880,000.00	102.858%	905,150.40
10/01/2028	Serial Coupon	5.000%	4.200%	925,000.00	103.517%	957,532.25
10/01/2029	Serial Coupon	5.000%	4.200%	975,000.00	104.149%	1,015,452.75
10/01/2030	Serial Coupon	5.000%	4.250%	1,025,000.00	104.450%	1,070,612.50
10/01/2031	Serial Coupon	5.000%	4.300%	1,075,000.00	104.651%	1,124,998.25
10/01/2032	Serial Coupon	5.000%	4.350%	1,125,000.00	104.758%	1,178,527.50
10/01/2033	Serial Coupon	5.000%	4.350%	1,185,000.00	105.186%	1,246,454.10
10/01/2034	Serial Coupon	4.375%	4.520%	1,240,000.00	98.757%	1,224,586.80
10/01/2035	Serial Coupon	4.375%	4.580%	1,295,000.00	98.129%	1,270,770.55
10/01/2036	Serial Coupon	4.500%	4.660%	1,350,000.00	98.456%	1,329,156.00
10/01/2037	Serial Coupon	4.625%	4.750%	1,415,000.00	98.733%	1,397,071.95
10/01/2038	Serial Coupon	4.750%	4.850%	1,475,000.00	98.943%	1,459,409.25
10/01/2039	Serial Coupon	4.750%	4.900%	1,550,000.00	98.351%	1,524,440.50
10/01/2040	Serial Coupon	4.875%	4.950%	1,625,000.00	99.143%	1,611,073.75
10/01/2041	Serial Coupon	5.000%	5.010%	1,700,000.00	99.878%	1,697,926.00
10/01/2042	Serial Coupon	5.000%	5.070%	1,785,000.00	99.150%	1,769,827.50
10/01/2043	Serial Coupon	5.000%	5.110%	1,875,000.00	98.630%	1,849,312.50
Total	-	-	-	**$25,000,000.00**	-	**$25,158,479.55**

Bid Information

Par Amount of Bonds	$25,000,000.00
Reoffering Premium or (Discount)	158,479.55
Gross Production	$25,158,479.55
Total Underwriter's Discount (0.204%)	$(51,120.00)
Bid (100.429%)	25,107,359.55
Total Purchase Price	$25,107,359.55
Bond Year Dollars	$297,746.67
Average Life	11.910 Years
Average Coupon	4.8343788%
Net Interest Cost (NIC)	4.7983215%
True Interest Cost (TIC)	4.7813236%

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by PMA Securities, LLC and incorporated into the Resolution.

(See Attached)

Outagamie County

$25,000,000 - FINAL

General Obligation Airport Project Bonds, Series 2023 (AMT)

Dated/Close: November 1, 2023

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Annual Total
11/01/2023	-	-	-	-	-
04/01/2024	-	-	505,210.93	505,210.93	-
10/01/2024	860,000.00	5.000%	606,253.13	1,466,253.13	1,971,464.06
04/01/2025	-	-	584,753.13	584,753.13	-
10/01/2025	800,000.00	5.000%	584,753.13	1,384,753.13	1,969,506.26
04/01/2026	-	-	564,753.13	564,753.13	-
10/01/2026	840,000.00	5.000%	564,753.13	1,404,753.13	1,969,506.26
04/01/2027	-	-	543,753.13	543,753.13	-
10/01/2027	880,000.00	5.000%	543,753.13	1,423,753.13	1,967,506.26
04/01/2028	-	-	521,753.13	521,753.13	-
10/01/2028	925,000.00	5.000%	521,753.13	1,446,753.13	1,968,506.26
04/01/2029	-	-	498,628.13	498,628.13	-
10/01/2029	975,000.00	5.000%	498,628.13	1,473,628.13	1,972,256.26
04/01/2030	-	-	474,253.13	474,253.13	-
10/01/2030	1,025,000.00	5.000%	474,253.13	1,499,253.13	1,973,506.26
04/01/2031	-	-	448,628.13	448,628.13	-
10/01/2031	1,075,000.00	5.000%	448,628.13	1,523,628.13	1,972,256.26
04/01/2032	-	-	421,753.13	421,753.13	-
10/01/2032	1,125,000.00	5.000%	421,753.13	1,546,753.13	1,968,506.26
04/01/2033	-	-	393,628.13	393,628.13	-
10/01/2033	1,185,000.00	5.000%	393,628.13	1,578,628.13	1,972,256.26
04/01/2034	-	-	364,003.13	364,003.13	-
10/01/2034	1,240,000.00	4.375%	364,003.13	1,604,003.13	1,968,006.26
04/01/2035	-	-	336,878.13	336,878.13	-
10/01/2035	1,295,000.00	4.375%	336,878.13	1,631,878.13	1,968,756.26
04/01/2036	-	-	308,550.01	308,550.01	-
10/01/2036	1,350,000.00	4.500%	308,550.01	1,658,550.01	1,967,100.02
04/01/2037	-	-	278,175.01	278,175.01	-
10/01/2037	1,415,000.00	4.625%	278,175.01	1,693,175.01	1,971,350.02
04/01/2038	-	-	245,453.13	245,453.13	-
10/01/2038	1,475,000.00	4.750%	245,453.13	1,720,453.13	1,965,906.26
04/01/2039	-	-	210,421.88	210,421.88	-
10/01/2039	1,550,000.00	4.750%	210,421.88	1,760,421.88	1,970,843.76
04/01/2040	-	-	173,609.38	173,609.38	-
10/01/2040	1,625,000.00	4.875%	173,609.38	1,798,609.38	1,972,218.76
04/01/2041	-	-	134,000.00	134,000.00	-
10/01/2041	1,700,000.00	5.000%	134,000.00	1,834,000.00	1,968,000.00
04/01/2042	-	-	91,500.00	91,500.00	-
10/01/2042	1,785,000.00	5.000%	91,500.00	1,876,500.00	1,968,000.00
04/01/2043	-	-	46,875.00	46,875.00	-
10/01/2043	1,875,000.00	5.000%	46,875.00	1,921,875.00	1,968,750.00
Total	**$25,000,000.00**	-	**$14,394,201.74**	**$39,394,201.74**	-

Yield Statistics

Bond Year Dollars	$297,746.67
Average Life	11.910 Years
Average Coupon	4.8343788%
DV01	21,280.25
Net Interest Cost (NIC)	4.7983215%
True Interest Cost (TIC)	4.7813236%
Bond Yield for Arbitrage Purposes	4.7575450%
All Inclusive Cost (AIC)	4.8381279%

IRS Form 8038

Net Interest Cost	4.7864186%
Weighted Average Maturity	11.822 Years

Optional Redemption

10/01/2033	@100.000%

[EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on October 1, ____, ____ and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on October 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on October 1, ____

Redemption Date	Amount
____	$_____
____	_____
____	_____ (maturity)

For the Term Bonds Maturing on October 1, ____

Redemption Date	Amount
____	$_____
____	_____
____	_____ (maturity)

For the Term Bonds Maturing on October 1, ____

Redemption Date	Amount
____	$_____
____	_____
____	_____ (maturity)

For the Term Bonds Maturing on October 1, ____

Redemption Date	Amount
____	$_____
____	_____
____	_____ (maturity)]

EXHIBIT E

(Form of Bond)

UNITED STATES OF AMERICA
STATE OF WISCONSIN
OUTAGAMIE COUNTY

REGISTERED NO. R-___ DOLLARS $_____

GENERAL OBLIGATION AIRPORT BOND, SERIES 2023 (AMT)

MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST RATE:	CUSIP:
October 1, _____	November 1, 2023	____%	_____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS ($_____)

FOR VALUE RECEIVED, Outagamie County, Wisconsin (the "County"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the County Clerk or County Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of $25,000,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the public purpose of paying the cost of the design and construction of terminal concourse modifications including adding an additional concourse to the end of Appleton International Airport, as authorized by resolutions adopted on August 22, 2023 and October 10, 2023. Said resolutions are recorded in the official minutes of the County Board of Supervisors for said dates.

The Bonds maturing on October 1, 2034 and thereafter are subject to redemption prior to maturity, at the option of the County, on October 1, 2033 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond is transferable only upon the books of the County kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the County appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and County may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of $5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, Outagamie County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

OUTAGAMIE COUNTY, WISCONSIN

By: _____
Jeff T. Nooyen
Chairperson

(SEAL)

By: _____
Jeffrey L. King
County Clerk

COPY

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

_____

(Name and Address of Assignee)

_____

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

_____ _____

(e.g. Bank, Trust Company or Securities Firm) (Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

_____

(Authorized Officer)

COPY

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Airport Terminal Expansion 2023A General Obligation (GO) Bond Issue – Approve Award

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Airport Terminal Expansion Project - 2023A AMT Bond Issue

The Airport Terminal Expansion Project was included in the 2023-2027 5-year Capital Improvement Program and includes $25,000,000 in bond proceeds. The debt schedule is split to be serviced by revenues raised by airport operations ($15,000,000) and county tax ($10,000,000). The issue pledges the full faith and credit of the county. The proceeds of the bonds will be used to pay for the costs of the design and construction of the terminal concourse modifications including adding an additional concourse to the end of Appleton International Airport and will also cover costs incurred with the issuance of the bonds. The public hearing for this project closed without public comment during the Finance Committee October 3, 2023. The county board is asked to approve the award of the bond issue.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [X] None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)
N/A

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost: Included in Amortized Debt Schedule; Annual Revenue: N/A

Fiscal Note Prepared by: Alison Bong

For Financial Services purposes only	
Reviewed By: Alison Bong	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 10/9/2023	
Comments:	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 ORDINANCE # E--2023-24

Highway, Recycling and Solid Waste Committee. Approve to designate CTH M from Kelldale Ct to the south town line and CTH T from Meadowview Dr to the north town line, in the Town of Dale, as an ATV/UTV route, as detailed in the attachments.

MOTION: Approve to designate CTH M from Kelldale Ct to the south town line and CTH T from Meadowview Dr to the north town line, in the Town of Dale, as an ATV/UTV route, as detailed in the attachments.

MADE BY: Hagen SECONDED BY: Thyssen

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson		x		
2	Miller	x			
3	Smith		x		
4	Patience	x			
5	Gabrielson	x			
6	Konetzke		x		
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson		x		
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald		x		
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	ABSTAI	ABSENT
19	Cooke	x			
20	Santonato		x		
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede		x		
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	25
NAY	7
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ORDINANCE NO.: E—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on roadways designated by Outagamie County and referred to as "routes." On August 22, 2023, the Outagamie County Board adopted Ordinance D—2023-2024 which modified the ordinance as pertains to speed limits and operating hours. Wis. Stat. §23.33(8)(b)1 offers a town, village, or city the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV/UTV route.

The Town of Dale has submitted an application to the Outagamie County Highway Commissioner to designate the following county highways as an ATV/UTV route:

- CTH M from Kelldale Ct to the south town line (see attached map)
- CTH T from Meadowview Dr to the north town line (see attached map)

The Town of Dale has completed said requirements of Outagamie County Code of Ordinance Sec. 50-353(4)(a)(ii) and submitted the following documents with the application:

- A map showing the proposed ATV/UTV route on the county highway system.
- A map showing any existing or future ATV/UTV routes leading to the proposed route.
- A statement explaining why the proposed route should be designated as an ATV/UTV route.
- Documentation that items required in Ordinance 50-353 Sec. 4(a)(i)1-3 were completed by the Municipality.
- A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
- Regulations set forth in Ordinance Sec. 50-353(5) were adopted by the Town of Dale on September 11, 2023.

The Outagamie County Highway Commissioner has completed a review as detailed in Ordinance Sec. 50-353(4)(b) and is recommending approval. The Outagamie County Highway, Recycling and Solid Waste Committee is recommending approval.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve designating CTH M from Kelldale Ct to the south town line and CTH T from Meadowview Dr to the north town line, said sections in the Town of Dale, as an ATV/UTV route as detailed on the attached Memorandums and maps, which by reference are made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, and the Town of Dale.

Dated this 10th day of October 2023

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: October 10, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 10 13 23 Vetoed: _____

Signed: _____ County Executive

Outagamie County Est. 1851

Find us on @Outagamie County Highway Department

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 10/10/2023
RE: Town of Dale – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Dale
Request:	ATV/UTV Route Designation
Highway:	CTH M
Limits:	Kelldale Ct to the south townline
Public Hearing Date:	08/08/2022 Held by Town of Dale
Written Notice Sent to Property Owners on:	08/05/2022 by Town of Dale
Official Action to Apply for Route Taken on:	08/08/2022 by Town of Dale
Regulations Adoption Date:	09/11/2023 by Town of Dale

Background:
The Town of Dale has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by Town of Dale.
5. A statement that the Town of Dale will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Dale board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 1,000
Speed Limit(s): 55 mph
Pavement and Shoulder Conditions: No issues.
Other Safety/Operational Factors: None.

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Dale\CTH M\ATV UTV Engineering Memo CTH M.docx

Outagamie County Est. 1851

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

Find us on @Outagamie County Highway Department

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 10/10/2023
RE: Town of Dale – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Dale
Request:	ATV/UTV Route Designation
Highway:	CTH T
Limits:	Meadowview Dr to the north townline
Public Hearing Date:	08/08/2022 Held by Town of Dale
Written Notice Sent to Property Owners on:	08/05/2022 by Town of Dale
Official Action to Apply for Route Taken on:	08/08/2022 by Town of Dale
Regulations Adoption Date:	09/11/2023 by Town of Dale

Background:
The Town of Dale has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

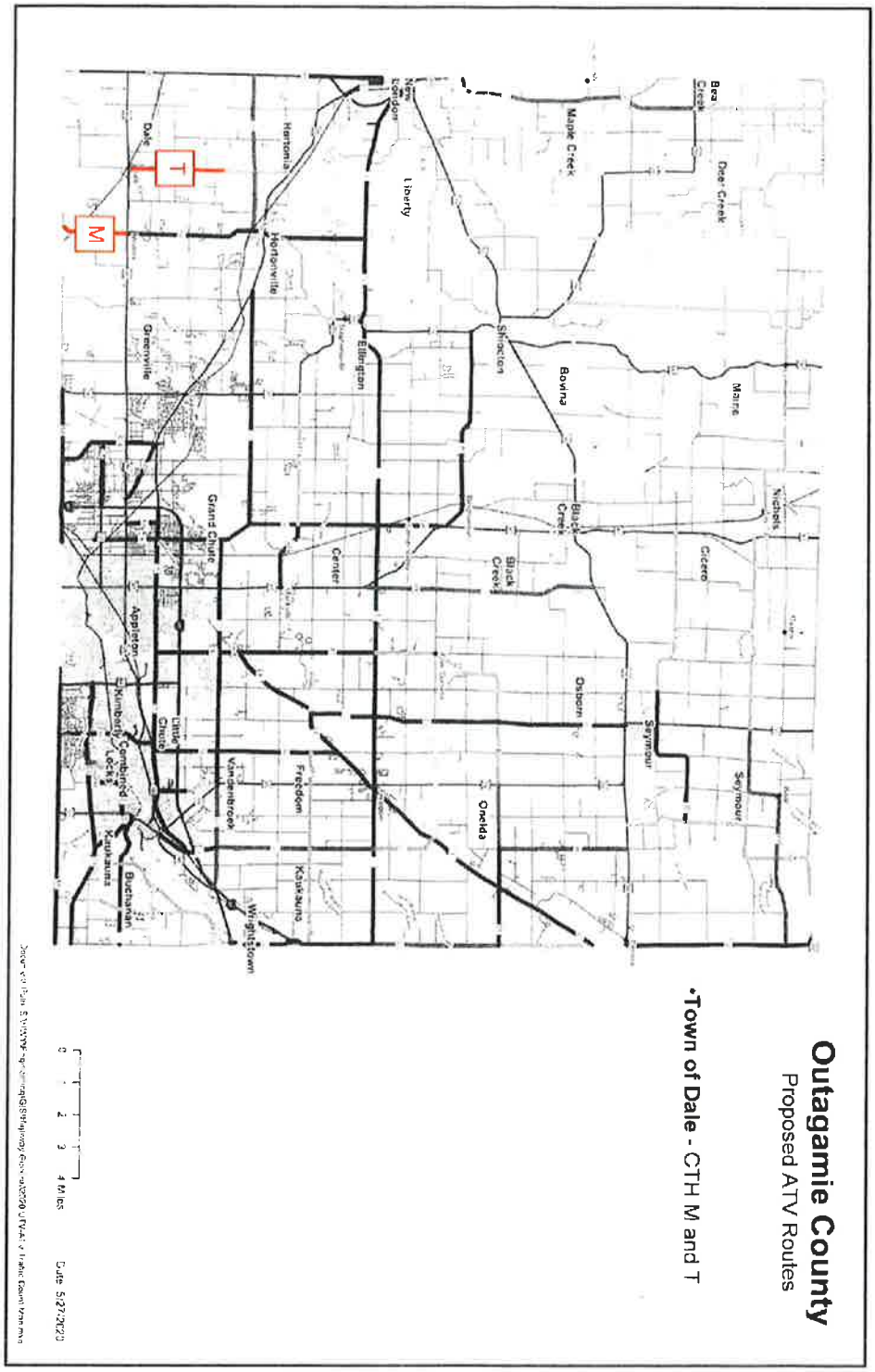
1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by Town of Dale.
5. A statement that the Town of Dale will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Dale board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 1,300
Speed Limit(s): 55 mph
Pavement and Shoulder Conditions: No issues.
Other Safety/Operational Factors: None.

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Dale\CTH T\ATV UTV Engineering Memo CTH T.docx


Outagamie County
Proposed ATV Routes
•Town of Dale - CTH M and T
T
M
Dale
New London
Hortonia
Hortonville
Greenville
Liberty
Ellington
Maple Creek
Bear Creek
Deer Creek
Shiocton
Bovina
Maine
Nichols
Cicero
Black Creek
Center
Grand Chute
Appleton
Kimberly
Combined Locks
Little Chute
Kaukauna
Buchanan
Vandenbroek
Freedom
Osborn
Seymour
Oneida
Wrightstown
0 1 2 3 4 Miles
Date: 5/27/2020

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE October 10, 2023 ORDINANCE # F--2023-24

Highway, Recycling and Solid Waste Committee. Approve to designate CTH D from Schweitzer Road to the west county line, CTH F from CTH D to the east town line, CTH FF from CTH F to the south town line, and CTH XX from CTH F to CTH D, in the Town of Deer Creek, as an ATV/UTV route, as detailed in the attachments.

MOTION: Approve to designate CTH D from Schweitzer Road to the west county line, CTH F from CTH D to the east town line, CTH FF from CTH F to the south town line, and CTH XX from CTH F to CTH D, in the Town of Deer Creek, as an ATV/UTV route, as detailed in the attachments.

MADE BY: Hagen SECONDED BY: Clegg

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson		x		
2	Miller	x			
3	Smith			x	
4	Patience	x			
5	Gabrielson	x			
6	Konetzke		x		
7	Hammen	x			
8	Lawrence	x			
9	Krueger				x
10	Lamers	x			
11	Ferguson		x		
12	McCabe				x
13	Wegand	x			
14	Hermes	x			
15	MacDonald		x		
16	Schroeder	x			
17	Croatt	x			
18	Spears	x			

DST	NAME	AYE	NAY	BSTAI	ABSENT
19	Cooke	x			
20	Santonato		x		
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede		x		
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils	x			
29	Winterfeldt	x			
30	Nejedlo				x
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	25
NAY	6
ABSTAIN	1
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ORDINANCE NO.: F—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on roadways designated by Outagamie County and referred to as "routes." On August 22, 2023, the Outagamie County Board adopted Ordinance D—2023-2024 which modified the ordinance as pertains to speed limits and operating hours. Wis. Stat. §23.33(8)(b)1 offers a town, village, or city the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV/UTV route.

The Town of Deer Creek has submitted an application to the Outagamie County Highway Commissioner to designate the following county highways as an ATV/UTV route:

- CTH D from Schweitzer Road to the west county line
- CTH F from CTH D to the east town line
- CTH FF from CTH F to the south town line
- CTH XX from CTH F to CTH D

The Town of Deer Creek has completed said requirements of Outagamie County Code of Ordinance Sec. 50-353(4)(a)(ii) and submitted the following documents with the application:

- A map showing the proposed ATV/UTV route on the county highway system.
- A map showing any existing or future ATV/UTV routes leading to the proposed route.
- A statement explaining why the proposed route should be designated as an ATV/UTV route.
- Documentation that items required in Ordinance 50-353 Sec. 4(a)(i)1-3 were completed by the Municipality.
- A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
- Regulations set forth in Ordinance Sec. 50-353(5) were adopted by the Town of Deer Creek on September 12, 2023.

The Outagamie County Highway Commissioner has completed a review as detailed in Ordinance Sec. 50-353(4)(b) and is recommending approval. The Outagamie County Highway, Recycling and Solid Waste Committee is recommending approval.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve designating CTH D from Schweitzer Road to the west county line, CTH F from CTH D to the east town line, CTH FF from CTH F to the south town line, and CTH XX from CTH F to CTH D, said sections in the Town of Deer Creek, as an ATV/UTV route as detailed on the attached Memorandums and maps, which by reference are made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, and the Town of Deer Creek.

Dated this 10th day of October 2023

Respectfully Submitted,
HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: October 10, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 10.13.23 Vetoed: _____

Signed: _____ County Executive

Outagamie County Est. 1851

Find us on @Outagamie County Highway Department

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 10/10/2023
RE: Town of Deer Creek – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Deer Creek
Request:	ATV/UTV Route Designation
Highway:	CTH D
Limits:	Schweitzer Rd to the west county line
Public Hearing Date:	05/09/2023 Held by Town of Deer Creek
Written Notice Sent to Property Owners on:	04/11/2023 by Town of Deer Creek
Official Action to Apply for Route Taken on:	05/9/2023 by Town of Deer Creek
Regulations Adoption Date:	09/12/2023 by Town of Deer Creek

Background:
The Town of Deer Creek has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Deer Creek.
5. A statement that the Town of Deer Creek will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Deer Creek board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 600
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Deer Creek\CTH D\ATV UTV Engineering Memo CTH D.docx

Outagamie County Highway Department
1313 Holland Road, Appleton, WI 54911-6947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org
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MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 10/10/2023
RE: Town of Deer Creek – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Deer Creek
Request:	ATV/UTV Route Designation
Highway:	CTH F
Limits:	CTH D to the east town line
Public Hearing Date:	05/09/2023 Held by Town of Deer Creek
Written Notice Sent to Property Owners on:	04/11/2023 by Town of Deer Creek
Official Action to Apply for Route Taken on:	05/9/2023 by Town of Deer Creek
Regulations Adoption Date:	09/12/2023 by Town of Deer Creek

Background:
The Town of Deer Creek has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Deer Creek.
5. A statement that the Town of Deer Creek will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Deer Creek board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 620
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Deer Creek\CTH F\ATV UTV Engineering Memo Template.docx

Outagamie County Est 1851

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Highway Department
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MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 10/10/2023
RE: Town of Deer Creek – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Deer Creek
Request:	ATV/UTV Route Designation
Highway:	CTH FF
Limits:	CTH F to the south town line
Public Hearing Date:	05/09/2023 Held by Town of Deer Creek
Written Notice Sent to Property Owners on:	04/11/2023 by Town of Deer Creek
Official Action to Apply for Route Taken on:	05/9/2023 by Town of Deer Creek
Regulations Adoption Date:	09/12/2023 by Town of Deer Creek

Background:
The Town of Deer Creek has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Deer Creek.
5. A statement that the Town of Deer Creek will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Deer Creek board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 200
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Deer Creek\CTH FF\ATV UTV Engineering Memo Template.docx

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MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 10/10/2023
RE: Town of Deer Creek – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Deer Creek
Request:	ATV/UTV Route Designation
Highway:	CTH XX
Limits:	CTH F to CTH D
Public Hearing Date:	05/09/2023 Held by Town of Deer Creek
Written Notice Sent to Property Owners on:	04/11/2023 by Town of Deer Creek
Official Action to Apply for Route Taken on:	05/9/2023 by Town of Deer Creek
Regulations Adoption Date:	09/12/2023 by Town of Deer Creek

Background:
The Town of Deer Creek has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

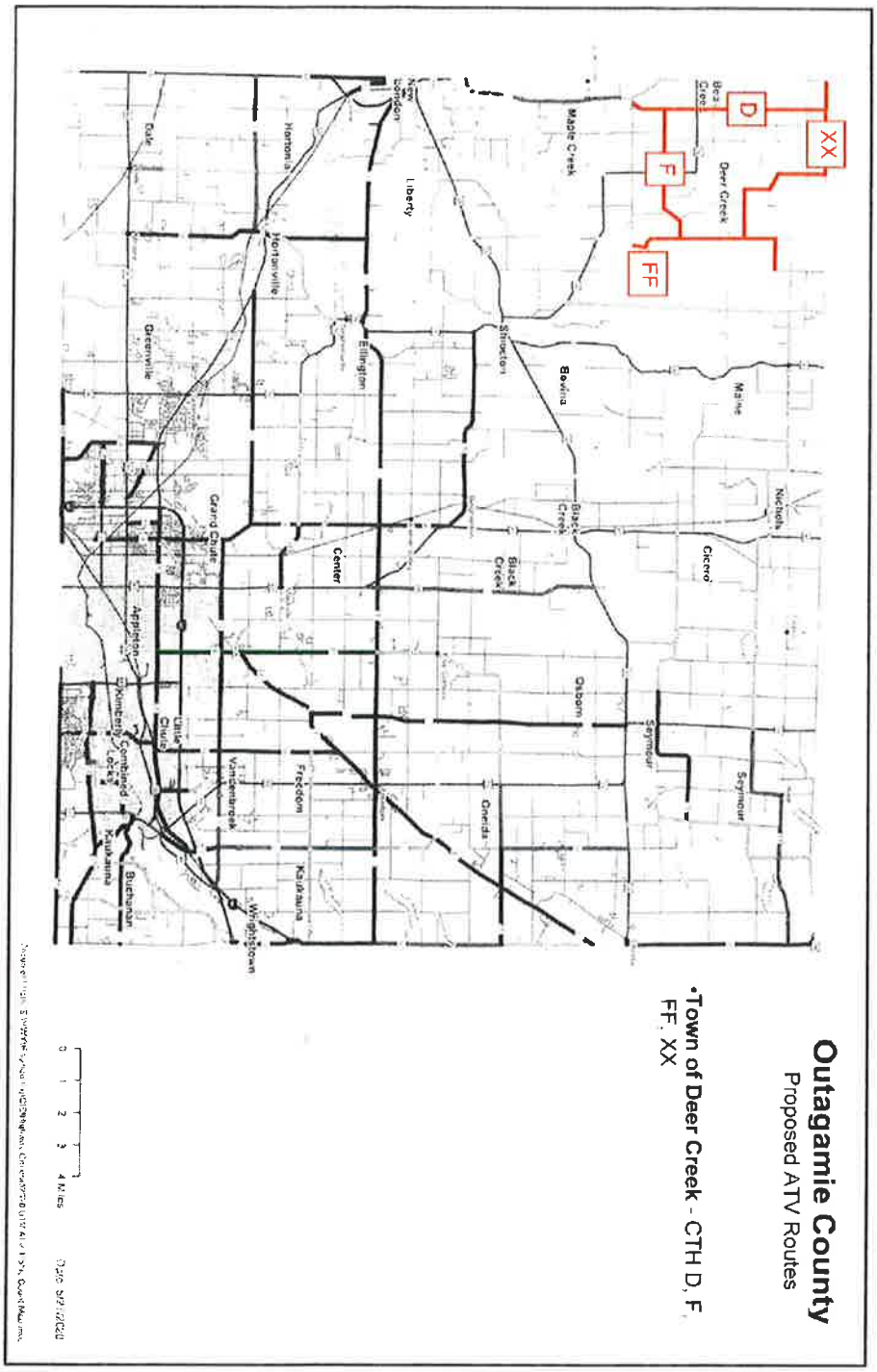
1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Deer Creek.
5. A statement that the Town of Deer Creek will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Deer Creek board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 300
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Deer Creek\CTH XX\ATV UTV Engineering Memo Template.docx


Outagamie County
Proposed ATV Routes
•Town of Deer Creek - CTH D, F, FF, XX
D
F
FF
XX
Deer Creek
Maple Creek
Liberty
Horsham
Dale
Greenville
Ellington
Bovina
Maine
Nichols
Cicero
Center
Black Creek
Osborn
Seymour
Oneida
Freedom
Kaukauna
Wrightstown
Hortonville
Shiocton
Grand Chute
Appleton
Kimberly
Combined Locks
Little Chute
Kaukauna
Bluebunn
0 1 2 3 4 Miles

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the October 10, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on October 10, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 10th Day of October, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: November 6, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, October 24, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 31 present, 5 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Konetzke, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Wegand, Hermes, MacDonald, Croatt, Cooke, Cuff, Hagen, Klemp, Thiede, Nooyen, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Rettler, Koury, and Lautenschlager. Members Absent: Santonato, Thyssen, Schroeder, Weinberg, Spears.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Santonato, Supervisor Thyssen, Supervisor Schroeder, Supervisor Weinberg, and Supervisor Spears. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

PUBLIC HEARING FOR THE PROPOSED 2024 OUTAGAMIE COUNTY BUDGET - Pursuant to Wisconsin Statutes Section 65.90.

Chairperson Nooyen opened the public hearing at 7:02 p.m.

Linda Bjella, 1333 N Lake Ct, Grand Chute, spoke on behalf of the League of Women Voters of Appleton-Fox Cities. Ms. Bjella thanked the County Board for the opportunity to speak and wanted to discuss her suggestions for the budget hearings going forward. She noted the following:

- The lack of accessibility to the public of county board and committee meetings.
- Unlike other local governments they monitor, Outagamie County does not provide a virtual option for public viewing of said meetings.
- The budget itself was inaccessible in regards to both posting and content.
- There should be, as in previous years, an explanation of “goals and accomplishments” that can help the public understand the budget.
- The budget should be clearly posted on the front page of the County Website.
- The public hearing occurs before all departments have discussed and finalized their budgets with the finance committee and therefore the public does not have all pertinent information for proper discussion.

Ms. Bjella finished by commending the county on other areas but urged the board to make the process more accessible to the public in the future.

Chairperson Nooyen requested any further speakers; none came forward.

Supervisor Lamers moved, seconded by Supervisor Cooke, to adjourn the public hearing and go into regular session at 7:05 p.m.

VOICE VOTE CARRIED UNANIMOUSLY. PUBLIC HEARING FOR THE PROPOSED 2024 OUTAGAMIE COUNTY BUDGET IS ADJOURNED.

ADJOURN PUBLIC HEARING; PROCEED WITH REGULAR MEETING

MINUTES OF THE OCTOBER 10, 2023 COUNTY BOARD MEETING
Supervisor Patience moved, seconded by Supervisor Lautenschlager, to approve the minutes of the October 10, 2023, County Board meeting.

ROLL CALL: 31 yes, 5 absent. MINUTES OF THE OCTOBER 10, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY
Chairperson Nooyen reported the request to have the Finance Director Appointment, Ordinance No. Z-5—2023-24, and Resolution No. 62—2023-24 locked in at the meeting.

The Reconsiderations and Lock-ins will be handled individually.

COMMUNICATIONS - Communication Referral List (included in the packet).
Chairperson Nooyen summarized the following communications:

- There are two Supervisors that have yet to complete the IT security training. Email reminders were sent out to complete.
- HR sent out an email to enroll or waive health insurance, a reply must be sent to complete that process before November 21st.
- Supervisor Spear's sister Liz passed away on October 17th. Visitation will be held at St. Thomas Moore Church on October 25th, from 4:30-7:00 p.m. and visitation will be held October 26th from 10:00-11:30 a.m. with a mass following.
- County Clerk Jeff King's father passed away over the weekend. Funeral arrangements are pending at this time.
- WCA sent out an email asking Supervisors to contact their State Senators to encourage them to approve Assembly Bill 439, also known as the Brewer's Bill. This bill would include an amendment to decrease sales tax from 1.75% to .75%. Outagamie could see an increase in revenue of $250,000 a year as a result of the change. Instructions were included at the bottom of the email as to how to contact your State Senator by email or phone.
- The next County Board meeting will be held on Monday, November 6th at 5:30 p.m.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS –

County Executive Nelson nomination for appointment of Trenten Woelfel as Finance Director.

Supervisor Konetzke moved, seconded by Supervisor Theide, for confirmation of the above-listed appointment.

ROLL CALL: 30 yes, 1 no (Hermes), 5 absent. TRENTEN WOELFEL IS APPOINTED AS FINANCE DIRECTOR.

RECONSIDERATION OF APPOINTMENT OF FINANCE DIRECTOR

Supervisor Klemp moved, seconded by Supervisor Gabrielson, to reconsider the Appointment of Finance Director.

Vote for reconsideration. ROLL CALL: 30 yes, 1 no (Hermes), 5 absent. THE APPOINTMENT OF FINANCE DIRECTOR IS RECONSIDERED.

LOCK IN & ADOPTION OF APPOINTMENT OF FINANCE DIRECTOR.

Vote for lock in. ROLL CALL: 30 yes, 1 no (Hermes), 5 absent. APPOINTMENT OF FINANCE DIRECTOR IS ADOPTED & LOCKED IN.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Ordinance No. Z-5—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to adopt the proposed amendment to the Outagamie County Comprehensive Plan related to Addendum 2: Farmland Preservation, as reflected in the review of Exhibit 1, as detailed on the ordinance and attachments.

Supervisor Rettler moved, seconded by Supervisor VanderHeiden, for adoption.

ROLL CALL: 31 yes, 5 absent. ORDINANCE NO. Z-5—2023-24 IS ADOPTED.

RECONSIDERATION OF ORDINANCE NO. Z-5—2023-24

Supervisor Krueger moved, seconded by Supervisor VanderHeiden, to reconsider Ordinance No. Z-5—2023-24.

Vote for reconsideration. ROLL CALL: 31 yes, 5 absent. ORDINANCE NO. Z-5—2023-24 IS RECONSIDERED.

LOCK IN & ADOPTION OF RESOLUTION NO. Z-5 —2023-24.

Vote for lock in. ROLL CALL: 31 yes, 5 absent. ORDINANCE NO. Z-5—2023-24 IS ADOPTED & LOCKED IN.

Resolution No. 59—2023-24 – Finance Committee. Approve to disallow the claim submitted by Edwin Schelling, on file in the County Clerk's office, and no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Supervisor Croatt moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO.59—2023-24 IS ADOPTED.

Resolution No. 60—2023-24 – Finance Committee. Approve the sale of In-Rem Tax Foreclosure property in the Village of Hortonville, Parcel ID Number 240054600, "as is" for $453.77, with no budget adjustment necessary, as detailed in the attached fiscal note and Agreement between Outagamie County and the Village of Hortonville.

Supervisor Croatt moved, seconded by Supervisor Theide, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO.60—2023-24 IS ADOPTED.

Resolution No. 61—2023-24 – Finance Committee. Approve the sale of In-Rem Tax Foreclosure property in the Town of Grand Chute, Parcel ID Number 102234900, "as is" for $1,151.51, with no budget adjustment necessary, as detailed in the attached fiscal note and Agreement between Outagamie County and the Town of Grand Chute.

Supervisor Cuff moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO.61—2023-24 IS ADOPTED.

Resolution No. 62—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Seventh Addendum to Lease Agreement between the Appleton International Airport and Gulfstream Aerospace Services Corporation in order to extend the terms of the contract and construct additional on-site parking at the premises, as noted on the attachments; and authorize and approve to increase the Airport Rental Properties Gulfstream South Hangar line item by $12,193 and decreasing the Airport Terminal Fund Balance Applied line item by $12,193, as detailed on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO.62—2023-24 IS ADOPTED.

RECONSIDERATION OF RESOLUTION NO.62 —2023-24.

Supervisor Krueger moved, seconded by Supervisor Culbertson, to reconsider Resolution No. 62—2023-24.

Vote for reconsideration. ROLL CALL: 31 yes, 5 absent. RESOLUTION NOS. 62 —2023-24 IS RECONSIDERED.

LOCK IN & ADOPTION OF RESOLUTION NO.62 —2023-24.

Vote for lock in. ROLL CALL: 31 yes, 5 absent. RESOLUTION NO.62 —2023-24 IS ADOPTED & LOCKED IN.

Resolution No. 63—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize selling and moving an Appleton International Airport owned house located at W6854 County Road BB in the Village of Greenville, Outagamie County, and authorize the necessary sealed bids for the selling and moving of the house.

Supervisor Monfils moved, seconded by Supervisor Culbertson, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO.63—2023-24 IS ADOPTED.

Resolution No. 64—2023-24 – Finance Committee. Authorize and approve of increasing the IT Salaries line item by $35,000 and decreasing the IT Purchased Services line item by $35,000, to fill a vacant Systems Analyst position, as detailed on the resolution and attached fiscal note.

Supervisor Lawrence moved, seconded by Supervisor Croatt, for adoption.

Supervisor Miller moved, seconded by Supervisor Theide, to amend Resolution 64—2023-24 to read as 'Authorize and approve of decreasing the IT Salaries line item by $35,000 and increasing the IT Purchased Services line item by $35,000, to fill a vacant Systems Analyst position, as detailed on the resolution and attached fiscal note for amendment.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO.64—2023-24 IS AMENDED.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO.64—2023-24 IS ADOPTED AS AMENDED.

Ordinance No. G—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH M between CTH S and STH 54, in the Town of Liberty, as an ATV/UTV route, as detailed on the ordinance and attachments.

Supervisor Hagen moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 25 yes, 6 no (Thompson, Smith, Konetzke, Ferguson, MacDonald, Thiede), 5 absent. ORDINANCE NO. G—2023-24 IS ADOPTED.

REPORTS–Per County Ordinance Chapter 22 Section 166, the Purchasing Agent shall report to the County Board items that have been sold with a value of $5,000 or greater. The following item was recently sold: Sale of Personal Property—2011 Ford Fusion was sold via public bid for $7,001 on October 17th.

ADJOURNMENT

Supervisor Patience moved, seconded by Supervisor Lamers to adjourn until November 6, 2023, at 5:30 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:28 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

LOCK IN & ADOPTION OF ORDINANCE NO. Z-5 —2023-24.

Vote for lock in. ROLL CALL: 31 yes, 5 absent. ORDINANCE NO. Z-5 —2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS | 31 YES | 0 NO | 0 ABSTAIN | 5 ABSENT

Ordinance No. Z-5—2023-24 - Lock In

Lock in of Ordinance No. Z-5—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 KELLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County EST 1851 **10-24-23 County Board Meeting - October 24 2023 07:13:51 PM** OpenMeeting TECHNOLOGIES

October 24, 2023 County Board Meeting

RECONSIDERATION OF ORDINANCE NO. Z-5—2023-24

Supervisor Krueger moved, seconded by Supervisor VanderHeiden to reconsider Ordinance No. Z-5—2023-24.

Vote for reconsideration. ROLL CALL: 31 yes, 5 absent. ORDINANCE NO. Z-5—2023-24 IS RECONSIDERED.

VOTE RESULTS 31 YES 0 NO 0 ABSTAIN 5 ABSENT

Ordinance No. Z-5—2023-24 - Reconsideration

Reconsideration of Ordinance No. Z-5—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **10-24-23 County Board Meeting - October 24 2023 07:13:41 PM** OpenMeeting

October 24, 2023 County Board Meeting

Ordinance No. Z-5—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to adopt the proposed amendment to the Outagamie County Comprehensive Plan related to Addendum 2: Farmland Preservation, as reflected in the review of Exhibit 1, as detailed on the ordinance and attachments.

Supervisor Rettler moved, seconded by Supervisor VanderHeiden, for adoption.

ROLL CALL: 31 yes, 5 absent. ORDINANCE NO. Z-5—2023-24 IS ADOPTED.

VOTE RESULTS 31 YES 0 NO 0 ABSTAIN 5 ABSENT

Ordinance No. Z-5—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to adopt the proposed Comprehensive Plan related to Addendum 2: Farmland Preservation, as reflected in the review of Exhibit 1, as detailed on the ordinance and attachments.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG ABSENT
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **10-24-23 County Board Meeting - October 24 2023 07:13:18 PM** OpenMeeting

October 24, 2023 County Board Meeting

ORDINANCE NO.: Z-5—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY COMPREHENSIVE PLAN. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 66.1001(4) of the Wisconsin State Statutes.

Outagamie County Planning Staff review recommends approval of proposed comprehensive plan amendment. The Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following ordinance.

BE IT ORDAINED that the Outagamie County Board of Supervisors does approve the attached proposed amendment to the Outagamie County Comprehensive Plan related to Addendum 2: Farmland Preservation, as reflected in the review of Exhibit 1, which by reference is made a part hereof:

- Repeal and replace Addendum 2: Farmland Preservation Plan,
- Remove the Town of Greenville Future Land Use Map 35, Page Vol. II- 37 and Update Map Exhibit Reference Numbers for Map 36 through Map 39,
- Add Language to Volume II of the Comprehensive Plan to Manage Consistency Between the Comprehensive Plan and the Farmland Preservation Plan

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in Outagamie County upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this Ordinance to the Outagamie County Department of Development and Land Services Director.

Dated this 24th day of October 2023.

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: October 24, 2023

Signed: _____
Board Chairperson

Kelly M. Gunt, Deputy Clerk
County Clerk

Approved: 10-26-23

Vetoed: _____

Signed: _____
County Executive

ZONING COMMITTEE RESOLUTION NO.: PL202300376

RECOMMENDING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR OUTAGAMIE COUNTY, WISCONSIN

WHEREAS, pursuant to 59.69(3) of the Wisconsin Statutes, Outagamie County is authorized to prepare and adopt a comprehensive plan as defined in Section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes, and

WHEREAS, Outagamie County has developed a process to allow for amendments to the Comprehensive Plan, and

WHEREAS, the State Comprehensive Planning Law requires that the County follow the same administrative procedures for adoption defined under Wisconsin Statutes, Section 66.1001(4), to amend the Comprehensive Plan, and

WHEREAS, Outagamie County has held at least one public hearing on this amendment, in compliance with requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW THEREFORE, BE IT RESOLVED, that the Outagamie County Zoning Committee hereby recommends to the County Board that the attached Comprehensive Plan Amendment be adopted pursuant to Wisconsin Statutes Section 66.1001(4).

Adopted this 10 day of October, 2023

Debra Vander Heiden, Committee Chair

Daniel Rettler, Committee Secretary

Adopted: 5 - 0

ZONING COMMITTEE RESOLUTION NO.: PL202300376

RECOMMENDING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR OUTAGAMIE COUNTY, WISCONSIN

WHEREAS, pursuant to 59.69(3) of the Wisconsin Statutes, Outagamie County is authorized to prepare and adopt a comprehensive plan as defined in Section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes, and

WHEREAS, Outagamie County has developed a process to allow for amendments to the Comprehensive Plan, and

WHEREAS, the State Comprehensive Planning Law requires that the County follow the same administrative procedures for adoption defined under Wisconsin Statutes, Section 66.1001(4), to amend the Comprehensive Plan, and

WHEREAS, Outagamie County has held at least one public hearing on this amendment, in compliance with requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW THEREFORE, BE IT RESOLVED, that the Outagamie County Zoning Committee hereby recommends to the County Board that the attached Comprehensive Plan Amendment be adopted pursuant to Wisconsin Statutes Section 66.1001(4).

Adopted this _____day of October, 2023

Debra Vander Heiden, Committee Chair Daniel Rettler, Committee Secretary

Adopted: _____ - _____

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **August 22, 2023**
RE: **PL202300376: Proposed Outagamie County Comprehensive Plan Amendment related to Farmland Preservation**

BACKGROUND

The *Outagamie County Comprehensive Plan 2040: A Shared Path Forward* (hereinafter the Comprehensive Plan) was adopted in 2020. Occasionally, amendments to the Comprehensive Plan are needed to ensure the document remains up-to-date, relevant, and statutorily compliant. This memorandum discusses three proposed changes to the Comprehensive Plan.

Proposed Change 1:
Repeal and Replace Addendum 2: Farmland Preservation Plan

Repeal Addendum 2: Farmland Preservation Plan, originally adopted in 2011, and replace it with Addendum 2: *Preserving our Roots, Securing our Future*, Outagamie County's Farmland Preservation Plan for the 2023–2023 Planning Horizon.

Wisconsin's Farmland Preservation Program began in 1977. To participate in the state's program, Outagamie County has maintained a farmland preservation plan since 1982. The Department of Agriculture, Trade and Consumer Protection (DATCP) requires Counties to update and recertify their farmland preservation plans every 10 years. *Preserving our Roots, Securing our Future* serves as the County's next plan update. The plan update is required to be recertified by the end of this 2023 to maintain compliance with Wisconsin's Farmland Preservation Program.

Development of the Plan update allowed the County to take stock of existing agricultural resources, and relevant changes that have occurred over the past decade. It has allowed the County to improve and reshape our policies and maps to ensure we continue to support farmers, preserve farmland for future generations, and mitigate environmental and/or land use conflicts that have arisen or may arise in the future.

The County's existing Farmland Preservation Plan is posted on the County's Farmland Preservation Plan website. The **proposed** Farmland Preservation Plan including Appendix A is attached as Exhibit 1. For reference, a summary of outreach and engagement activities that informed the plan update is attached as Exhibit 2.

Per DATCP's application for farmland preservation plan certification, DATCP reminds applicants that "if the County has a Comprehensive Plan, the County must include the Farmland Preservation Plan in its Comprehensive Plan under s. 91.10(2), Wis. Stats." Outagamie County does have a Comprehensive Plan, and our Farmland Preservation Plan is included in the Comprehensive Plan as Addendum 2.

Proposed Change 2:
Remove the Town of Greenville Future Land Use Map (Map 35, Page Vol. II – 37) and Update Map Exhibit Reference Numbers for Map 36 through Map 39

The County's Comprehensive Plan (Volume 2) still contains a Town of Greenville Future Land Use (FLU) map from before the jurisdiction became a Village (see Exhibit 3). County planning staff recommends removing this outdated map. The map would not be replaced as the County's Comprehensive Plan does not contain FLU maps for incorporated communities. For organizational purposes, County planning staff then recommends updating the map exhibit reference numbers throughout the remainder of the Comprehensive Plan.

This proposed change is relevant from a farmland preservation perspective, because the Village of Greenville does participate in state farmland preservation programs (e.g., farmland preservation zoning and agricultural enterprise areas). Because the Village participates in these programs, they are required to be included in our Farmland Preservation Plan. Removing Greenville's outdated FLU map from our Comprehensive Plan helps to mitigate inconsistencies between both planning documents as instructed in Wis. Stats. 91.10(2)... "ensure that the farmland preservation plan is consistent with the [County] comprehensive plan."

Proposed Change 3:
Add Language to Volume II of the Comprehensive Plan to Manage Consistency Between the Comprehensive Plan and the Farmland Preservation Plan

The County's Comprehensive Plan and the County's Farmland Preservation Plan are required to be consistent. In DATCP's application for farmland preservation plan certification, DATCP specifically states:

> "If there are inconsistencies [between the County's Comprehensive Plan and Farmland Preservation Plan], the County may clarify that the Farmland Preservation Plan supersedes the Comprehensive Plan and any and all inconsistencies between the two shall be resolved in favor of the Farmland Preservation Plan. The County must include a statement in both the Comprehensive Plan and the Farmland Preservation Plan declaring that the Farmland Preservation Plan supersedes the Comprehensive Plan so that a person referring to either plan will be aware of each plan's relationship to the other."

Accordingly, the following language is proposed to be added to Page Vol. II – 2 of the Comprehensive Plan as a new sub-section labeled "Consistency with the County Farmland Preservation Plan" within the existing "Planning Context" section:

"If there are inconsistencies between the County Comprehensive Plan and the County's Farmland Preservation Plan, the Farmland Preservation Plan supersedes the Comprehensive Plan and any and all inconsistencies between the two shall be resolved in favor of the Farmland Preservation Plan for matters related to agricultural planning and development.

2

Concluding Summary
It is County planning staff's opinion that the proposed amendments are consistent with the Comprehensive Plan. In particular, the amendments are consistent with the Comprehensive Plan's future land use maps as well as its goals and recommendations:

- Goal 3: Cooperative, intergovernmental land-use decisions.
    - Recommendation 3.1 Create a routine community-based process to evaluate key land use issues and how best to address through regulatory instruments or other means.
- Goal 6: Wise land development and conservation practices.
    - Recommendation 6.3 Encourage more intense development patterns to occur on public sewer, within the limitations of the RF-121 Sewer Serve Area Plans where applicable, and water systems, whenever possible.
    - Recommendation 6.4 Continue to maintain the Farmland Preservation Program. Consider adding a "food systems" element to the next Farmland Preservation Plan Update. Explore creating additional Agriculture Enterprise Areas (AEAs) when desired by local communities, and when county resources are available.
- Goal 8: Proactively anticipating the future becomes standard practice for Outagamie County.

STAFF RECOMMENDATION

Planning staff recommends adoption of the proposed County Comprehensive Plan amendments, as discussed above. To do this, the following action is required pursuant to Wis. Stats. 66.1001:

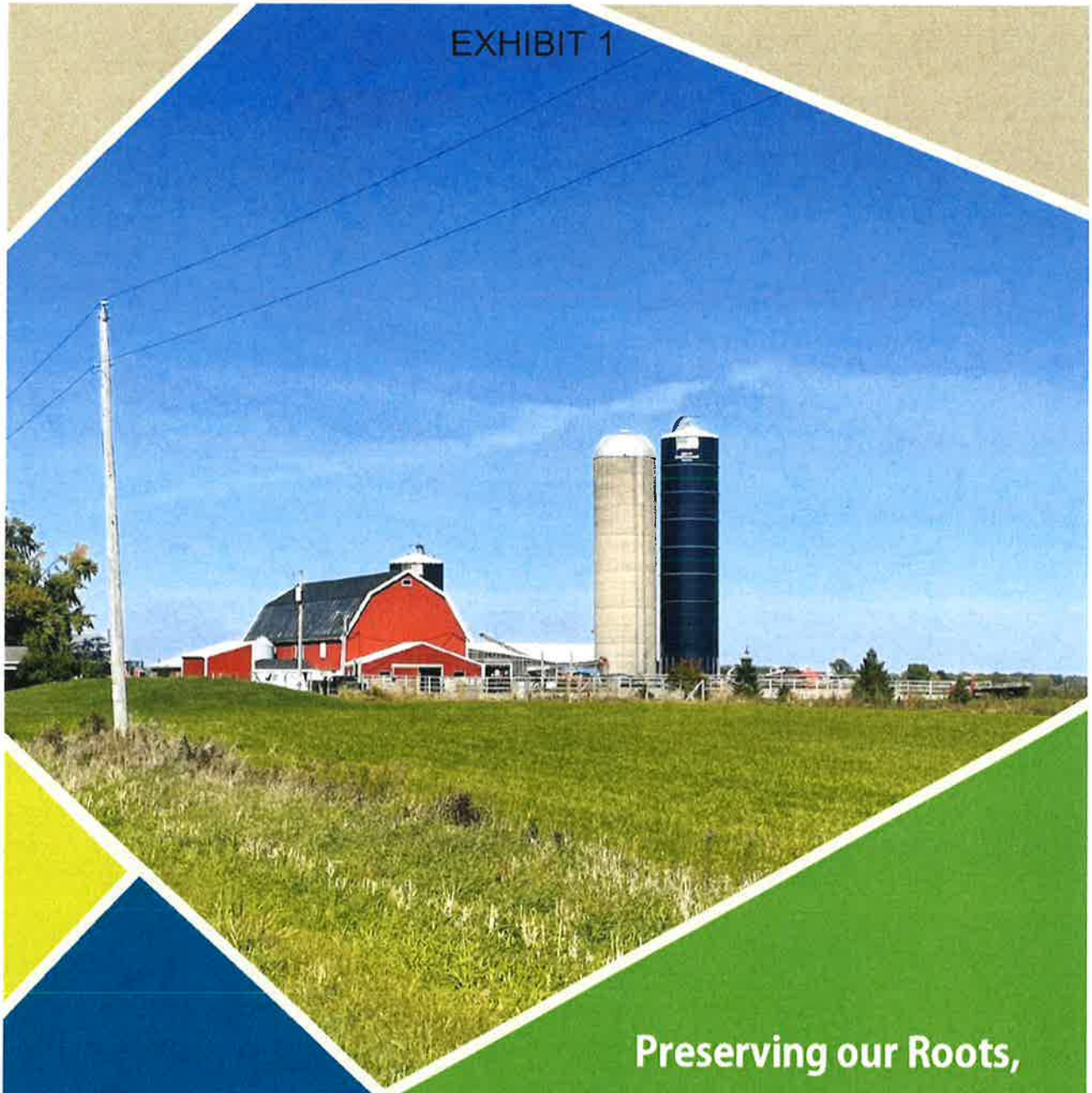
- Zoning Committee adopts a Resolution authorizing the amendments and advancing them to the County Board (Wis. Stats. 66.1001(4)(b)).
- County Board approves an Ordinance adopting the amendments (Wis. Stats. 66.1001(4)(c)).

**** LOCK IN REQUEST ** Due to a pending Town Rezoning related to this proposal, County staff requests that the Board's decision for this Comprehensive Plan Amendment be locked-in at the first County Board meeting where this proposal is considered.**

EXHIBITS:

- Exhibit 1: *Preserving our Roots, Securing our Future*, Outagamie County's Farmland Preservation Plan for the 2023–2023 Planning Horizon, to include Appendix A
- Exhibit 2: Farmland Preservation Plan Update: Summary of Outreach and Engagement Activities
- Exhibit 3: Town of Greenville Future Land Use Map (Map 35)

EXHIBIT 1



Preserving our Roots, Securing our Future

Outagamie County's Farmland Preservation Plan for the 2023–2033 Planning Horizon

Outagamie County

PREPARED BY:
Outagamie County Development and Land Services Department

Final Draft: July 2023
ADOPTED _____ 2023

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HOW TO USE THIS PLAN:

PART 1	PART 2	PART 3
DECISION-MAKING GUIDANCE	CONDITIONS and CONSIDERATIONS	FARMLAND PRESERVATION MAPS
Part 1 explains the purpose of this plan and it presents the County's farmland preservation goals and policies. This section also presents a series of recommendations (strategies and actions) to implement this plan's goals and policies.	Part 2 summarizes existing agricultural conditions and trends in Outagamie County, and in Wisconsin to offer additional context. This section also documents issues that Outagamie County should plan for over the next 10 years.	Part 3 delineates the County's farmland preservation areas. A farmland preservation map is included for every Town in Outagamie County as well as the Village of Greenville.

PART 1



INTRODUCTION

Wisconsin's farmland preservation program began in 1977. To participate in the state's program, Outagamie County has maintained a farmland preservation plan since 1982. This document, *Preserving Our Roots, Securing Our Future*, updates the County's farmland preservation plan which was last certified by the Department of Agriculture, Trade and Consumer Protection in 2012.

Purpose of the Plan

The purpose of this plan is to protect agricultural land uses within Outagamie County. It is also to help the County plan for the future agricultural needs of the county and state.

Development of this plan allowed the County to take stock of existing agricultural resources, and relevant changes that have occurred over the past decade. It has allowed the County to improve and reshape our policies to ensure we continue to support farmers, preserve farmland for future generations, and mitigate any environmental and land use conflicts that have arisen or may arise in the future.

This plan addresses Wisconsin's farmland preservation planning requirements, which are documented in Wis. Stats. 91.10. At a high-level, and among other required content, this plan includes:

- The county's goals and policies related to farmland preservation and the development of enterprises related to agriculture.
- Information documenting the county's agricultural trends and resources.
- Information about development trends, plans, or needs that may affect farmland preservation and agricultural development in the county.
- Strategies to preserve farmland and promote agriculture development.
- Maps delineating agricultural preservation areas countywide.

THE WORKING LANDS INITIATIVE:

The passage of the "Working Lands Initiative" in 2009 revamped Wisconsin's Farmland Preservation Program of 1977.

The existing program is administered by the Department of Agriculture, Trade and Consumer Protection (DATCP).

DATCP allows counties to participate in its Farmland Preservation Program by developing farmland preservation plans. Plans must be updated and recertified every 10 years.

This plan ensures that Outagamie County and its Towns remain eligible to participate in other farmland preservation programs such as Agricultural Enterprise Areas and Farmland Preservation Zoning. It also ensures that eligible farmers have a pathway to collect Farmland Preservation Tax Credits. As of 2023, the Village of Greenville and seven of Outagamie County's Towns participated in the farmland preservation zoning program (Black Creek, Cicero, Deer Creek, Hortonia, Kaukauna, Maple Creek, and Seymour). As of 2023, the County contained three Agricultural Enterprise Areas (Cicero Blackmour AEA, Greenville Greenbelt AEA, and Three Rivers AEA).

Consistency with the County Comprehensive Plan

Outagamie County's Farmland Preservation Plan serves as Addendum 2 of the County's Comprehensive Plan. At the time of this plan's adoption in 2023, the mapped farmland preservation areas, documented in Part 3 of this plan, were consistent with the future land use maps documented in the County's Comprehensive Plan. Changes to the farmland preservation plan, including mapped farmland preservation areas, may occur via an amendment to the County's Comprehensive Plan.

If there are inconsistencies between the County Comprehensive Plan and the County's Farmland Preservation Plan, the Farmland Preservation Plan supersedes the Comprehensive Plan and any and all inconsistencies between the two shall be resolved in favor of the Farmland Preservation Plan for matters related to agricultural planning and development.

The Planning Process

To summarize the development of this plan, Outagamie County's Development and Land Services Department carried out four major tasks:

- **Data Analysis and Examination of Trends.** County staff analyzed data and reviewed relevant reports to document and better understand agricultural and development trends affecting the county. County staff also assessed specific trends impacting Wisconsin overall as a point of comparison. Some of the primary data sources used included the U.S. Census of Agriculture, USDA's National Agricultural Statistics Service, and the U.S Decennial Census. This research helped to inform what changes to anticipate in the nature, scope, location, and focus of agricultural production, processing, supply, and distribution needs in the county.
- **Public and Stakeholder Engagement.** County staff provided opportunities for the public and stakeholders to offer input. Key opportunities included two online surveys, updates at Outagamie County Town's Association meetings, and ongoing correspondence with Towns to review draft work at key stages of the planning process. Findings from these outreach efforts allowed County staff to evaluate what was uncovered through technical analysis against the perspectives held by members of our community.

  For more information about the public and stakeholder engagement activities conducted as part of this planning process, please see the *Farmland Preservation Plan, Record of Outreach and Engagement*. This record includes all the responses to the two online surveys.
- **Spatial Analysis.** County staff established a framework using objective criteria and modeled spatial and land use data to inform the development of its farmland preservation area maps. The County relied on feedback from municipality representatives and DATCP to refine and streamline the mapping framework.
- **Best Practice Research.** County staff reviewed literature, publications/reports, and other Wisconsin County's farmland preservation plans to understand how best to preserve farmland and support farmers. This research helped to inform the development of this plan's goals, policies, and strategies.

GOALS

This plan highlights four farmland preservation planning goals. These goals represent general statements of the future conditions considered desirable for the Outagamie County community.

Goal 1	Goals 2	Goal 3	Goal 4
			
Agricultural, forest, and open lands are abundant.	Agricultural enterprises are successful.	New occurrences of incompatible land uses are rare.	Locating urban development near public facilities is standard practice.

Source: image: www.flaticon.com.

In addition to these goals, this plan upholds the four planning themes / guiding principles of the County's Comprehensive Plan.

- Advancing Health, Safety, and Opportunity
- Good Governance, Collaboration, and Creativity
- Sustainability, Resilience, and Resource Stewardship
- Equitable, Interconnected, and Community Sensitive

POLICIES

This plan highlights eight policies to guide decision-making through 2033. These policies are intended to provide guidance, consistency, accountability, efficiency, and clarity for County government when making decisions associated with farmland preservation matters.

Policy 1 Outagamie County will continue to participate in farmland preservation planning and related activities, consistent with recommendations in the County's Comprehensive Plan.

Policy 2 Development of non-farm uses which are incompatible with farm uses should be discouraged in farmland preservation areas.

Policy 3 When the conversion of a certified farm parcel to a non-certified farm parcel (or portion thereof) is warranted or requested, the size of the conversion should preserve the maximum amount of remaining farmland of the parent farm parcel; the location and configuration of the conversion should not substantially impair or limit current or future agricultural use of surrounding parcels of land. In addition, the location and configuration of the conversion should minimize the impairment to future agricultural use of surrounding parcels of land. See recommendation 2.3 for further guidance.

Policy 4 Development of community, regional, national, and international markets for agricultural products should be encouraged to promote the county's agricultural industry.

Policy 5 The creation of conventional, organic, and regenerative agricultural practices and enterprises in Outagamie County should be supported.

Policy 6 Participation in Certified Farmland Preservation Zoning and the Agricultural Enterprise Area (AEA) Program shall be encouraged and supported.

Policy 7 Urban development, including residential subdivisions, should be encouraged to locate in incorporated communities of the county or in identified growth areas that are consistent with the County's Comprehensive Plan.

Policy 8 The County should continue to manage consistency between the future land use maps within the County's Comprehensive Plan, the farmland preservation maps within the County's Farmland Preservation Plan, and town and county zoning district maps.

FARMLAND PRESERVATION STRATEGY

This section presents recommended strategies and actions and programs to implement the goals and policies of this plan. A schedule is offered to estimate when specific tasks should be completed during the planning period. Unless otherwise noted, the implementation "lead" for many of these actions will be Outagamie County's Development and Land Services (DLS) Department.

Recommended Action		Lead	Schedule
Strategy 1: Maintain compliance with the State's Farmland Preservation Program and maintain the use value of Outagamie County's Farmland Preservation Plan.			
1.1	Review this plan annually.	DLS, Zoning Committee	Annually
1.2	Submit annual rezone reports for farmland preservation zoning districts to DATCP.	DLS, Appl. Towns	Annually
1.3	Work with DATCP to recertify the County's and Towns' farmland preservation zoning ordinances.	DLS, Appl. Towns	2024
1.4	When 2022 and 2027 USDA Agricultural Census data is released (estimated: February 2024 and 2029), conduct and publish a brief analysis to assess changes to the agricultural landscape in Outagamie County.	DLS	2024 & 2029
1.5	Update this plan in its entirety, and adopt the revised plan, before December 31, 2033.	DLS	2032 – 2033
Strategy 2: Actively and intentionally manage the preservation of farmland.			
2.1	Engage Towns and landowners to promote Farmland Preservation Zoning and Agricultural Enterprise Areas Programs.	DLS	Periodically
2.2	Evaluate the standards set forth in the County's certified farmland preservation zoning ordinance to ensure the County's Exclusive Agriculture District continues to be effective in meeting the purpose of the district. If issues are identified, work with towns under County Zoning Authority to evaluate potential amendments.	DLS, Appl. Towns	Near-term
2.3	Consistently apply decision-making guidance (documented in Exhibit 1) when the conversion of a certified farm parcel to a non-certified farm parcel (or portion thereof) is warranted or requested.	DLS	As needed

Recommended Action		Lead	Schedule
2.4	Collaborate and partner with municipalities and groups to support and encourage farmland preservation programs, practices/concepts, and initiatives.	DLS	As needed
Strategy 3: Proactively mitigate conflict between agricultural and non-agricultural uses.			
3.1	Evaluate changes to the County's Zoning Ordinance to better manage growth and development. In particular, evaluate: • Zoning efficiency measures that can be implemented in residential zoning districts, for the purpose of increasing housing densities in areas designated for growth. • Appropriateness of the permitted uses and special exception uses in the General Agriculture District. If issues or opportunities are identified, work with towns under County Zoning Authority to evaluate potential amendments.	DLS, Appl. Towns, Zoning Committee	2023, and As needed
3.2	Assist in the development of cooperative boundary agreements and exterritorial zoning.	DLS, Village/City, Appl. Towns	As needed
Strategy 4: Support existing and new agricultural producers, and expanding and new agricultural businesses or enterprises.			
4.1	Promote programs that make local farming operations more sustainable and economically viable.	DLS, LCD	Ongoing
4.2	Promote agritourism by identifying opportunities to amend the County's Zoning Ordinance to allow agritourism uses outright or as a special exception in the General Agricultural District.	DLS	Near-term
4.3	Identify ways to encourage farm succession planning.	DLS	Mid-term
4.4	Identify ways to help promote the 4-H program.	DLS	Mid-term
4.5	Develop marketing strategies to inform the general public of the importance of agriculture and of supporting existing, local agricultural businesses/enterprises.	DLS	Mid-term
Strategy 5: Continue to explore evolving topics, issues, and programs that are related to the agricultural industry and farmland preservation.			

Recommended Action		Lead	Schedule
5.1	Monitor the impact of solar and wind facility installation on agricultural lands in the County and across the state.	DLS	Ongoing
5.2	Identify preferred locations for solar and wind facility installations that minimize impacts to county agricultural lands.	DLS	Near-term
5.3	Explore water management opportunities to mitigate drainage issues and address water quality issues.	DLS, LCD	Ongoing
5.4	Explore provisions, efforts, or programs related to voluntary climate-smart agricultural and forestry practices and renewable energy opportunities for agricultural producers.	DLS	Long-term
5.5	Continue to explore food system research opportunities, possibly through partnerships with adjacent counties.	DLS	Long-term
5.6	Explore agricultural resource protection tools and programs such as conservation subdivisions, conservation easements, purchase of and transfer of development rights programs, and right to farm deed restrictions.	DLS, Appl. Towns	Ongoing

Decision-Making Guidance for Certified Farm Parcels

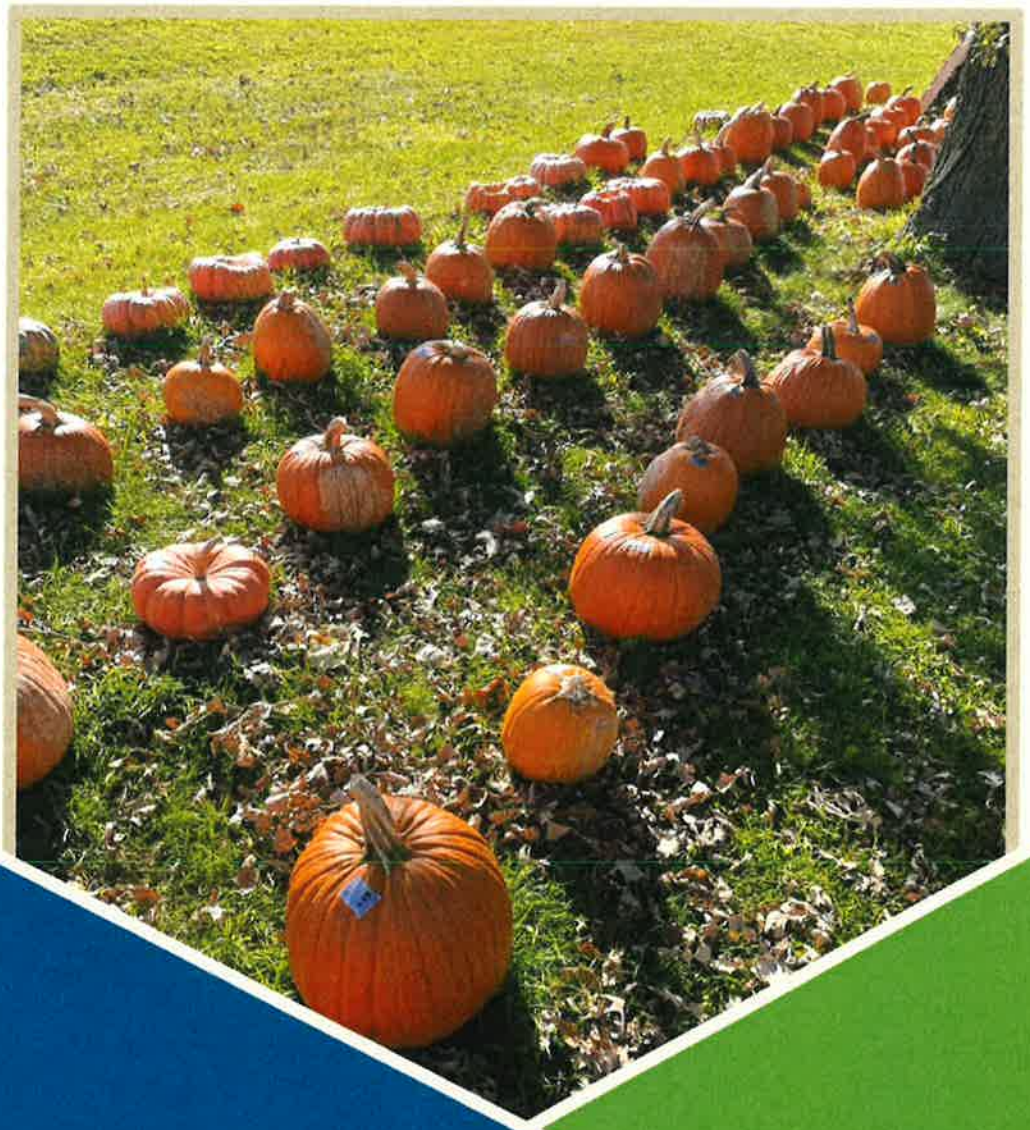
Per Policy 3 and Recommendation 2.3, consistently apply the following decision-making guidance when the conversion of a certified farm parcel to a non-certified farm parcel (or portion thereof) is warranted or requested.

Exhibit 1. Decision-Making Guidance for Rezoning Certified Farm Parcels

Recommended Criteria to Consider for Required Findings[1]		YES	NO
Finding 1: The rezoned land is better suited for a use not allowed in the AED exclusive agricultural district.			
1a.	The rezoned land is not prime farmland.	☐	☐
1b.	The rezoned land is directly adjacent to land that is not zoned AED.	☐	☐
1c.	The rezoned land is within 3-miles of a first-, second-, or third-class city or is within 1.5-miles of a fourth-class city or village.	☐	☐
Finding 2: The rezoning is consistent with any applicable comprehensive plan.			
2a.	The rezoning is consistent with the Future Land Use Map of the applicable comprehensive plan.	☐	☐
2b.	The rezoning is consistent with goals of the comprehensive plan.	☐	☐
Finding 3: The rezoning is substantially consistent with the county farmland preservation plan, which is in effect at the time of the rezoning.			
3a.	On a per Town-basis, the lands within a certified farmland preservation zoning district are at least 80% consistent with the lands planned for farmland preservation in the County's Farmland Preservation Plan.	☐	☐
Finding 4: The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.			
4a.	The rezoned land is two or fewer acres.	☐	☐
4b.	The rezoned land is located adjacent to road frontage and adjacent to a corner of the parent parcel.	☐	☐
4c.	If the rezoned land cannot be located within the corner of the parent parcel, the distance between the rezoned land and the parent parcel's lot lines are sufficiently spaced to maintain the future use value of the parent parcel.	☐	☐
4d.	The rezoned land is square or rectangular in shape, not overtly elongated, and compact, unless certain topographical or environmental circumstances prevent it.	☐	☐
4e.	The rezoned land does not isolate farmland parcels that would further fragment areas of agricultural lands.	☐	☐

[1] Findings derive from Wis Stat 91.48 and Sec. 54-105 of Outagamie County's Zoning Ordinance.

PART 2



RESOURCES SUPPORTING AGRICULTURE

This section considers land, soil, and water resources which are each necessary building blocks to support the County's agricultural industry. This section also considers the human-made resources supporting agriculture in this county (e.g., key infrastructure and enterprises).

Available Land

While Outagamie County contains much of the Fox Cities (a cluster of urban and urbanizing cities, towns, and villages along the Fox River), it maintains strong roots in agriculture. This is primarily due to the fact that most of the county – in terms of geographic area – remains rural in nature and comprises extensive and contiguous agricultural acreage.

According to the U.S. Census of Agriculture, the county had 236,963 acres of farmland as of 2017 – accounting for roughly 57 percent of the county's total land area. Due to development pressure over the years, the county has experienced a loss of its agricultural land supply. For example, Exhibit 2 shows that the county lost over 13,000 farm acres between 2012 and 2017. Looking over a longer time period, the county lost over 26,000 farm acres between 2002 and 2017.

Exhibit 2. Change in Total Farmland Acreage in Outagamie County - 2002, 2007, 2012, and 2017
Source: U.S. Census of Agriculture, 2002, 2007, 2012, and 2017 (Table 8).

Total Farmland Acres				Change in Total Farmland Acres			
				2002 to 2017		2012 to 2017	
2002	2007	2012	2017	#	%	#	%
263,485	247,482	250,748	236,963	-26,522	-10%	-13,785	-5%

Exhibit 3 depicts land use distribution trends in Outagamie County, to further assess the county's agricultural land base. The exhibit uses GIS data from the County and land use data from the East Central Wisconsin Regional Planning Commission.

It shows that, between 2003 and 2015, the county's share of land classified as "Agricultural & Vacant" decreased by three percentage points. This has occurred as the share of developed lands (e.g., residential, commercial/institutional, and industrial) increased.

Exhibit 3. Land Use Distribution in Outagamie County - 2003 and 2015
Source: Outagamie County Comprehensive Plan (Summary of Table 24).

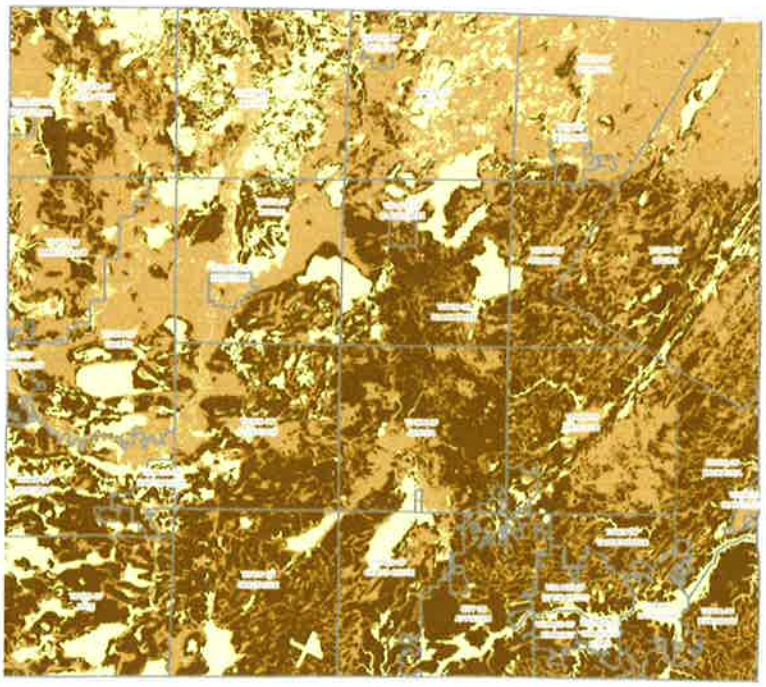
Category	2003	2015
Agricultural & Vacant	61%	58%
Woodland	21%	22%
Residential	7%	8%
Commercial / Institutional	2%	3%
Industrial	1%	2%
Other	7%	7%
Total	**100%**	**100%**

Soil Resources

Prime farmland, as defined by the USDA, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. Because of these characteristics, prime farmlands are important to preserve for agricultural purposes.

Exhibit 4 shows the location of prime farmland in Outagamie County. Of the county's total land area, roughly 47% is classified as prime farmland, 36% as prime farmland (if drained/protected), and 17% as not prime farmland. See Exhibit 5 to review soil quality data at a more granular level (by municipality).

Exhibit 4. Prime Farmland in Outagamie County
Source: Outagamie County, using data from NRCS Soil Survey



Prime Farmland Classification
- Prime Farmland
- Prime Farmland (If Drained, If Protected)
- Not Prime Farmland

Exhibit 5. Prime Farmland Characteristics in Outagamie County (by Municipality)
Source: Outagamie County, using data from NRCS Soil Survey

Municipality	Prime Farmland		Prime Farmland (If Drained / Protected)		Not Prime Farmland	
	Acres	Share	Acres	Share	Acres	Share
Unincorporated Communities						
Black Creek	12,794	57%	4,695	21%	4,965	22%
Bovina	7,369	34%	9,066	42%	5,205	24%
Buchanan	6,912	71%	1,917	20%	877	9%
Center	14,625	65%	6,851	31%	879	4%
Cicero	3,414	15%	13,665	60%	5,601	25%
Dale	11,040	57%	2,862	15%	5,536	28%
Deer Creek	7,509	33%	10,494	46%	4,666	21%
Ellington	13,153	59%	6,140	27%	3,118	14%
Freedom	11,423	52%	9,115	42%	1,400	6%
Grand Chute	8,794	61%	3,251	23%	2,320	16%
Hortonia	6,160	51%	2,382	20%	3,442	29%
Kaukauna	7,192	68%	2,493	24%	829	8%
Liberty	5,249	27%	9,602	49%	4,868	25%
Maine	6,929	29%	5,908	25%	11,188	47%
Maple Creek	4,361	31%	8,073	58%	1,412	10%
Oneida	15,594	40%	20,485	53%	2,801	7%
Osborn	6,864	63%	3,455	32%	499	5%
Seymour	1,441	7%	16,380	84%	1,588	8%
Vandenbroek	3,515	72%	1,202	24%	196	4%
Incorporated Communities						
C. Appleton	10,478	74%	1,675	12%	2,005	14%
C. Kaukauna	3,034	56%	1,089	20%	1,279	24%
C. New London	901	57%	542	34%	142	9%
C. Seymour	420	24%	1,171	66%	193	11%
V. Bear Creek	88	15%	174	56%	591	29%

Municipality	Prime Farmland		Prime Farmland (If Drained / Protected)		Not Prime Farmland	
	Acres	Share	Acres	Share	Acres	Share
V. Black Creek	423	66%	23	31%	642	4%
V. Combined L.	640	52%	559	2%	1,220	46%
V. Greenville	15,989	70%	2,962	17%	22,892	13%
V. Hortonville	1,344	61%	611	12%	2,214	28%
V. Kimberly	1,157	75%	256	9%	1,545	17%
V. Little Chute	2,849	66%	557	21%	4,334	13%
V. Nichols	85	15%	45	77%	565	8%
V. Shiocton	27	3%	99	88%	1,068	9%
V. Wrightstown	144	20%	29	76%	711	4%
Total	**191,930**	**47%**	**70,322**	**36%**	**412,490**	**17%**

Water Resources

According to the United Nations, agriculture is the largest consumer of the world's freshwater resources, and – demand for water is rising due to population growth, urbanization, and a significant dietary trend from a starch-based diet toward a more water-intensive meat- and dairy-based diet.[2]

Given the county's location within the Great Lakes region, water scarcity tends not to be a major concern, relative to other regions of the United States. In fact, too much water (and lack of proper drainage, due to our flat terrain) is often where the County sees community consternation. For example, upon examining survey comments received as part of this project, **agricultural producers and county residents have both cited drainage issues as a growing problem in the county.**

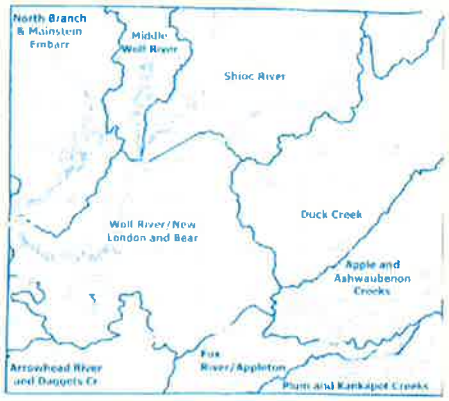
The blame for drainage issues is wide ranging from too much government interference to not enough government regulations and enforcement, from agricultural practices to new development, and from weather pattern changes to improper treatment of the environment. To better understand root causes, the county may need to further explore drainage issues over this plan's planning horizon.

WATER RESOURCES IN THE COUNTY:

Outagamie County's Land and Water Resources Management Plan (2018) indicates that the county contains nine watersheds, about 1,250 miles of streams and river, and 237 acres of lakes and impoundments.

The western half of Outagamie County is in the southeastern section of the Wolf River Basin (see Exhibit 5). In this basin alone, there are 33 county lakes. Most of these are unnamed and small; however, Black Otter Lake and one unnamed lake are larger than 25 acres.

Exhibit 6. Watersheds in Outagamie County
Source: Outagamie County Comprehensive Plan (Map 6).



Equally as important as drainage is managing the quality of our water resources. Water quality shares a nexus with public and environmental health and is a worthwhile topic to explore in relation to agriculture, as agricultural runoff and some farming practices contribute to water pollution. Too much manure, fertilizers, and/or sediment as well as the improper use or disposal of pesticides, herbicides, and/or livestock medicines can pollute our surface water and groundwater.[3] The excess nutrients from manure and other agricultural runoff can raise the amount of nitrogen and phosphorus in the water which can create algae bloom, reduce oxygen levels in the water (impacting aquatic species), and increase plant growth at unsustainable rates. The County should continue to encourage sustainable agriculture practices to reduce the runoff of sediment, nutrients, bacteria, pesticides, and other pollutants.

[2] United Nations. Water, Food and Energy.
[3] Wisconsin Department of Natural Resources. Environmental Impacts of Agricultural Runoff.

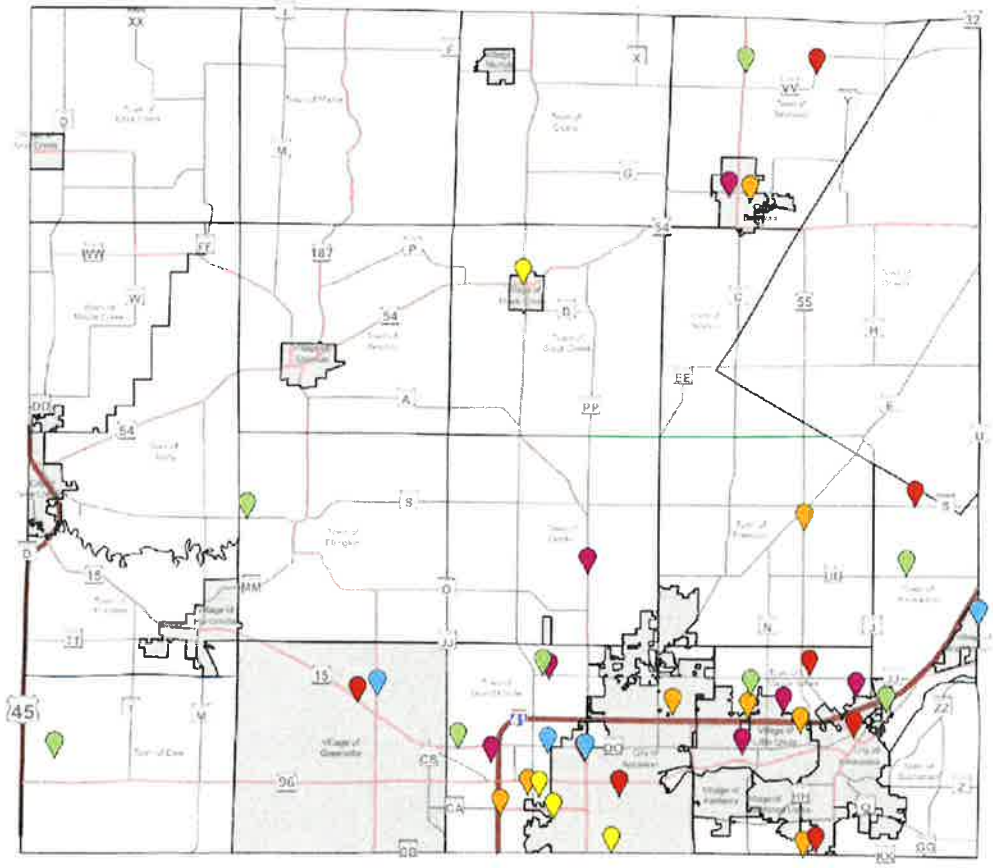
Infrastructure and Enterprises

Outagamie County and the surrounding area contains the necessary balance of services and suppliers for the agriculture industry to remain competitive. Key agricultural infrastructure and enterprises that support the industry in the county include:

- **A robust transportation network** that enables the efficient movement of agricultural products, farm labor, and goods/services required to support farm operations. The County contains the I-41 interstate, several US highways, and many county trunk highways that traverse throughout the County and link to local road networks. The County is also served by freight rail.
- **Ample processing, storage, and supply facilities,** as documented in Exhibit 7 and Exhibit 8. The county contains dealers and suppliers of equipment, parts, and repair service; feed and fertilizers; fuel; and livestock. The county also contains an ample supply of storage facilities and manufacturing/processing plants for meat, dairy, animal byproduct, and other agricultural products.

  According to the data displayed in Exhibit 7, most of the county's key processing, storage, and supply facilities are located in the county's incorporated communities to access the region's employment base. They are also in close proximity to I-41 to ensure efficient access to the region's primary transportation outlets. Following an analysis of the data presented in Exhibit 7 and Exhibit 8, as well as findings from a survey of the county's agricultural producers, the county's existing processing, storage, and supply facilities are adequately available.
- **Agricultural cooperatives (co-ops),** of which Outagamie County contains several. According to the UW Center for Cooperatives (as of Summer 2021), Outagamie County has 13 co-ops. Three co-ops are agriculture cooperatives (located in Appleton, Black Creek, and Seymour) and one co-op is a grocery cooperative (located in Kimberly).
- **Concentrated animal feeding operations (CAFOs),** of which Outagamie County contains 10 CAFO permittees. According to WDNR (as of May 2022), nine of the permits are held for dairy operations and one permit is held for a beef operation.
- **Other agriculture-related enterprises** including grocery stores and farmers markets as well as consulting, veterinary, delivery/hauling, and soil testing services. According to the Wisconsin Farmers Market Association, Outagamie County has six farmer's markets. They are located in Appleton, Kaukauna (city), Seymour (city), Greenville, Buchanan (Darboy), and Oneida.

Exhibit 7. Location of Key Processing, Storage, and Supply Facilities in Outagamie County - 2023
Source: Yellow Pages and internet research



Legend

City/Village Boundary

Processing, Storage & Supply Facilities

- Processing - Dairy & Cheese
- Processing - Meat
- Processing - Other
- Storage
- Supply - Farm Equipment
- Supply - Other

Exhibit 8. Details of Key Processing, Storage, and Supply Facilities in Outagamie County - 2023
Source: Yellow Pages and internet research

Facility	Location	Type (Mapped)	Type - Detail
McCain Foods	555 N Hickory Farm Ln	Processing - Other	Processing - Potatoes & Snack Foods
GLK Foods, LLC	3912 N Lightning Dr	Processing - Other	Processing - Sauerkraut (Cabbage)
Produce With Purpose Marketplace	W5072 Amy Ave Unit 6 (Just outside county border in Calumet Co.)	Processing - Other	Processing - Fruits & Vegetables
Freedom Feed Mill Warehouse	W2093 Industrial Dr	Processing - Other	Processing - Animal Feed
Cargill Inc	1800 E Elm Dr	Processing - Other	Processing/Supply - Grains and Oilseeds
CP Feeds	361 County Road U	Processing - Other	Processing - Animal Feed
Trust Local Foods	3000 Apostolic St	Processing - Other	Processing - Locally Produced Beverages, Dairy, Meat, Ready Made & Shelf Stable Products (Chips & Canned Produce)
Product Handling Concepts	4010 W Spencer St	Processing - Other	Processing - Other Food
Lakeside Foods Inc	530 E Wisconsin St	Processing - Other	Processing/Supply - Canned & Frozen Veggies, Frozen Appetizers & Seafood, Canned Meats, Canned Beans, Whipped Toppings & Sauces
Jacobs Market	544 N Lawe St	Processing - Meat	Processing - Meat
Geckosus Inc	730 W Frances St	Processing - Meat	Processing - Sausage
The Meat Block LLC	N1739 Lily of the Valley Dr	Processing - Meat	Processing/Supply - Meat
Haen Meat Packing, Inc.	600 W County Road KK	Processing - Meat	Processing/Supply - Meat
Roskom Meats	W803 County Road S	Processing - Meat	Processing/Supply - Meat
Beck's Meat Inc	W2012 County Road JJ	Processing - Meat	Processing - Meat

Facility	Location	Type (Mapped)	Type - Detail
Kaukauna Meats Inc	310 Delanglade St	Processing - Meat	Processing - Meat
Provimi Veal Corporation	W2103 County Rd	Processing - Meat	Processing/Supply - Meat
MCT Dairies, Inc.	2358 W Packard St	Processing - Dairy & Cheese	Processing - Dairy
Foremost Farms USA	1815 W Spencer St	Processing - Dairy & Cheese	Processing - Cheese
Saputo Cheese USA Inc.	307 N Clark St	Processing - Dairy & Cheese	Processing - Cheese
Malcore Foods Inc.	237 E Calumet St	Processing - Dairy & Cheese	Processing - Cheese
Nestle USA Inc	1022 Washington St	Supply - Other	Supply - Wide variety of Food and Beverage Products
Infinity Feeds	440 Morrow St	Supply - Other	Processing/Supply - Animal Feed
Hubbard Feeds	1915 W Edgewood Dr	Supply - Other	Supply - Animal Feed
Midwest Perlite Inc	4280 W Parkway Blvd	Supply - Other	Supply - Fertilizer
Oh Snap! Pickling Company	1725 E Evergreen Dr	Supply - Other	Processing/Supply - Pickled Goods
Frito - Lay	2350 Northridge Dr	Supply - Other	Supply - Snack products
Van De Loo Feed & Grain	W24244 Wege Rd	Supply - Other	Supply - Grain Elevator
Tesch Brothers Implement Inc	N9060 WI-55	Supply - Farm Equipment	Supply - Farm Equipment
Kozlovsky Dairy Equipment Inc	712 County Road UU	Supply - Farm Equipment	Supply - Farm Equipment
DeLaval Dairy Service NE WI - Kaukauna	360 E Farmland Dr	Supply - Farm Equipment	Supply - Dairy Farm Equipment
Swiderski Power Inc.	5500 Clairemont Dr	Supply - Farm Equipment	Supply - Farm Equipment
Dale Hay Farm & Imp	N1177 Shakey Lake Rd	Supply - Farm Equipment	Supply - Farm Equipment
Knuth Farm Equipment	W8315 County Road S	Supply - Farm Equipment	Supply - Farm Equipment
Krone Wisconsin	5085 N Wren Dr	Supply - Farm Equipment	Supply - Farm Equipment

Facility	Location	Type (Mapped)	Type - Detail
R & M Farm and Lawn	N1894 Vandenbroek Rd	Supply - Farm Equipment	Supply - Farm Equipment
Country Visions Cooperative	359 County Road U	Storage - Other	Supply/Storage - Variety of Services
Americold Logistics Appleton	2000 W Pershing St	Storage - Other	Storage - Cold
Food Storage Sales	2125 N Richmond St	Storage - Other	Storage - Misc.
United Cooperative	N1868 Municipal Dr	Storage - Other	Processing/Supply/Storage - Seed and Fertilizer & Grain Storage

STATE AGRICULTURAL TRENDS

A review of state agricultural trends, as presented in this section, can provide an understanding of macro-level changes that may influence Outagamie County over the next 10 years. This assessment finds that in Wisconsin:

- **Agricultural land has decreased in total acres**. According to the U.S Census of Agriculture, Wisconsin's agricultural land supply is decreasing. Between 2012 and 2017, farmland declined by 250,296 acres (-1.7 percent), from 14,568,926 acres in 2012 to 14,318,630 acres in 2017.
- **Farm operations have declined in total number, while the average farm increased in size.** According to the U.S. Census of Agriculture, between 2012 and 2017 Wisconsin lost 4,961 farm operations (-7.1%). As agricultural producers leave the business or retire, some sold their farmland to other farmers. Some of these new farmers consolidated their purchased land into their existing farm operations, making them larger and more expansive. Between 2012 and 2017, the average farm operation increased in size by 12 acres, from 209 acres in 2012 to 221 acres in 2017.
- **Agricultural land (without buildings and improvements) has increased in value.**[4] According to data from the USDA, in 2021, agricultural land sales that continued as an agricultural use sold for an average of $6,202 per acre, compared to $5,221 per acre in 2016 ($981 increase). During this same period, agricultural land sales that diverted to another use sold for an average of $32,158 per acre, compared to $7,558 in 2016 ($24,600 increase). DATCP explains that "the steep climb in values for agricultural land being diverted to other uses came primarily from land being developed for commercial uses in southeastern Wisconsin."
- **The number of farm production jobs decreased, while food processing jobs grew.**[5] Since 1969, the average annual rate of farming jobs has declined by 0.3 percent while the average annual rate of food processing jobs has increased by 0.5 percent in this same time. For comparison, the average annual rate of growth for all employment in Wisconsin was about 1.9 percent in this time. UW-Extension explains that the downward trend in farm labor is a result of "two driving forces: (1) a decline in the number of farms, and (2) the rise of productivity enhancing technologies." UW-Extension also highlights the importance of growth in the state's food processing sector, stating:

  > *From 2011 [to 2017] total employment in Wisconsin increases by 13.6% but for food processing employment increased by almost 16.5%. This surge in food processing employment is reflective of the growth in specialty food processing, generally those associated with local foods such as craft beers and artisan cheese, and growing demand by consumers for prepared meals (outside of restaurants). If we compare Wisconsin to our neighboring Great Lake States and the nation, this upward swing in food processing is not unique to Wisconsin.*

- **Concentrated Animal Feeding Operations (CAFOs) are an expanding agricultural practice.** According to WDNR permit data, Wisconsin contained six permitted CAFOs prior to 1995, which grew to 274

[4] United States Department of Agriculture, National Agriculture Statistics Service: WI Agricultural Land Sales, 2021.
[5] UW-Extension, Center for Community Economic Development: Trends in Wisconsin Agriculture Employment.

CAFOs in 2017.[6] Recent data shows that Wisconsin is now home to 327 permitted CAFOs (2022) with the majority specializing in dairy cows (90 percent).[7] There are trade-offs associated with CAFO growth. In terms of benefits, CAFOs maximize food production, create operational efficiencies, and help to keep food prices more affordable. However, they also produce pollutants which impact air, groundwater, surface water, and soil quality. They can also introduce potential odor/noise nuisances, and they are commonly associated with animal welfare concerns. Moreover, as CAFO's expand, they tend to push smaller farms out of business.

- **Agritourism is increasingly popular.** According to DATCP, agritourism is broadly defined as any agricultural-based activity that brings visitors to a farm or ranch to encourage a connection or reconnection to agriculture.[8] A number of social trends are making agritourism an increasingly popular industry in Wisconsin and nation-wide. For example: there is a growing respect for "making/makers" versus consumption, a growing interest in knowing the source of one's food and how it is produced, a growing interest in food and travel as a sought out cultural experience, and a growing societal desire to mitigate against technology overload by unplugging and reconnecting with traditional skills and lifestyles.[9]
- **Consumer preferences are driving demand for healthier and more sustainable food products,** and agricultural producers are responding in effective ways. To take one example, organic foods are becoming more of a staple as consumers continue to show an interest in organic eating for health and/or environmental reasons. As of 2021, Wisconsin had 1,516 certified organic operations, up from 1,334 certified organic operations in 2015 (14 percent increase).[10] These figures make Wisconsin a national leader in organic agriculture. In fact, of all US states, Wisconsin ranks #2 with the largest number of organic farms. Wisconsin ranks #4 with the largest amount of certified organic land (250,000 acres).
- **The agricultural industry remains strong.** According to agricultural statistics compiled by DATCP for Wisconsin (as of April 2022), farming is still a large part of Wisconsin commerce, as explained below:[11]
    - Wisconsin agriculture contributes $104.8 billion annually to our state's economy. Food processing activity contributes $82.7 billion to industrial sales.
    - Agriculture provides 435,700 jobs or 11.8% of the state's employment base. On-farm production contributes 154,000 jobs. Processing contributes 282,000 jobs.
    - Wisconsin is one of the top states in the production of major processing vegetables (e.g., snap beans, carrots, and green peas). The state ranks third in the nation in potato production and the state produces 59 percent of the nation's cranberry crop making Wisconsin the top cranberry producing state in the country.

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[6] Zach Raff and Andrew Meyer (2021). *CAFOs and Surface Water Quality: Evidence from Wisconsin*, Agricultural & Applied Economics Association.
[7] Wisconsin Department of Natural Resources. CAFO and CAFO WPDES Permit Statistics.
[8] Wisconsin Department of Agriculture, Trade and Consumer Protection. Agritourism.
[9] Travel Oregon. Market Trends for Agritourism: Information from Other Regions.
[10] UW-Extension, Center for Integrated Agricultural Systems. Organic Agriculture in Wisconsin: 2021 Status Report.
[11] Copied and summarized from DATCP's webpage titled "Wisconsin Agricultural Statistics," on May 3, 2022. https://datcp.wi.gov/Pages/Publications/WIAgStatistics.aspx

- Wisconsin is home to approximately 6,500 dairy farms, more than any other state, and 1.28 million cows. The dairy industry itself contributes $45.6 billion to Wisconsin's economy each year. The feed mills, dairy equipment manufacturers and technicians, veterinarians, construction companies, genetics companies, milk haulers, dairy plants, and dairy software companies - create a wave of economic impact across the entire state.
- Wisconsin produces 25 percent of the nation's cheese. Nearly 1,200 licensed cheesemakers produce over 600 types, styles and varieties of cheese – nearly double the number of any other state.
- Wisconsin exported $3.96 billion of agricultural and food products in 2021 to 146 countries. Wisconsin ranks first in the export of ginseng roots, prepared/preserved cranberries, raw furskins, bovine semen, whey, and sweet corn. The state's top agricultural export markets include Canada, China, Mexico, Korea, and Japan.

COUNTY AGRICULTURAL PROFILE

Outagamie County is developing and its population is growing. However, agriculture continues to play a key role in shaping the county's land base, economy, and culture. This section documents the county's agricultural profile and trends to assess the local agricultural industry and how it is changing.

Farm Operations

As of 2017, Outagamie County contained over 1,100 farm operations, operating on 236,963 farm acres. The average farm operation in the county was approximately 210 acres in size, 11 acres smaller than Wisconsin's average farm size of 221 acres.

Exhibit 9 shows that from 2012 to 2017, the county lost 40 farm operations and 13,785 farm acres.

In this time, the average farm size in the county shrank (by about five acres), despite the average farm size in Wisconsin growing overall (by about 12 acres).

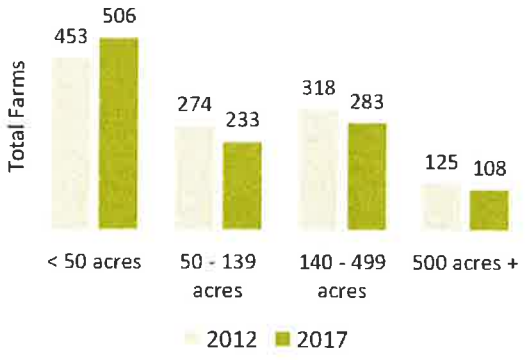
Exhibit 9. Change in Total Farm Operations and Farmland Acreage in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 8)

	Total Farm Acres	Total Farm Operations	Average Farm Size
2012	250,748	1,170	214.3
2017	236,963	1,130	209.7
Change (2012 to 2017)			
Number	(13,785)	(40)	(4.6)
Percent	-5%	-3%	-2%

When assessing individual operations disaggregated by size, this analysis finds that most of the county's farm operations declined in size, except for operations smaller than 50 acres, which grew by 12 percent (Exhibit 10).

These trends represent a shift in the kinds of operations that comprise Outagamie County's agricultural industry.

Exhibit 10. Change in Farm Operations by Farm Size (Acres) in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 8)



Farm Labor

Farm workers are a critical resource for farming operations. As of 2017, 338 of the county's 1,130 farm operations (30 percent) relied on hired farm labor.

The number of farm laborers in the county declined from 1,652 workers in 2012 to 1,328 workers in 2017 (Exhibit 11). This experience is consistent with state trends.

Of the county's 1,328 farm laborers, 55 percent worked more than 150 days per year and 45 percent worked less than 150 days per year.

Total payroll for these workers was $23.5 million, which is an average, annual salary of about $17,696 per worker (2017).

Exhibit 11. Change in Farm Workers in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 7)

	Farm Workers
2012	1,652
2017	1,328
Change (2012 to 2017)	
Number	(324)
Percent	-20%

Agricultural Uses of Land

A majority of farm acres in Outagamie County is used for crops (Exhibit 12). As of 2017, cropland accounted for 87 percent of all agricultural land in the county and 51 percent of the total land area in the county. Cropland acreage declined by about 3,922 acres (about 2 percent) from 2012 to 2017.

Exhibit 12. Changes in Agricultural Uses of Land in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 8)

	Acres (2012)	Acres (2017)	Change (2012 to 2017)	
			Number	Percent
Cropland	210,085	206,163	-3,922	-2%
Harvested	201,680	196,099	-5,581	-3%
Pastured	1,514	1,037	477	-32%
Other	6,891	9,027	2,136	31%
Woodland	20,718	16,029	-4,689	-23%
Pastureland	5,194	5,060	-134	-3%
Other	14,751	9,711	-5,040	-34%
Total	**250,748**	**236,963**	**-13,785**	**-5%**

Agricultural Inventory and Production

Exhibit 13 shows livestock inventory in the county. From 2012 to 2017, the only commodities which increased in number were beef cattle/cows (by 27 percent) and chicken and egg-laying chickens (by 78 percent).

Exhibit 13. Change in Livestock Inventory in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 1).

	2012	2017	Change (2012 to 2017)	
			Number	Percent
Cattle, incl. Calves	99,409	88,951	-10,458	-11%
Cattle, Cows, Dairy	38,017	33,760	-4,257	-11%
Cattle, Cows, Beef	2,202	2,797	595	27%
Hogs	2,053	1,691	-362	-18%
Chicken, Layers	1,986	3,536	1,550	78%
Sheep, Lambs	805	465	-340	-42%

Exhibit 14 shows crop production in the county between 2012 and 2017. Of the core crops produced in the county, only soybeans and corn/silage grew in total volume, by three and 10 percent respectively.

Exhibit 14. Change in Crop Production in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 1). Note: BU stands for bushels.

	2012	2017	Change (2012 to 2017)	
			Number	Percent
Corn, Grain (BU)	9,419,427	8,854,831	-564,596	-6%
Soybeans (BU)	2,611,627	2,686,904	75,277	3%
Corn, Silage (tons)	500,444	551,855	51,411	10%
Wheat (BU)	488,330	312,955	-175,375	-36%
Hay, Haylage (BU)	149,362	136,431	-12,931	-9%
Oats (BU)	87,962	56,567	-31,395	-36%
Barley (BU)	12,272	5,090	-7,182	-59%

Agricultural Specialties

According to the USDA, as of 2021, Outagamie County ranked eleventh in the state with the most dairy cows. This makes the county a leader in the state in terms of dairy production. As of 2021, the average dairy cow in Outagamie County produced 27,700 pounds of milk, compared to 24,884 pounds on average in Wisconsin overall.

Another important agricultural specialty in the county is cabbage. Agriculture census data shows that Wisconsin farmed 4,593 total acres of cabbage in 2017. Of that total acreage, approximately 1,578 acres (34 percent) was located in Outagamie County. This makes Outagamie County a leading producer of cabbage in the state. In fact, Outagamie County holds a lot of joy and pride it its cabbage production. For example, a 'World Championship Cabbage Chuck" (see Exhibit 15) is an event held annually in Shiocton Lake Park. The event includes cabbage chucking, a contest for the largest cabbage, raffles, and other family-friendly activities.

Exhibit 15. Images from World Championship Cabbage Chuck
Source: www.stdenis-shiocton.org/photos



Commodity Sales

According the U.S. Census of Agriculture, in 2017, farms in Outagamie County generated $263.7 million in total sales, down from $302.2 million in 2012 (Exhibit 16).

The average farm generated $233,388 in total sales, down from $258,319 in 2012.

Exhibit 16. Change in Nominal Commodity Sales in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 2).

	Commodity Total Sales	Average Sales per Farm Operation with Sales
2012	$302.2 million	$258,319
2017	$263.7 million	$233,388
Change (2012 to 2017)		
Number	($38.5 million)	($24,930)
Percent	-13%	-10%

More farming operations are generating less in sales from 2012 to 2017.

Exhibit 17 shows that between 2012 and 2017, operations that generated less than $25,000 per year or between $25,000 and $49,999 per year increased by six percent and 58 percent respectively.

During the same period, operations that generated between $50,000 and $99,999, $100,000 and $499,999, and $500,000 or more per year decreased by 24 percent, 13 percent, and 36 percent respectively.

Exhibit 17. Change in Farm Operations by Nominal Commodity Sales in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 2).

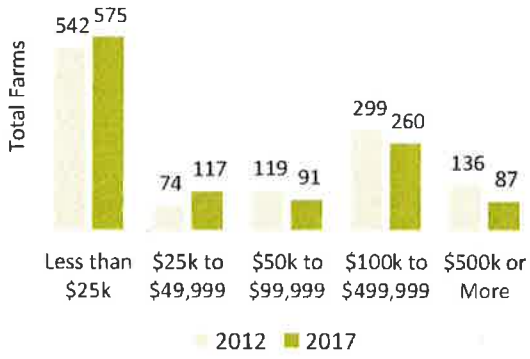


Exhibit 18 and Exhibit 19, on the following page, shows the nominal value of agricultural products produced and sold in Outagamie County in 2012 and 2017. It shows that, in Outagamie County, and:

- **Of the crop products listed in Exhibit 18**, grain generated the most in total sales ($55.8 million), followed by corn ($30.3 million), (2017). Between 2012 and 2017, and without adjusting for inflation, all products decreased in total sales with the exception of horticulture, which increased by about $2.1 million.
- **Of the livestock products listed in Exhibit 19,** milk products generated the most in total sales ($146.5 million), followed by cattle and calves ($44.1 million), (2017). Between 2012 and 2017, and without adjusting for inflation, all products grew in total sales with the exception of cattle/calves, which declined by about $5.2 million.

Exhibit 18. Nominal Value of Ag. Products (Crops) Sold in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 2).

Note: Exhibit includes products with at least $100,000 in total sales in 2017.

	2012	2017	Change (2012 to 2017)	
			Dollars	Percent
Grain	$89.1 m	$55.8 m	($33.3 m)	-37%
Corn	$53.0 m	$30.3 m	($22.7 m)	-43%
Soybeans	$32.4 m	$24.2 m	($8.3 m)	-26%
Horticulture (except cut trees)	$6.6 m	$8.7 m	$2.1 m	32%
Vegetables	$5.7 m	$3.6 m	($2.1 m)	-37%
Other field crops, including hay	$3.6 m	$3.6 m	($36k)	-1%
Wheat	$3.2 m	$1.2 m	($2.0 m)	-63%
Fruit, nut trees	$535k	$319k	($216k)	-40%
Other grain	$244k	$107k	($137k)	-56%

Exhibit 19. Nominal Value of Ag. Products (Livestock) Sold in Outagamie County - 2012 and 2017
Source: U.S. Census of Agriculture, 2012 and 2017 (Table 2).

	2012	2017	Change (2012 to 2017)	
			Dollars	Percent
Milk	$146.5 m	$146.6 m	$39k	0%
Cattle, calves	$49.3 m	$44.1 m	($5.2 m)	-11%
Hogs	$308k	$335k	$27k	9%
Sheep, goats	$282k	$286k	$4k	1%
Specialty animals	$75k	$159k	$84k	112%
Poultry, eggs	$37k	$130k	$93k	251%

Value of Agricultural Assets

The value of agricultural assets in Outagamie County is increasing. Between 2012 and 2017, and after adjusting for inflation, the county's total agricultural asset value increased by 21 percent (about $293.7 million). The average asset value per farm operation increased by 25 percent (about $302,730), and the average asset value per acre increased by 28 percent (about $1,567).

In 2017, Outagamie County recorded $1.7 billion in agricultural assets (Exhibit 20), which was approximately 2.4 percent of the total value of agricultural assets in Wisconsin.

The average farm operation in Outagamie County recorded $1.5 million in total assets in 2017, compared to $1.1 million for the average farm operation in Wisconsin.

Exhibit 20. Inflation-Adjusted (2017 dollars) Value of Assets (Ag. Land, including Buildings) in Outagamie County – 2012 and 2017

Source: U.S. Census of Agriculture, 2017 (Table 8). Note: asset value includes agricultural land, including buildings.

	2012 (2017 $)	2017
Total Asset Value	$1.4 billion	$1.7 billion
Per Farm Operation	$1.2 million	$1.5 million
Per Ag. Acre	$5,640	$7,207

Agricultural Land Transactions

Between 2000 and 2020, agricultural producers sold 45,936 acres of agricultural land in Outagamie County. This land is increasingly being sold to other agricultural producers. For example, Exhibit 21 shows the distribution of agricultural land sold between 2000 and 2020, by subsequent use. In 2010 and onward, the county saw a shift in sales, with most agricultural land being sold to owners who continued to use the land for agriculture. This trend may be caused by several factors, including:

- Farmland preservation efforts are taking hold in the county and state.
- A glut of land purchased for development prior to 2010 on speculation has taken years to develop through lot inventories.
- Housing trends have moved the market towards multifamily housing in urban areas and housing in proximity to urban services.
- Consolidation of farms and CAFO growth have increased demand for smaller tracts of land by larger farm operators to expand, grow feed, or spread manure.

Exhibit 21. Share of Ag. Land (Acres) Sold by Subsequent Use in Outagamie County - 2000 through 2020

Source: USDA National Agricultural Statistics Service.

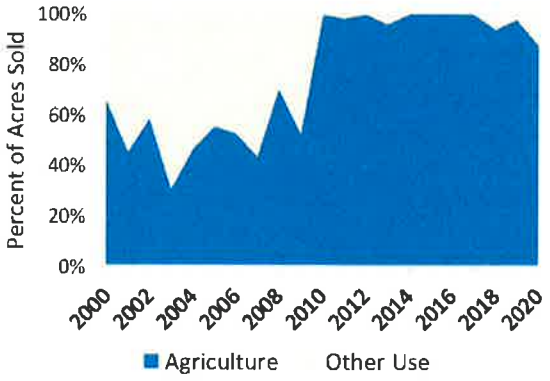


Exhibit 22 and Exhibit 23 show the average, per acre cost of agricultural land sold in Outagamie County.

Exhibit 22 examines agricultural land sold **with** improvements. Between 2000 and 2020, agricultural land diverted to other uses often sold for a premium. However, between 2010 and 2017 and in 2019, all agricultural land with improvements sold to owners that continued to use the land for agriculture.

Exhibit 22. Average Cost per Acre of Agricultural Land (with Improvements) Sold by Subsequent Use in Outagamie County - 2000 through 2020

Source: USDA National Agricultural Statistics Service.

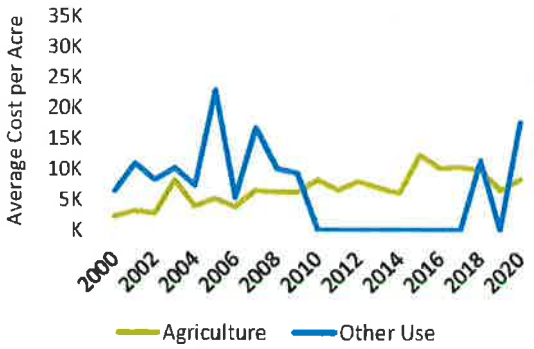
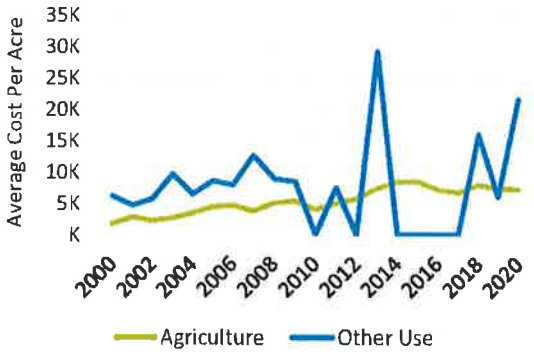


Exhibit 23 looks at agricultural land **without** improvements. Between 2000 and 2020, agricultural land diverted to other uses often sold for a premium. However, in 2010, 2012, and between 2014 and 2017, all agricultural land without improvements sold to owners that continued to use the land for agriculture.

Exhibit 23. Average Cost per Acre of Agricultural Land (without Improvements) Sold by Subsequent Use in Outagamie County - 2000 through 2020

Source: USDA National Agricultural Statistics Service.



DEVELOPMENT TRENDS & NEEDS

This section identifies, describes, and documents other development trends, plans, and needs that may affect farmland preservation and agricultural development in Outagamie County.

Factors Affecting Development

New development spreading from more urbanized areas of the county can put added pressure on agricultural and open land. This section highlights a few factors that may contribute to growing development pressures.

POPULATION GROWTH

Outagamie County's population is growing.

From 2000 to 2020, the county's population grew by 29,734 people (about 18 percent), (Exhibit 24).

According to Wisconsin's Demographic Services Center, county population is projected to continue growing by another 24,585 people or about 13 percent between 2020 and 2040.

Exhibit 24. Population Trends and Projections in Outagamie County - 1980 through 2040

Source: U.S. Decennial Census (1980 to 2020); Wisconsin DOA, Demographic Services Center (2030 and 2040)

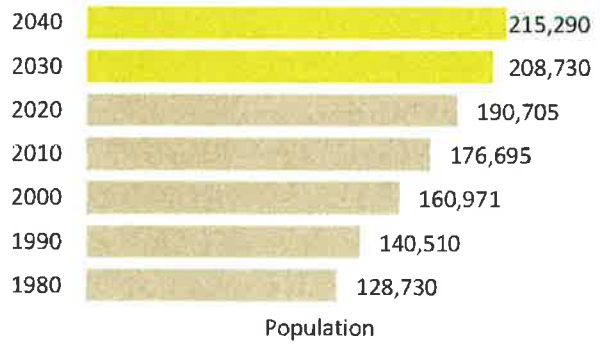


Exhibit 25, on the following page, presents more granular population trend data to analyze change at the municipal level between 2010 and 2020. The data show marginal growth (less than 200 people) or declining growth in most of the county's townships.

Some of the county's Towns have, however, experienced more growth which could potentially create land use issues in the future if growth management practices are not followed. For example, between 2010 and 2020, the Town of Grand Chute's population increased by 2,912 people (14 percent change), which is a level of growth commensurate with many of the county's incorporated communities. The Towns of Ellington, Freedom, and Center added a fair amount of people to their populations in this time as well (416, 374, and 220 people respectively). Population growth is associated with housing and business growth and these findings show that urbanization from the Fox Cities is continuing to expand north, deeper into rural Outagamie County. To mitigate potential land use issues while preserving farmland, the County should implement the policies and recommendation set forth in this Plan and its Comprehensive Plan to guide growth and development to planned growth areas.

Exhibit 25. Population Change in Outagamie County Towns and Incorporated Areas - 2010 and 2020
Source: U.S. Decennial Census, 2000 and 2020. Note: Data for Appleton, New London, and Wrightstown represent the portion of the community in Outagamie County only.

Towns in Outagamie County	Total Pop. 2010	Total Pop. 2020	Population Change (2010 – 2020)	
			Number	Percent
Black Creek	1,259	1,251	-8	-1%
Bovina	1,145	1,153	8	1%
Buchanan	6,755	6,857	102	2%
Center	3,402	3,622	220	6%
Cicero	1,103	1,008	-95	-9%
Dale	2,731	2,869	138	5%
Deer Creek	637	630	-7	-1%
Ellington	2,758	3,174	416	15%
Freedom	5,842	6,216	374	6%
Grand Chute	20,919	23,831	2,912	14%
Hortonia	1,097	1,052	-45	-4%
Kaukauna	1,238	1,306	68	5%
Liberty	867	826	-41	-5%
Maine	866	851	-15	-2%
Maple Creek	619	591	-28	-5%
Oneida	4,678	4,579	-99	-2%
Osborn	1,170	1,200	30	3%
Seymour	1,193	1,191	-2	0%
Vandenbroek	1,474	1,627	153	10%
Total Pop. – Unincorporated	**59,753**	**63,834**	**4,081**	**7%**
Total Pop. – Incorporated	116,942	126,871	9,929	8%
Total Pop. – Outagamie Co.	**176,695**	**190,705**	**14,010**	**8%**

HOUSEHOLD GROWTH

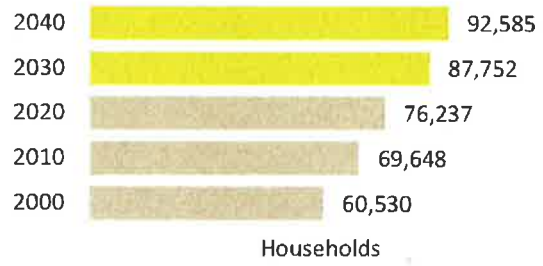
The county is experiencing increased household formations and shrinking household sizes. From 2000 to 2020, the county added 15,707 households and is projected to continue growing through 2040 (Exhibit 26).

The county's average household size declined from 2.66 in 2000 to 2.54 in 2010, and then to 2.50 in 2020.

As the county's population grows and household sizes shrink, greater demand for new housing will exist.

Exhibit 26. Household Trends and Projections in Outagamie County - 2000 through 2040

Source: U.S. Decennial Census (2000, 2010, 2020); Wisconsin DOA, Demographic Services Center (2030 and 2040)



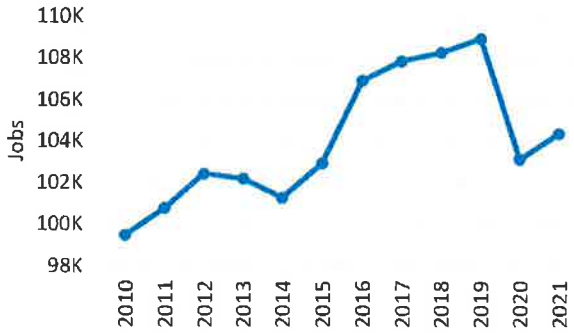
EMPLOYMENT GROWTH

The number of jobs in the county has increased since 2010, even with the sharp decline in employment in 2020 resulting from the COVID-19 pandemic.

Between 2010 and 2021, total jobs increased by 4,910, from 99,450 jobs in 2010 to 104,360 jobs in 2021. This represented a five percent change (Exhibit 27).

Exhibit 27. Employment Growth in Outagamie County - 2010 through 2021

Source: QCEW. Note: Jobs in the estimate include all jobs covered by State unemployment insurance laws and Federal workers covered by the UCFE.



Outagamie County is located in the Bay Area Workforce Development Area. Non-farm jobs in this region are projected to grow through 2028 (Exhibit 28). As employment growth occurs, some of these new jobs will be absorbed in Outagamie County.

As the job base grows, the region will become a more desirable place to live and demand for developable lands will increase.

Exhibit 28. Non-Farm Employment Projections in the Bay Area Workforce Development Area - 2018 to 2028

Source: Wisconsin, Department of Workforce Development.

	Non-Farm Jobs
2018	457,622
2028 (Projected)	474,451
Change (2018 to 2028)	
Number	16,829
Percent	3.7

Factors Affecting Farmland Preservation

This section discusses development trends and community needs that may affect farmland preservation and agricultural development in Outagamie County.

HOUSING

Population growth (Exhibit 24) and the formation of new households (Exhibit 26) will result in demand for new housing in Outagamie County. The delivery of new residential dwelling units can put pressure on more rural areas of the county, as development sprawls from existing urban areas, toward more undeveloped areas of the county (i.e., agricultural and natural areas).

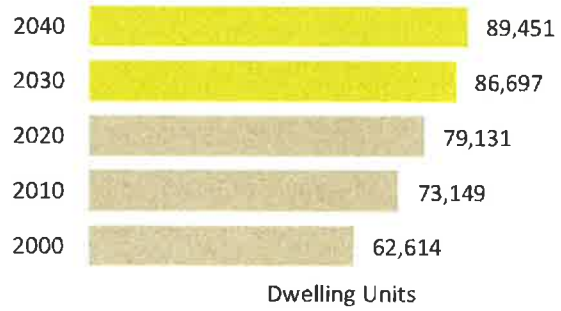
Exhibit 29 shows that, between 2000 and 2020, Outagamie County's housing stock increased by 16,517 units (26 percent).

According to projections developed by the state, Outagamie County is forecast to need 10,320 units between 2020 and 2040.

According to the *Fox Cities and Greater Outagamie County Housing Strategy* (2022), the larger region will need 10,910 to 17,738 new dwelling units through 2030 to accommodate housing underproduction and population growth.

Exhibit 29. Dwelling Unit Growth and Projections in Outagamie County - 2000 through 2040

Source: U.S. Decennial Census; Wisconsin DOA, Demographic Services Center. Note: Projections use DOA population projections and assumptions for average household size (2.5) and residential vacancy (5%).

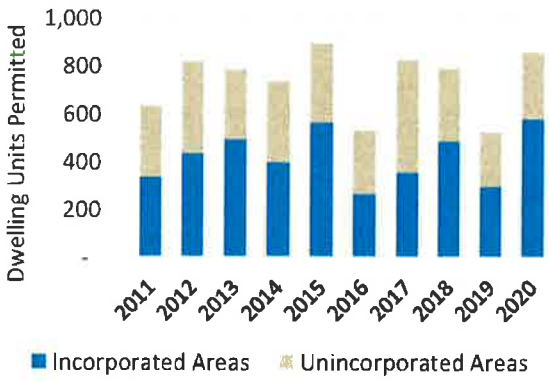


Between 2011 and 2020, approximately 7,937 dwelling units were permitted in Outagamie County, averaging 722 new units per year (Exhibit 30).

In this time, approximately 56 percent of the dwelling units were permitted in incorporated areas (cities or villages) and 44 percent in unincorporated areas.

Exhibit 30. Residential Dwelling Units Permitted in Outagamie County - 2010 through 2020

Source: U.S. Department of HUD, SOCDS. Note: The analysis includes all of Appleton, New London, and Wrightstown.



TRANSPORTATION

Outagamie County's transportation network will influence development countywide, as will the local transportation networks developed by towns, villages, and cities. In terms of County infrastructure, completion of CTH CB is the County's last planned route needed to complete its network. The County plans to extend CTH CB north from STH 15 in the Village of Greenville, to Mayflower Drive in the Town of Grand Chute, and then north to CTH JJ. Development of this route will unlock additional development potential in an already, quickly urbanizing portion of the county.

The County is also slowly urbanizing its highways on an ongoing basis. As part of this process, roadways are improved to handle increased traffic flow, and multimodal transportation options through the development of multi-use paths, sidewalks, or bicycle paths to accommodate pedestrians and cyclists. The urbanization of roadway segments may draw development interest in adjacent areas.

Wisconsin's Department of Transportation (WisDOT) is also embarking on a large project (design, acquisition, and reconstruction) along the I-41 corridor from WIS-96 (Wisconsin Avenue) in Appleton to County Road F (Scheuring Road) in De Pere. Construction is anticipated to complete by 2030. The improvements WisDOT implements will make traveling into Outagamie County more accessible, thereby making the county a more attractive place to live, work, and/or visit.

UTILITIES AND COMMUNITY FACILTIES/SERVICES

Utilities including electric, natural gas, sewer, water, and telecommunications are important services that residents and businesses rely on to meet basic needs. Community facilities include parks and recreational areas, public facilities and centers (government buildings, libraries, schools, etc.), healthcare and social service facilities, and other educational facilities. For more information, Outagamie County's Comprehensive Plan identifies, describes, and in many cases maps the utilities and community facilities found in the county.

Like the County's transportation system, utilities and community facilities largely impact growth patterns in Outagamie County. For example, development tends to locate in areas with access to utilities and services, making agricultural lands near cities and villages (with greater concentrations of these resources) more enticing to developers.

RENEWABLE ENERGY

Renewable energy sources are receiving increased attention around the State, including in Outagamie County. Agriculture and renewable energy industries are linked in many respects, for example:

- According to a 2016 study, Wisconsin had 136 operating anaerobic digesters, of which 34 were agriculture related.[12] Anaerobic digesters can produce renewable heat and electricity from animal waste, crop residue, or byproducts from milk and cheese. An advantage of these digesters is that they can reduce environmental problems associated with manure waste such as stream and groundwater contamination.
- Production of corn to create ethanol, a common biofuel that is renewable and a cleaner alternative to petroleum-based fuels, is on the rise. According to the Wisconsin Corn Growers Association, "Wisconsin's eight ethanol plants produce more than 500 million gallons a year – making Wisconsin the ninth-largest ethanol producing state in the country. These plants use

[12] Wisconsin Office of Energy Innovation (2016). Wisconsin Biogas Survey Report.

more than 180 million bushels of corn each year – about 37 percent of the state's corn crop. Ethanol production in Wisconsin generates $4.2 billion in economic activity, impacting 19,000 jobs, with $982 million in wages, and generates $306 million in taxes."[13]

- Wind turbines are becoming more popular for electricity generation and it is possible that the increased number of turbines will have an impact on farmland preservation as wind turbines are typically installed in rural areas. However, an unintended outcome of wind farm placement is that they provide deterrence to non-farm residential development, helping to preserve agricultural activities in and around the wind farm locations.
- Another growing trend in Wisconsin is small- and large-scale solar farms. Like wind turbines, solar farms are typically installed in rural areas, and therefore, can impact the agricultural landscape.

As demand for renewable energy grows, farmers may become increasingly incentivized to sell or lease their lands to accommodate wind and solar facilities, especially if renewable energy companies are willing to pay a premium for the space. The locational characteristics that may be more desirable for solar and wind companies are those areas which:

1. Are in proximity to existing electrical grid infrastructure, such as transmission lines and substations.
2. Have slopes that are five percent or less.
3. Have minimal environmental constraints.

REGULATORY FRAMEWORK: SOLAR AND WIND FACILITIES

In regards to the installation of wind energy and solar energy systems, Outagamie County follows Wisconsin Statutes (66.0401).

Outagamie County has some regulatory control over small wind and solar generation facilities, but has no control over the installation of large facilities (projects producing over 100 Megawatts of power). Large facilities are controlled by the Wisconsin Public Service Commission (PSC). The PSC coordinates their review with WisDOT and DATCP, and may take local ordinances into consideration. While Outagamie County does not have local control or discretion to approve/deny these projects, they can provide input at public hearings held by the PSC.

Local governments may enter into a developer's agreement with the developer, but this is optional. The agreement can provide the County assures related to road maintenance, hours of operation, decommissioning responsibilities, and other concerns.

In the last several years, the County has become aware of two solar facility inquires: (1) a 100+ Megawatts Solar Facility inquiry on approx. 1,100 acres in the Town of Maple Creek and (2) a 100+ Megawatt Solar Facility inquiry on approx. 750 acres in the Town of Deer Creek and Waupaca County. Both projects are considered "large facilities" (see sidebar above). Both of these projects are located in farmland preservation areas, which impacts the County's efforts to preserve existing and prime farmlands.

[13] Wisconsin Corn Growers Association. Ethanol.

COMMUNICATION

Following the development of *Outagamie County's Broadband Study Report* (2022), the County is working to improve access to and the reliability of broadband internet services and cellular connectivity countywide.

As broadband and communication services expand into more rural areas of the county, development in rural areas could become more attractive as they will be able to better accommodate business and household demands (which increasingly require high-quality, uninterrupted internet and cellular access). However, farms that rely on the internet for business deals and operations can also benefit from improved communication services.

BUSINESS DEVELOPMENT

The local agricultural industry has historically remained an important component of Outagamie County's economy. The 1,130 farms in the county produce products that provide economic security to other local businesses such as food processors, manufacturers, veterinarians, garden centers, grocery stores, and restaurants. In addition, the farmers of these operations support county businesses by purchasing products, equipment, and services. The success of these farming operations enables a strong economy.

COMMUNITY PERSPECTIVE:

According to Outagamie County's farmland preservation community survey (taken by primarily residents / non-farmers), 10% of respondents believe agriculture in the county is a growing industry, 63% believe it has some growth potential, and 27% believe it is a declining industry with no future growth potential.

Continued growth of the county's agricultural industry (including the development, retention, and expansion of agricultural businesses) will be influenced by many factors, including:

- Availability and cost of farm labor.
- Availability and cost of land to lease or buy.
- Availability and cost of farming equipment, material, and supportive services (e.g., veterinary care, etc.).
- Ability to obtain needed financing.
- Market volatility, production costs, commodity prices, and profit margins.
- The amount of non-agricultural development encroaching in agricultural areas.

In addition, business development and industry growth will be influenced by the changing demographics of our existing agricultural producers. For instance, according to the farmland preservation survey, taken by agricultural producers:[14]

- Approximately 61 percent of respondents were 60 years or older; 29 percent were 70 years or older.
- A third of respondents indicated they will discontinue farming in less than 10 years; another third of respondents will discontinue farming in 10 to 20 years.

[14] Outagamie County's Farmland Preservation Agricultural Producer Survey (question 7, 9, 10, 11, and 22). The survey received responses from 81 agricultural producers in Outagamie County.

- In the past five years, most respondents (91 percent) did not expand their operations – primarily due to satisfaction with their current size or due to the owner/operator nearing retirement.
- When asked about respondents' plans for their operation once they retire, 19 percent said they did not know and another 19 percent said they plan to sell their land to the highest bidder.
- A majority of respondents (63 percent) do not have a farm transition plan or estate plan in place.

When agricultural producers were asked about how the County could better support the protection of agricultural operations, survey respondents provided ample suggestions including: restrict urban sprawl (particularly for rural subdivisions/residential uses), reduce taxes on farmland, reduce government regulations, help farmers navigate the various rules and regulations to create a business, develop marketing strategies to inform the general public of the importance of agriculture, reward small farmers, help get youth involved in agriculture, provide low interest-loans, and provide education.[15] Engaging in some of these activities over the planning period can guide future business development objectives.

WASTE MANAGEMENT

Brown, Outagamie, and Winnebago Counties signed an agreement in 2007 to develop a single-stream recycling facility. The partnership has created waste management services, including landfill and recycling efficiencies, for the benefit of all residents.

The Tri-County Recycling Facility, operated by Outagamie County Recycling & Solid Waste, was completed in 2009 and is one of the largest publicly owned and operated, single-stream recycling facilities in the United States. The facility is capable of processing up to 100,000 tons of material each year, so the facility's service area could be expanded in the future. The facility not only serves all Brown, Outagamie, and Winnebago communities, but it also serves most of Northeast Wisconsin (nearly 16% of the state's population).

The Outagamie County Recycling & Solid Waste Department also provides solid waste disposal by providing extensive landfill operations management. The landfill site encompasses 450 acres of existing and future landfill development potential. In 2001, Brown, Outagamie, and Winnebago Counties regionalized landfill operations. In 2012, Outagamie County became the host regional landfill with the creation of the Northeast Landfill. Annually, the Northeast Landfill safely and responsibly services the needs of over 200,000 households and manages over 500,000 tons of municipal solid waste from the Tri-County region and has a capacity to hold over 7 million cubic yards of refuse. The landfill employs state-of-the art compaction and alternative daily cover methods to insure the value of the air space is maintained allowing the landfill to maximize its capacity over its 10 plus years of site life.

Outagamie County Recycling & Solid Waste also maintains a transfer station which opened in 2005 and a resource recovery park which opened in 2020.

MUNICIPAL EXPANISON

Municipal expansion, described here, involves the expansion of cities or villages into towns via annexation. The county contains four cities and eight villages. As they continue to experience population and business growth, existing lands in cities and villages may become insufficient to accommodate demand for housing and business locations. As this occurs, developers will begin establishing plans to

[15] Outagamie County's Farmland Preservation Agricultural Producer Survey (question 19).

develop adjacent to these communities – where larger tracts of land are available to develop in proximity to city/village services and utilities. This reality can sometimes create land use issues, particularly if urban development and/or sprawl occurs absent annexation and that development results from incompatible development locating near agricultural enterprises. Further, development pressure from cities and villages into unincorporated areas can sometimes jeopardize farmland preservation efforts since development in unincorporated areas typically occurs at lower densities then they would have in incorporated areas. Finally, it makes promoting agricultural development more challenging (i.e., when development infringes on prime agriculture lands, it can make that agricultural land and/or agricultural enterprises less valuable).

Development pressure in towns may be alleviated, to a certain extent, through land use efficiency measures and improved growth management policies adopted by the County, towns, and cities/villages. Development pressures could also be alleviated through thoughtful boundary agreements and extra-territorial zoning plans, developed in coordination with cities/villages and adjacent towns. It is well advised that boundary agreements and extra-territorial zoning plans consider both the need to accommodate development as well as the need mitigate sprawl to preserve farmlands.

ENVIRONMENTAL PRESERVATION

Outagamie County's natural resources are facing increased pressures from a growing population. Further, at the cost of natural areas and agricultural lands, natural landscapes are being diminished in the county for "country style living." As development pressure grows, the preservation of natural lands, the protection of groundwater resources, and the mitigation against pollution and contaminants will become more challenging. If left unrestrained, these pressures will result in unplanned, poor development patterns and an inefficient use of land, water, and raw materials.

To better preserve environmental areas such as wetlands and water bodies, the State and County establish plans, policies, and regulations that aim to direct development away from protected environmentally sensitive areas and environmental corridors. County specific plans that provide this guidance include:

- **Volume 1 of Outagamie County's Comprehensive Plan.** The Natural Resources Element of the County's Comprehensive Plan (beginning on page 64) provides background on the County's geographic and geologic profile. It includes information and maps related to the County's existing and current conditions; metallic and nonmetallic mineral resources; topography; soil characteristics; and water, woodland, and wetland resources. This plan provides guidance on the specific environmental areas and facets that should continue to be preserved and protected into the future.
- **Volume 2 of Outagamie County's Comprehensive Plan.** Volume 2 of the County's Comprehensive Plan provides valuable policy direction and recommendations related to environmental preservation. Particularly important and relevant is documentation of *Goal 6: Wise Land Development and Conservation Practices*. Recommendations highlighted under this Goal include:
    - Ensure the protection of environmentally sensitive areas.
    - Maintain and enforce the County's storm water and erosion control ordinances.
    - Provide education and technical assistance to land owners for best conservation and nutrient management
    - Limit pollution of our waterways.

  - Encourage development of blighted parcels and brownfields.

- **Outagamie County's Land and Water Resource Management Plan**. This plan focuses on the current and existing conditions of the county and its land use and agricultural trends. This plan also includes assessments of the natural resources, the estimated rural nonpoint source pollutant loading and priority watershed reduction goals. Importantly, this plan highlights implementation tactics, education strategies, and the County's five-year work plan.
- **Outagamie County's Watershed Plans.** The County has six 9 Key Element Plans, pertaining to each of the specific watersheds in the County. Each plan discussed the applicable watershed, soil characteristics, and land use/land cover characteristics. The plan also documents water quality and nearby facilities, agricultural lands, and wetlands. The plan highlights goals, objectives, and management techniques that the County will implement to protect the watershed and to measure plan progress and success.

CONNECTIONS TO OUR FOOD SYSTEM

The *Outagamie County Comprehensive Plan 2040: The Shared Path Forward* (2018) recommended the development of a food systems element in the next update of the County's Farmland Preservation Plan. This section satisfies this recommendation, although further exploration may be desired as part of a future, distinct project.

What is a food system?

A food system is a web of activities involving the production, processing, distribution/warehousing, and consumption of food. These four components are further explained below.

- **Production:** Production involves the use of land and farming practices (e.g., soil and crop management, livestock breeding, harvesting, etc.) to grow agricultural products and/or to raise livestock. Production is the first stage of the food system – it creates the raw materials which are ultimately transported to an end consumer or to a processing facility to be further transformed into a finished product. Production can function differently depending on the scale of the farm and the farming practices employed.
- **Processing:** Processing refers to the stage of the system that transforms a raw product into a value-add product. For example, it is the transformation of peanuts to peanut butter or fruit to fruit juice. Most food products in the United States require some level of processing, storage, and/or packaging.
- **Distribution and Warehousing:** When raw products are ready to be sent to a processing facility, or when raw/value-add products are ready for market, they must be distributed. Products can be distributed regionally, nationally, or internationally. These products ultimately work their way to a retail outlet which can include grocery stores, restaurants, and farmer's markets. As an interim step, warehouses are often relied upon to store products prior to or between deliveries.
- **Consumption:** Consumption is the final component of the food system. It involves consumers (all of us) purchasing food products at a retail outlet to consume.

A successful food system relies on many actors, infrastructure, and sub-systems (e.g., policy systems, financing systems, etc.). Concerns associated with the food system typically involve the governance and economics of food production, sustainability of the system itself, food waste, equity and food access/food security, and the impacts of food system activities on the natural environment and on human health.

Exhibit 31, on the following page, shows the interconnectedness of many of the factors that affect a typical food system. In the outer ring, the exhibit highlights the key components of the system previously discussed. The inner ring highlights key factors that affect or are affected by our food system as a whole (e.g., employment, trade, health and nutrition, animal welfare, etc.).

Exhibit 31. Food System Elements
Source: food systems



Increasingly, communities are shining light on the need to maintain "resilient" food systems – which are systems that can withstand and recover from natural or human-made disruptions, while continuing to ensure a sufficient supply of food for all. According to a guide supported by the USDA,

> *Food systems have always been vulnerable to hazards like pests and bad weather, [but] with climate-related shocks and stressors adding to existing hazards facing food systems, this is a critical time to examine food system vulnerabilities and work to ameliorate them... by turning to the concept of resilience to predict, assess, and improve how systems and the actors within them cope with disruption.*[16]

[16] Jenileigh Harris, et al., (2019). Food Systems Resilience: Concepts & Policy Approaches, Center for Agriculture and Food Systems, Vermont Law School.

Why consider the food system in our Farmland Preservation Plan?

Our food system starts at the farm and begins with the farmer. To meet society's food production targets and consumer demands, communities must safeguard their agricultural land supply and ensure existing agricultural enterprises can continue to operate successfully. Monitoring these activities through a reoccurring planning process (such as this one), provides the framework to do just that.

Furthermore, the food production component of our food system (and the agricultural industry more generally), can only truly thrive if the system as a whole functions well. This is because each component shares an interdependent relationship with the other. In essence, the success of one stage relies on the success of another. As such, in addition to monitoring agricultural land and enterprises, keeping a gauge on processing, distribution/warehousing, and consumption activities is another way to ensure the viability of farming operations in Outagamie County. It will also ensure the county has a resilient food system.

While a robust food system assessment is outside the scope of this plan, this plan could serve as a launch pad for further exploration. Exhibit 32 presents key questions that a future study could help to answer.

Exhibit 32 Food System Assessment: Examples Research Questions
Source: Outagamie County

Production	Processing
• Do farm operations of various sizes have equal access to food processing facilities and distribution services in the region? • How can community / school gardens and urban agriculture play a larger role in food production? • How can community-supported agriculture partnerships be bolstered in the county?	• Are relationships between producers and processing facilities in the region strong? • Are there barriers preventing meat, produce, and artisan processing facilities from locating in the region?
Distribution and Warehousing	**Consumption**
• What infrastructure gaps exist that make activities involving food aggregation, cold storage, and transportation more challenging? • How far do food products, sold at local food retailers, travel following production? • In the face of a disaster or disruption, what processes (or emergency management practices) are in place to ensure food distribution? • What processes are in place to limit food waste and spoilage?	• What is the relationship between the number, type, and location of food retailers and consumer markets? • Are residents educated on the ways to support local producers? • Can institutional food buyers use their collective buying power to influence the food supply chain, and promote healthier foods being grown/raised and processed locally? • What food waste management policies do local food retailers have in place? How successful are they at reducing waste?

ANTICIPATED CHANGES

In summation of the data and analysis presented in Part 2, this plan anticipates continued changes in the nature, scope, location, and focus of agricultural production within Outagamie County and over the planning period. Some key findings that support this conclusion include:

- **Loss of farmland acres.** Between 2002 and 2017, the county lost a total of 26,522 acres (an average loss of 1,768 acres per year). If this trend were to continue at this same rate (e.g., it was extrapolated linearly into the future), the County would lose its entire agricultural land supply (236,963 farm acres as of 2017) by year 2151.

  To ensure we safeguard our farmland for future generations, it is prudent that the County continue to monitor its agricultural land supply, improve its land preservation measures, and continue to make smart land use decisions.

  A primary reason for the county's loss of farmland acres is due to increased urbanization pressures and population growth over the last couple decades. If the Fox Cities (southern Outagamie County) continues to be a desirable place to live, work, and play, we can anticipate urban and residential development to continue expanding north and west into our more rural landscape. This will impact the county's prime farmlands, and available land supply for agriculture more generally.

COMMUNITY PERSPECTIVE:

According to Outagamie County's farmland preservation community survey (taken by primarily residents / non-farmers), 85% of respondents want farming and agriculture to be a major part of the county's identity in the future.

- **Change in the size of production.** Over the last several years, the County has experienced growth in the number of small agricultural operations and a decline in the number of more moderate sized operations. In this same time, CAFO growth across the state and county has made mega-farming practices much more customary. These trends highlight a notable shift in the nature and scope of operations that are representative of Outagamie County's agricultural industry.
- **Declines in the industry's employment base.** Consistent with state trends, farm labor in Outagamie County is down – declining by 20 percent from 2012 to 2017. The demographics of our farm owners/agricultural producers are also changing. Many are reaching or have surpassed retirement age and a majority share of surveyed farm operators do not have succession plans.
- **Narrowing of agricultural inventory.** As a result a CAFO growth and monocropping trends, the county's agricultural production, in terms of inventory, has become more focused. Between 2012 and 2017, inventory of key livestock was down with the exception of chicken and beef cattle/cows. Inventory of key crops was down, with the exception of soybeans and corn silage.

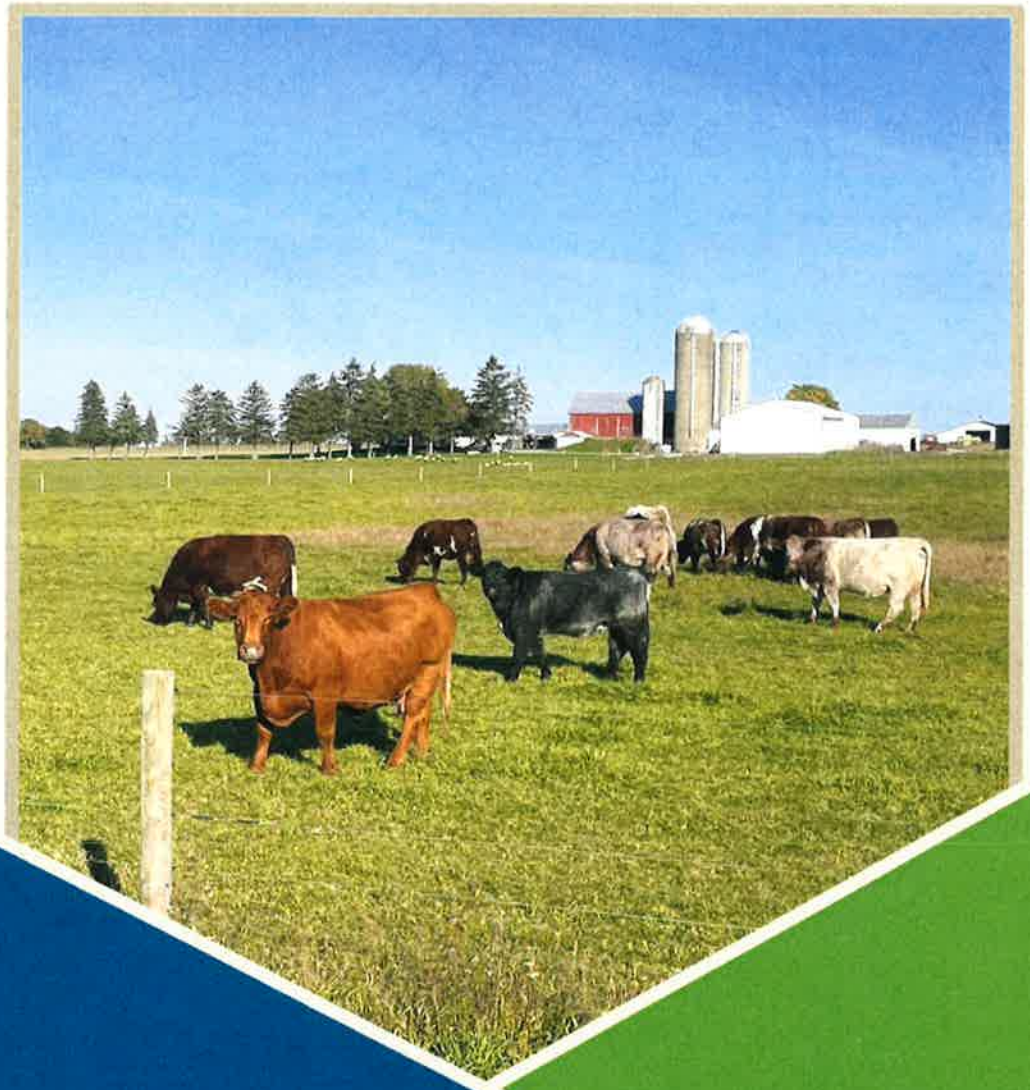
This plan anticipates processing, supply, and distribution facilities and business development will remain stable over the planning period. However, as the region continues to grow and develop, there may be opportunities for growth and expansion of these industries. Some key findings that support this conclusion include:

- **Strong processing, storage, and supplies industry.** The County contains 22 processing facilities, four food storage facilities, and 15 food and farm equipment supply facilities. Many of these facilities have a long history of being located in the region. Some facilities have located or

expanded in the County in the last few years suggesting that, at least recently, there was market potential to absorb.

- **Proximity to an increasingly efficient transportation network.** Outagamie County's location near the I-41 corridor positions us in a strong location to accommodate the distribution of agricultural goods and services. Improvements to the I-41 corridor through 2030 will further advance efficiency (further incentivizing business location decisions).
- **Job growth.** Consistent with national trends, food processing jobs have been increasing for decades across Wisconsin. This upward trend is anticipated to endure due to growth in specialty food processing industries.

PART 3



FARMLAND PRESERVATION AREAS

A critical component of Outagamie County's Farmland Preservation Plan is its farmland preservation maps. The maps discussed in this section and presented in large-format in Appendix A, delineate agricultural and natural resource areas intended for long-term preservation. The maps were developed using a streamlined process, as described below.

Framework for Identifying Preservation Areas

To establish the farmland preservation area maps, Outagamie County relied on three streamlined frameworks (i.e., a series of steps that factor in specific, *objective* criteria and available GIS datasets). A single framework was used for each of the following community types:

Unincorporated Community with Farmland Preservation (FP) Zoning	Unincorporated Community without Farmland Preservation (FP) Zoning	Incorporated Community
• Town of Black Creek • Town of Cicero • Town of Deer Creek • Town of Hortonia • Town of Kaukauna • Town of Maple Creek • Town of Seymour	• Town of Bovina • Town of Buchanan • Town of Center • Town of Dale • Town of Ellington • Town of Freedom • Town of Grand Chute • Town of Liberty • Town of Maine • Town of Oneida • Town of Osborn • Town of Vandenbroek	• Village of Greenville

Each framework (summarized in the sub-sections below) was established to ensure consistency with State statutes and to enable improved administrative accuracy and efficiency in the County/State verification process.

FRAMEWORK FOR UNINCORPORATED COMMUNITIES WITH FP ZONING

Unincorporated communities with farmland preservation zoning (e.g., a certified farmland preservation zoning district) are the Towns of Black Creek, Cicero, Deer Creek, Hortonia, Kaukauna, Maple Creek, and Seymour.

To create their farmland preservation maps, the County applied the following steps and criteria:

- **Step 1 – Establish Base.** Designate all parcels for farmland preservation if the parcel or a portion of the parcel is designated as either "Agriculture & Open Lands" or "Rural Character" in Outagamie County's Comprehensive Plan, Future Land Use maps AND the parcel, or a portion of the parcel, is zoned Exclusive Agriculture and/or located within an Agricultural Enterprise Area (AEA).

- **Step 2 – Modify Base.** Then, remove parcels from the farmland preservation base if:
    a. They (i.e., the center point of the parcel) are located within a sewer service area planning boundary of a city, village, or town sanitary district.
    b. They are part of a platted residential subdivision.
    c. They are planned for new school sites.
    d. They (i.e., the center point of the parcel) are located within a Tax Increment District.
    e. They are lands with Oneida Indians of Wisconsin status or USA inTrust for Oneida Tribe status.

- **Step 3 – Adapt Base Over Time.** Parcels may be requested INTO farmland preservation through public input.[17] Public input should be gathered at a properly noticed public meeting, in which affected property owners are notified of the meeting via direct mail. The public meeting may include a public hearing for a proposed rezoning into a certified farmland preservation zoning district.

The farmland preservation maps included in this plan are particularly important for these seven communities because State law requires that the lands within a certified farmland preservation zoning district be at least **80% consistent** with the lands planned for farmland preservation in the county's certified farmland preservation plan. The framework outlined above ensures that this consistency metric is met.

[17] Lands requested into the farmland preservation plan area are not part of the certified plan until the County requests an amendment of its plan to DATCP, and DATCP certifies the amendment.

FRAMEWORK FOR UNINCORPORATED COMMUNITIES WITHOUT FP ZONING

Unincorporated communities without farmland preservation zoning (e.g., a certified farmland preservation zoning district) are the Towns of Bovina, Buchanan, Center, Dale, Ellington, Freedom, Grand Chute, Liberty, Maine, Oneida, Osborn, and Vandenbroek.

To create their farmland preservation maps, the County applied the following steps and criteria:

- **Step 1 – Establish Base.** Designate all parcels for farmland preservation if the parcel, or a portion of the parcel, is:
    a. Designated as "Agriculture & Open Lands" in Outagamie County's Comprehensive Plan, Future Land Use maps.
    b. Located within an Agricultural Enterprise Area (AEA).
- **Step 2 – Modify Base.** Then, remove parcels from the farmland preservation base if:
    a. They (i.e., the center point of the parcel) is located within a sewer service area planning boundary of a city, village, or town sanitary district.
    b. They are part of a platted residential subdivision.
    c. They are planned for new school sites.
    d. They (i.e., the center point of the parcel) are located within a Tax Increment District.
    e. They are lands with Oneida Indians of Wisconsin status or USA inTrust for Oneida Tribe status.
- **Step 3 – Option to Opt Out.** Towns without certified farmland preservation zoning and Agricultural Enterprise Areas may opt out of being planned for farmland preservation.
- **Step 3 – Adapt Base Over Time.** Parcels may be requested INTO farmland preservation through public input.[18] Public input should be gathered at a properly noticed public meeting, in which affected property owners are notified of the meeting via direct mail.

[18] Lands requested into the farmland preservation plan area are not part of the certified plan until the County requests an amendment of its plan to DATCP, and DATCP certifies the amendment.

FRAMEWORK FOR INCORPORATED COMMUNITIES

The Village of Greenville is the only incorporated community included in this plan because they are the only City or Village in Outagamie County to have farmland preservation zoning and/or an agricultural enterprise area (they have both).

To create their farmland preservation map, the County worked with the Village of Greenville planning staff to establish and apply the following steps and criteria:

- **Step 1 –** Designate all parcels for farmland preservation if they are located in the Village's Exclusive Agriculture District (listed as "AGD – FP General Agricultural District Farmland Preservation" on their zoning map).
- **Step 2 –** Designate all parcels for farmland preservation if they are located in an Agricultural Enterprise Area (AEA), unless it is zoned to accommodate development.
- **Step 3 –** Parcels may be requested INTO farmland preservation through public input.[19] Public input should be gathered at a properly noticed public meeting, in which affected property owners are notified of the meeting via direct mail. The public meeting may include a public hearing for a proposed rezoning into a certified farmland preservation zoning district.

The farmland preservation map included in this plan for Greenville is particularly important because State law requires that the lands within its certified farmland preservation zoning district be at least **80% consistent** with the lands planned for farmland preservation in the county's certified farmland preservation plan. The framework outlined above ensures that this consistency metric is met.

[19] Lands requested into the farmland preservation plan area are not part of the certified plan until the County requests an amendment of its plan to DATCP, and DATCP certifies the amendment.

Inventory of Farmland Preservation Maps

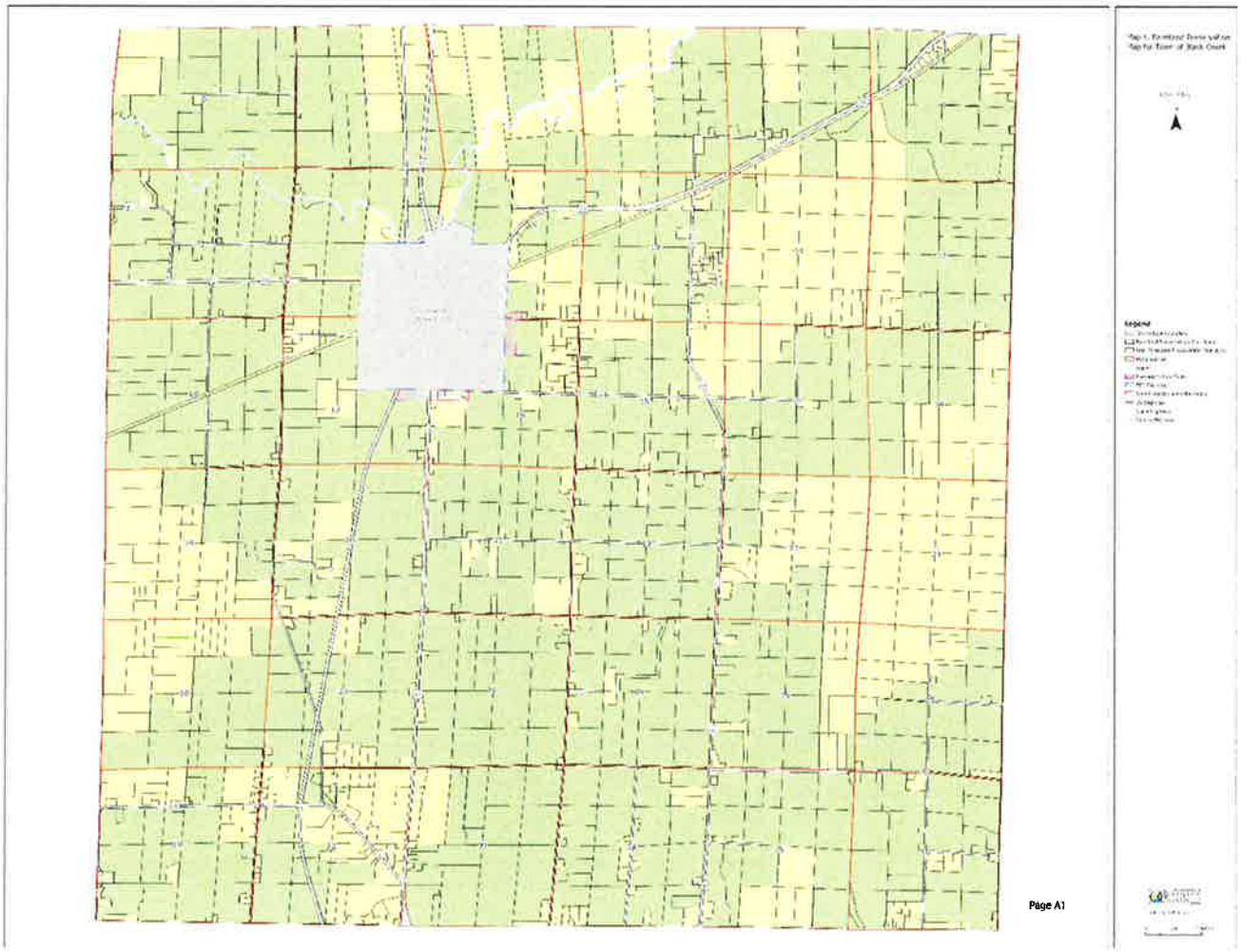
Given the file size and document size of this Plan's Farmland Preservation Maps, they will be publicly posted online on the County's Farmland Preservation webpage, rather than included in this report. To view the maps, please visit the webpage here: www.Outagamie.org/Farmland.

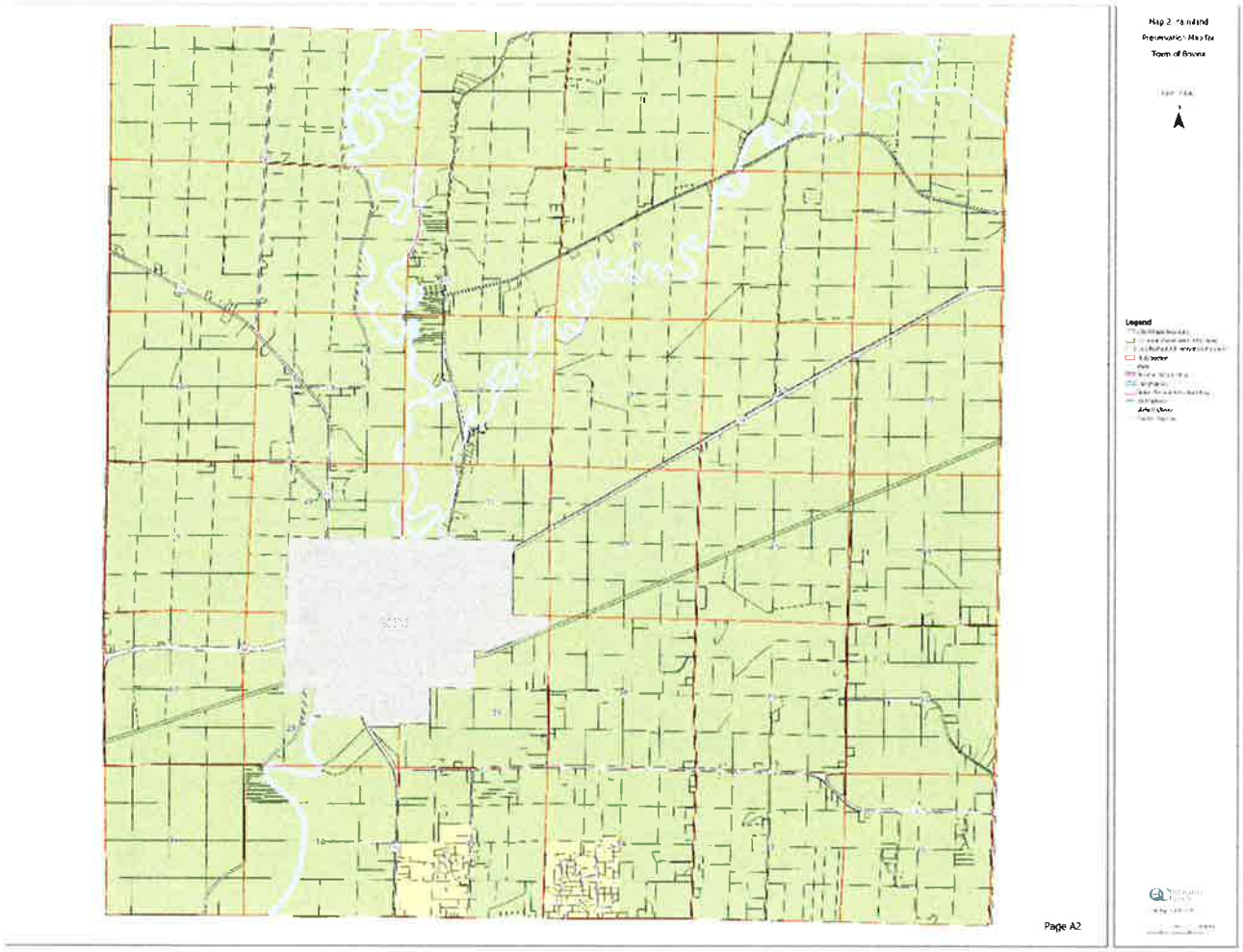
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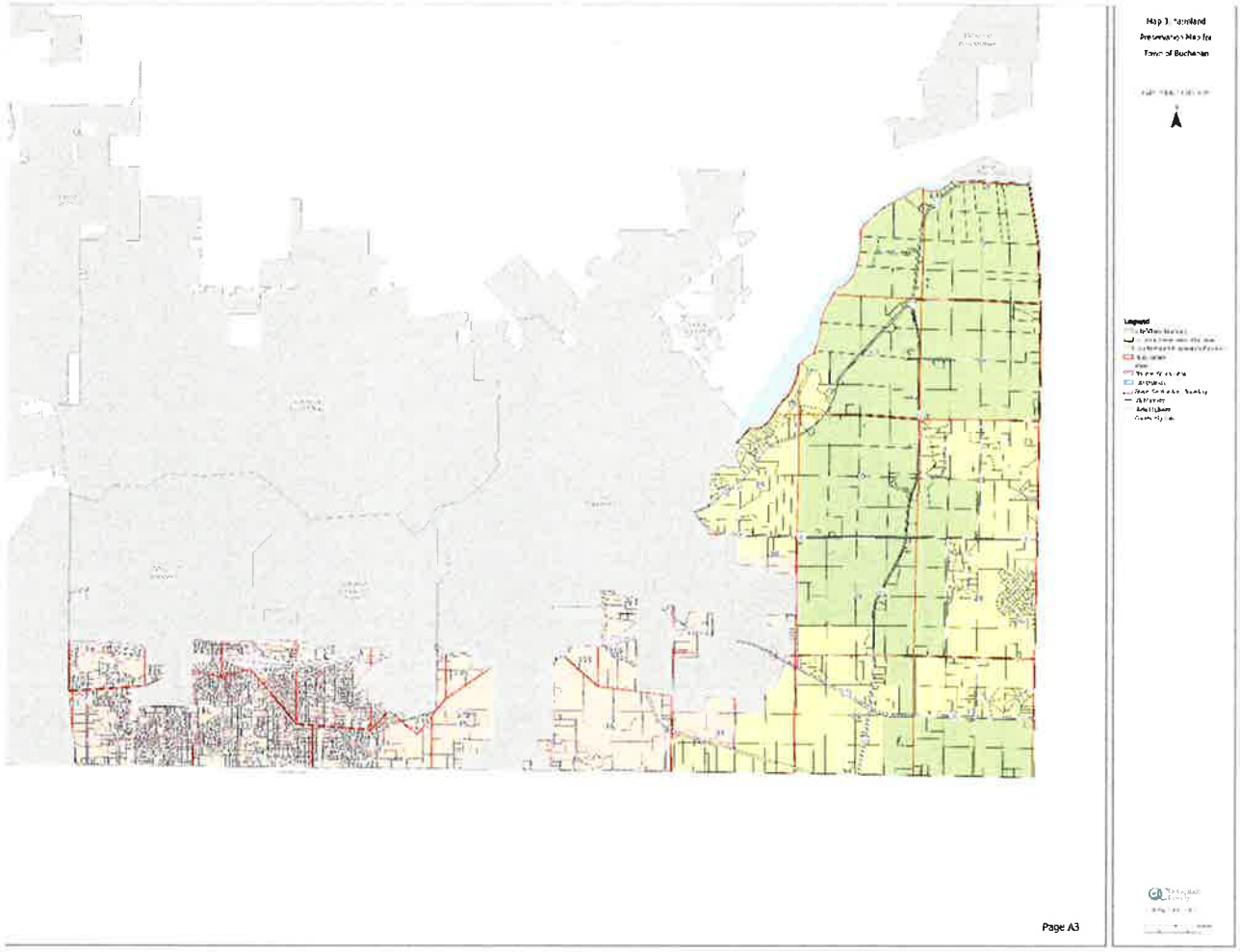
- Map 1. Farmland Preservation Map for Town of Black Creek
- Map 2. Farmland Preservation Map for Town of Bovina
- Map 3. Farmland Preservation Map for Town of Buchanan
- Map 4. Farmland Preservation Map for Town of Center
- Map 5. Farmland Preservation Map for Town of Cicero
- Map 6. Farmland Preservation Map for Town of Dale
- Map 7. Farmland Preservation Map for Town of Deer Creek
- Map 8. Farmland Preservation Map for Town of Ellington
- Map 9. Farmland Preservation Map for Town of Freedom
- Map 10. Farmland Preservation Map for Town of Grand Chute
- Map 11. Farmland Preservation Map for Town of Hortonia
- Map 12. Farmland Preservation Map for Town of Kaukauna
- Map 13. Farmland Preservation Map for Town of Liberty
- Map 14. Farmland Preservation Map for Town of Maine
- Map 15. Farmland Preservation Map for Town of Maple Creek
- Map 16. Farmland Preservation Map for Town of Oneida
- Map 17. Farmland Preservation Map for Town of Osborn
- Map 18. Farmland Preservation Map for Town of Seymour
- Map 19. Farmland Preservation Map for Town of Vandenbroek
- Map 20. Farmland Preservation Map for Village of Greenville

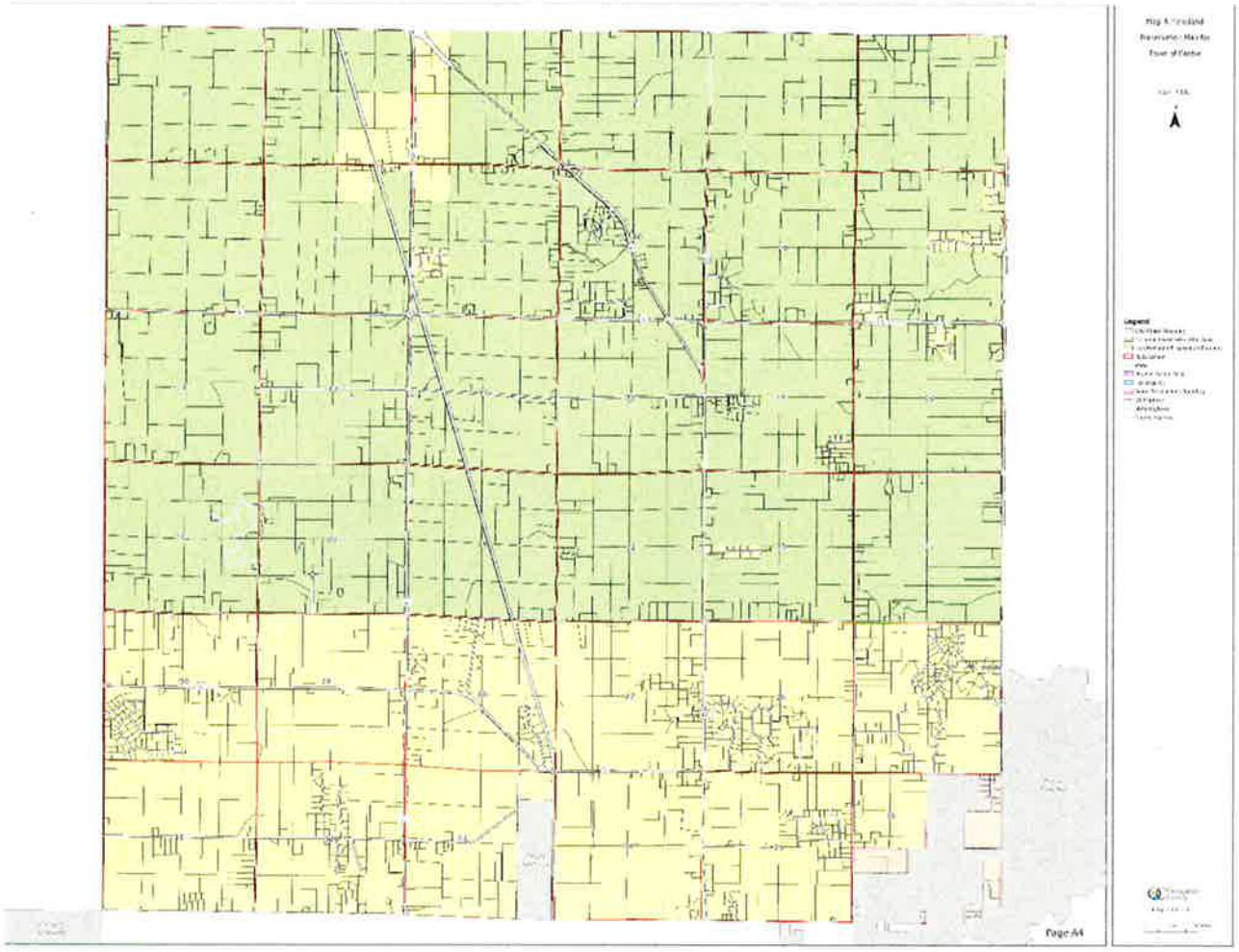
Concluding Remarks

Thank you for reviewing Outagamie County's Farmland Preservation Plan for the 2023 to 2033 planning horizon. Questions about the plan, including requests to modify this Farmland Preservation Plan and the associated Farmland Preservation Maps, may be directed to Outagamie County's Development and Land Services Department. Please note that this Plan as well as Appendix A of this Plan serves as Addendum 2 of the County's Comprehensive Plan. As such, modifying this Plan's text and/or maps can only be accomplished via a Comprehensive Plan amendment. In addition, plan text and/or map amendments must be certified by Wisconsin Department of Agriculture, Trade, and Consumer Production.

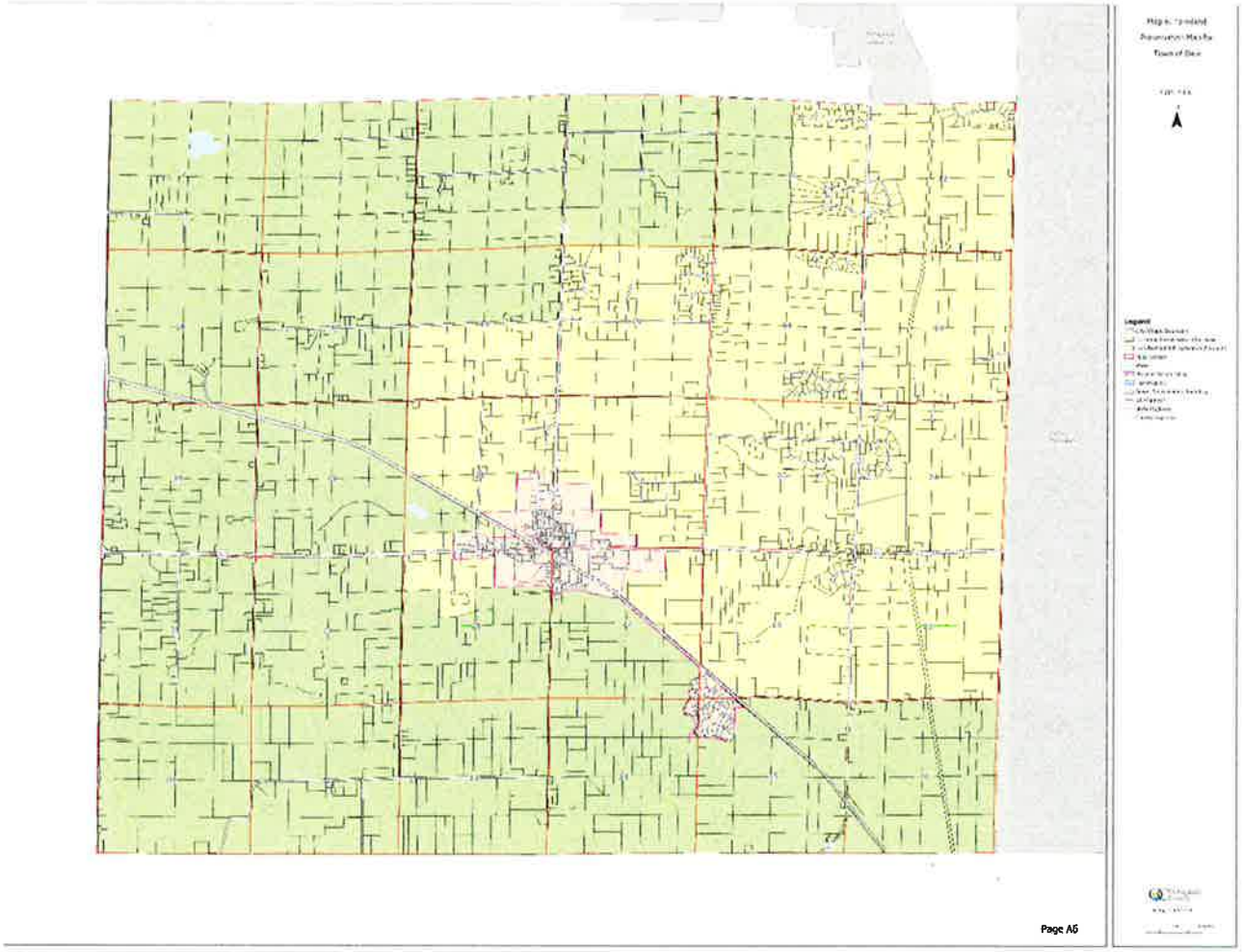

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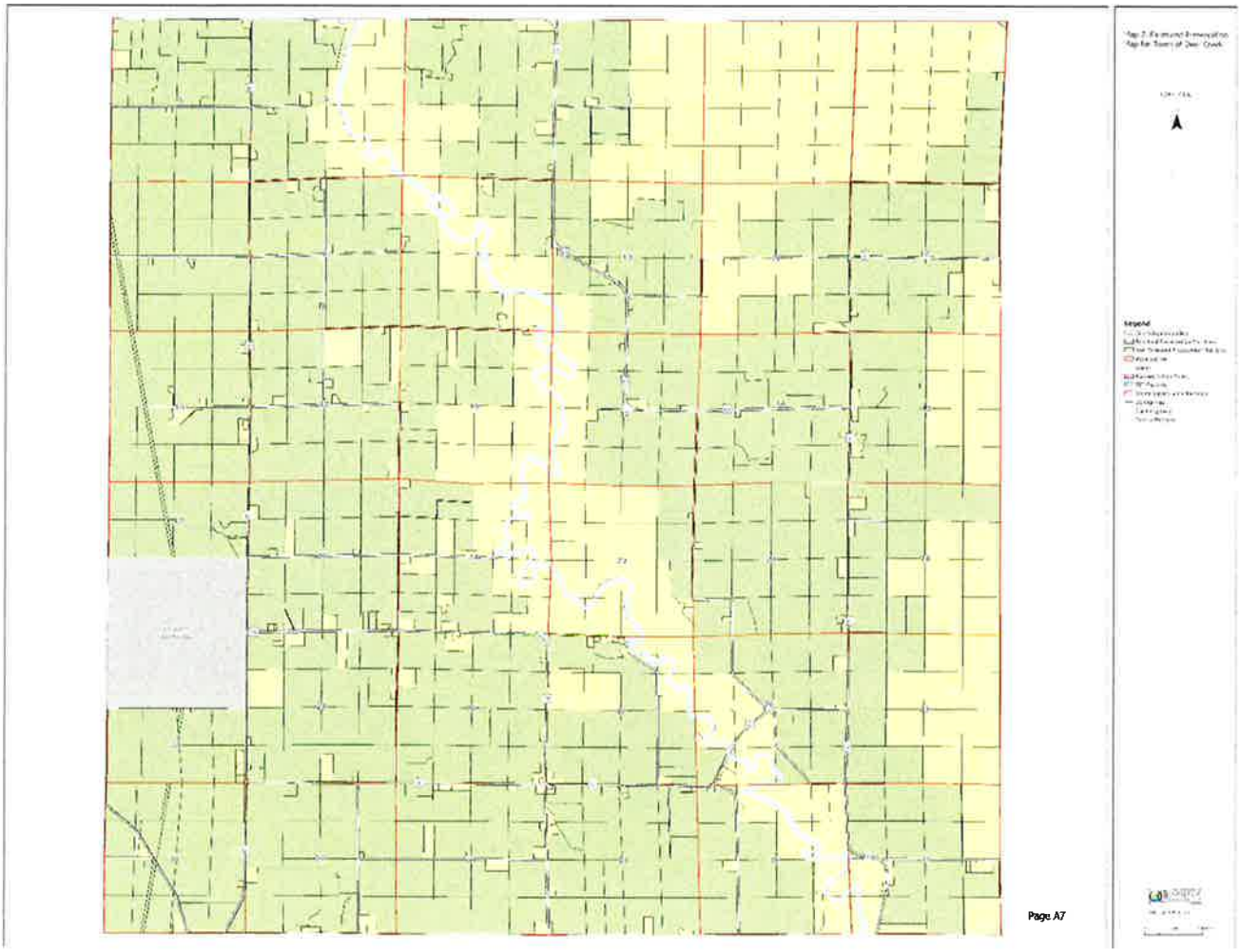

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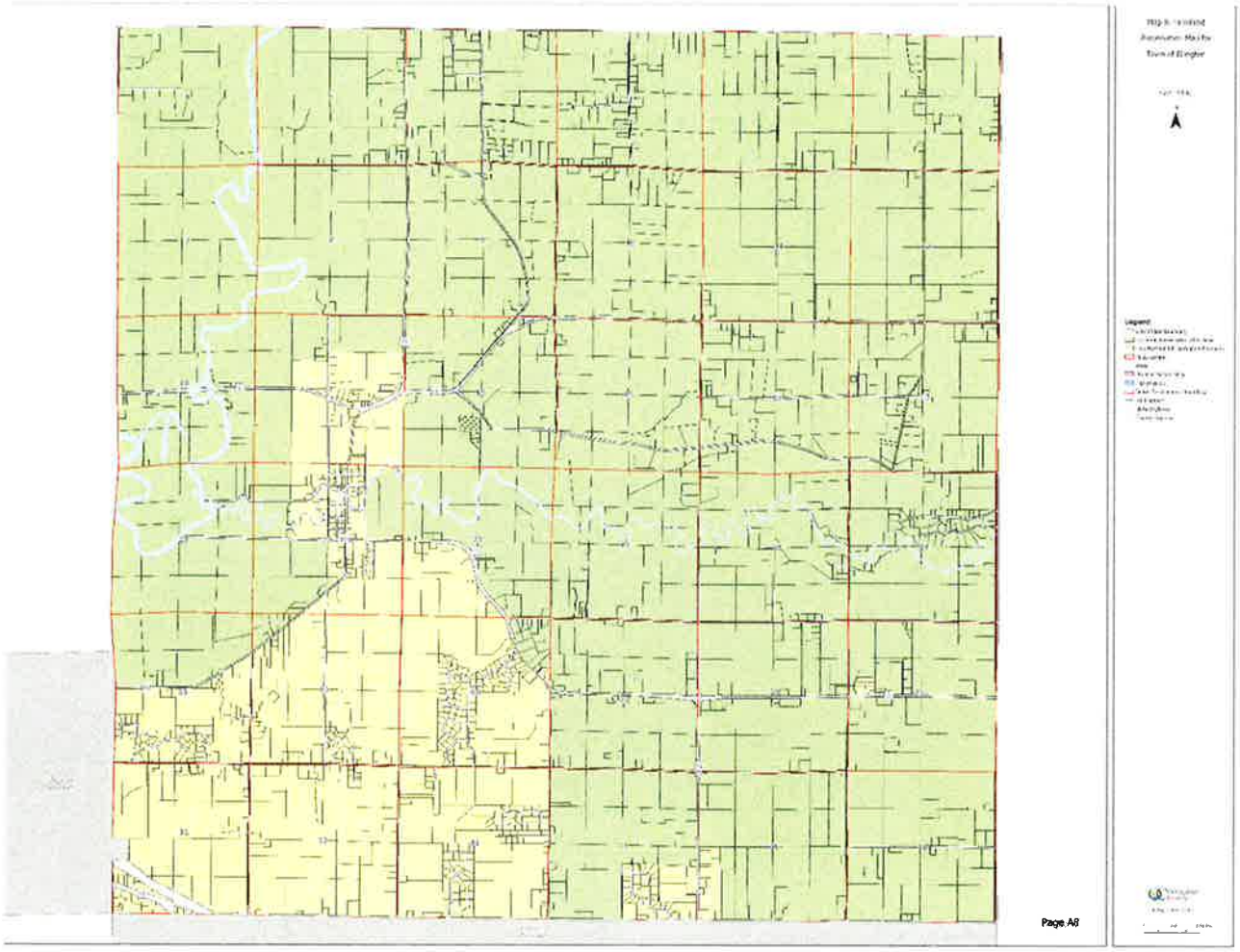

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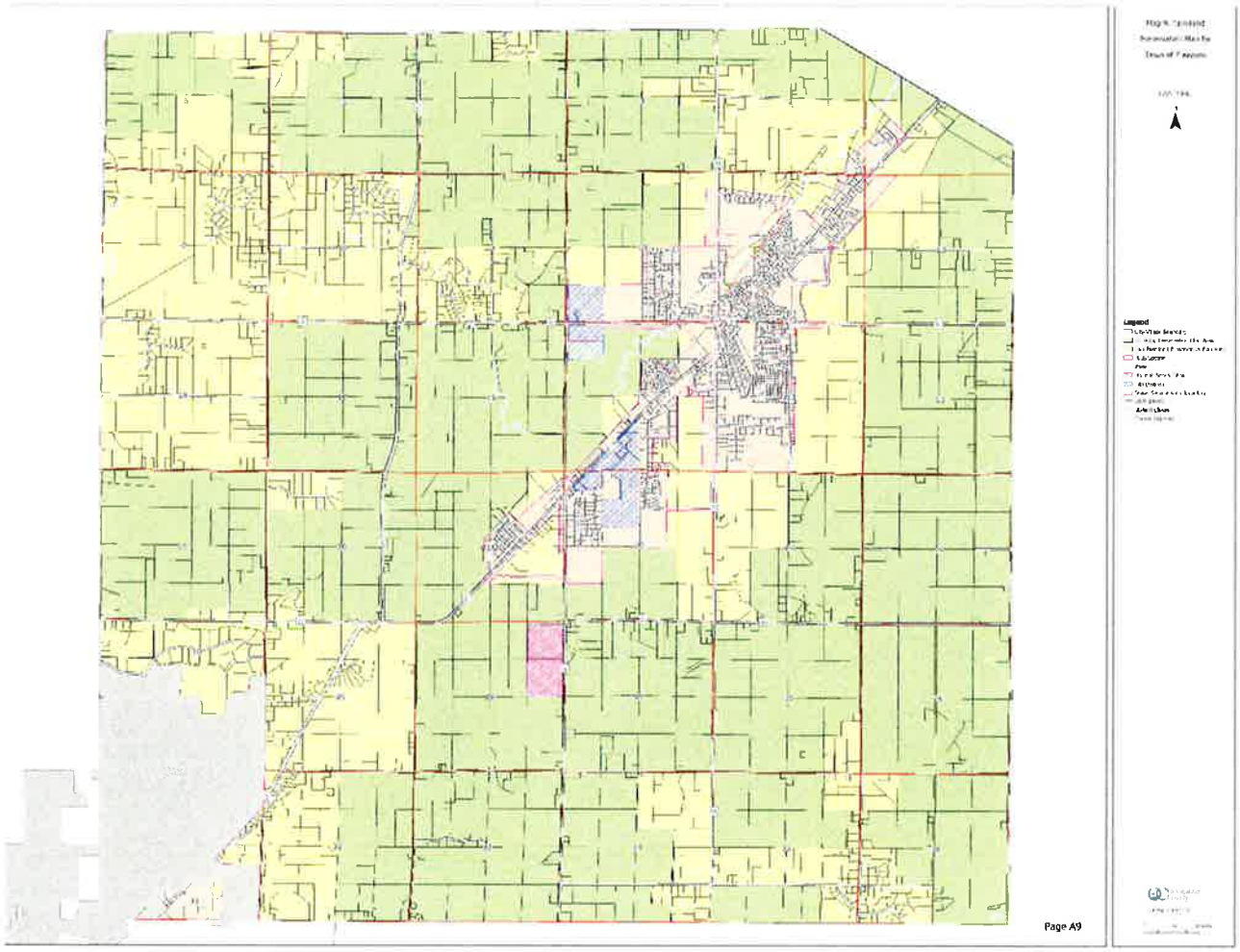


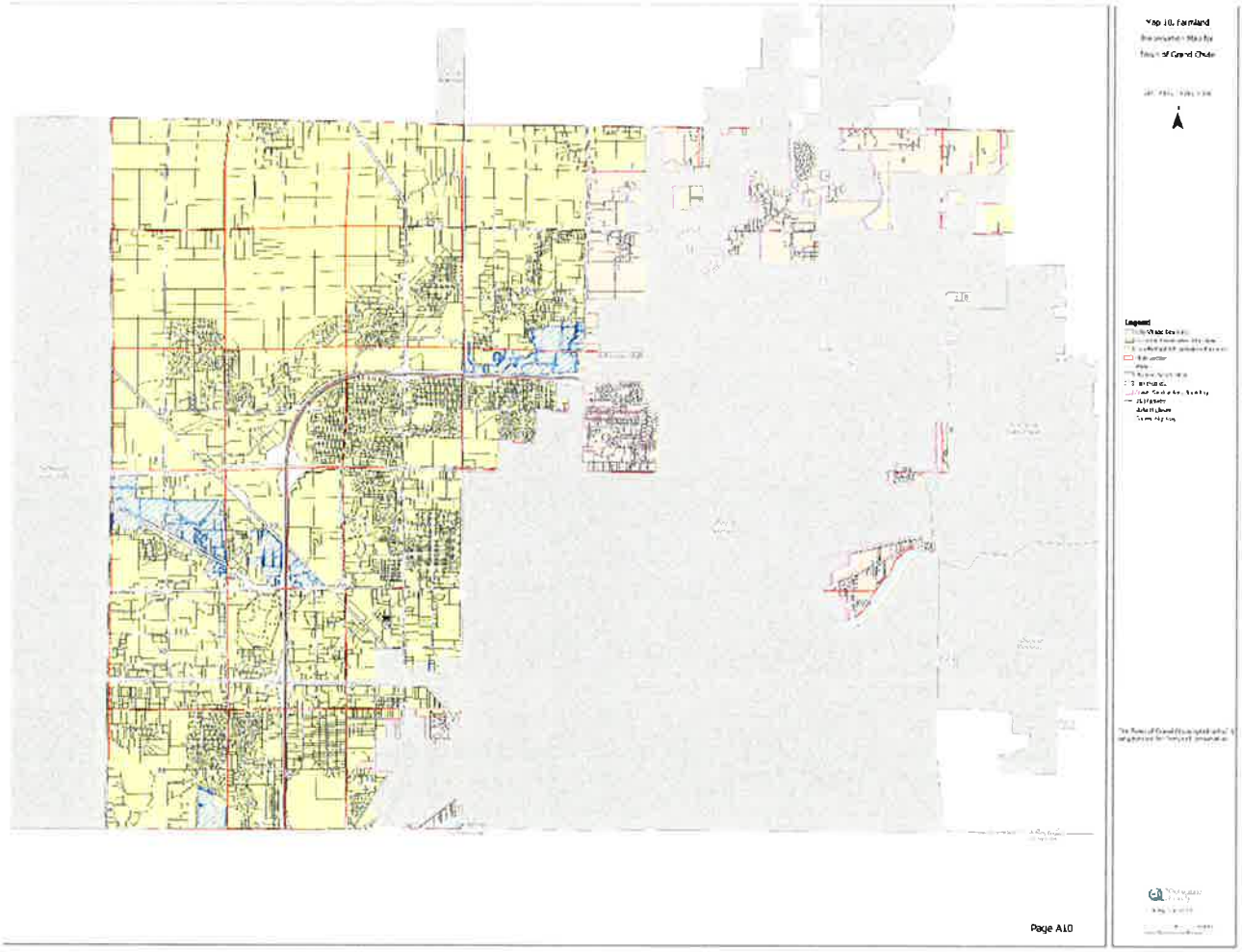


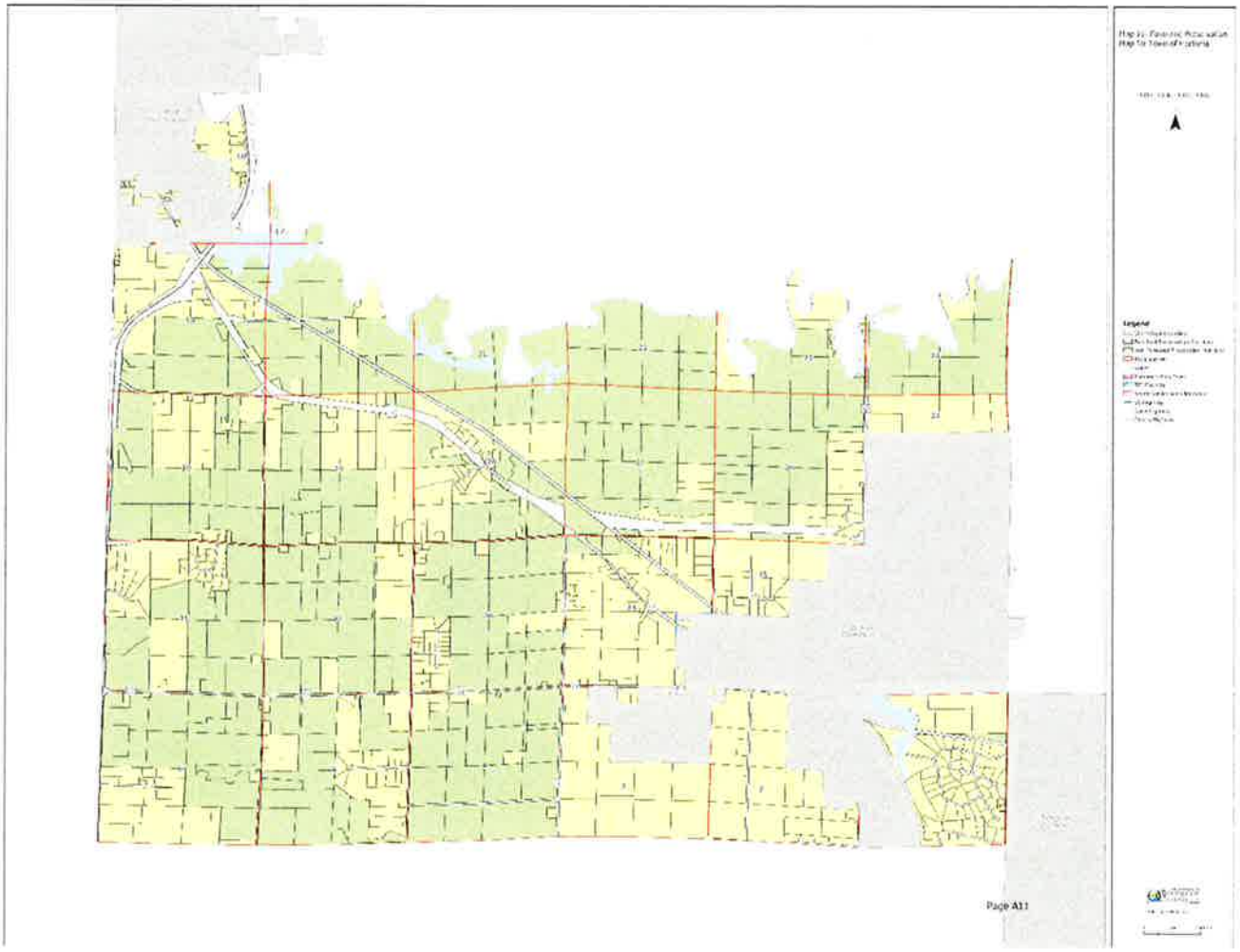

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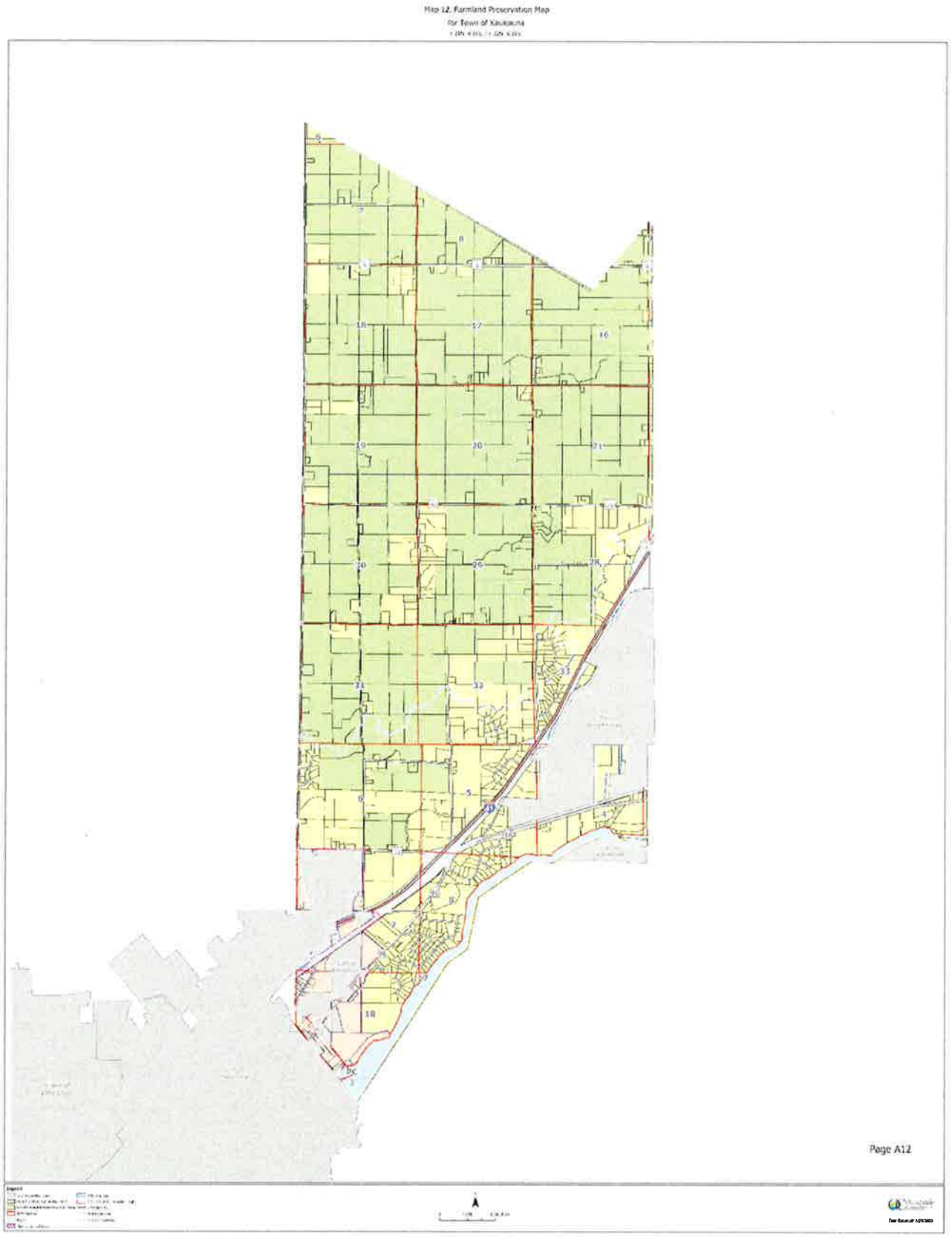

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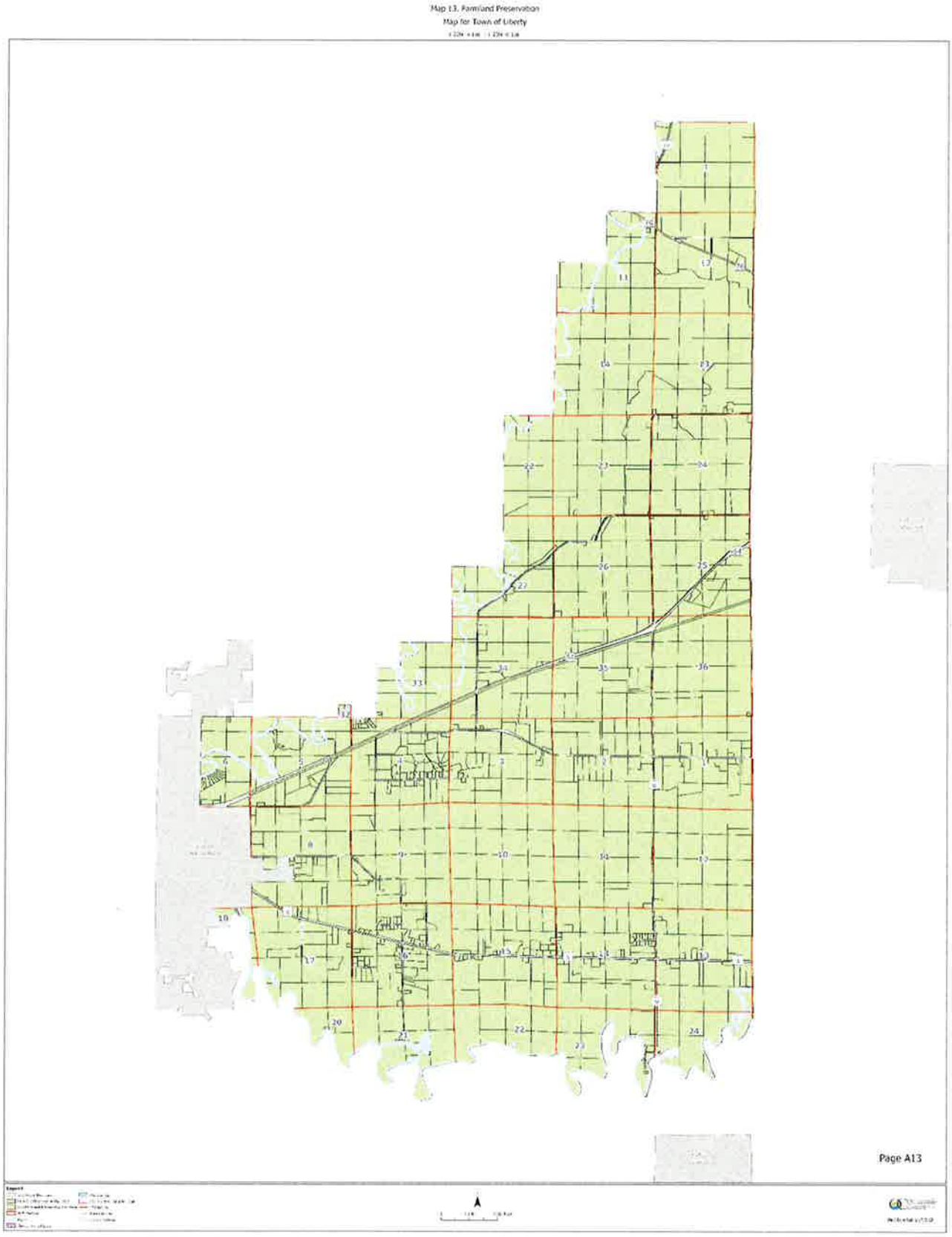

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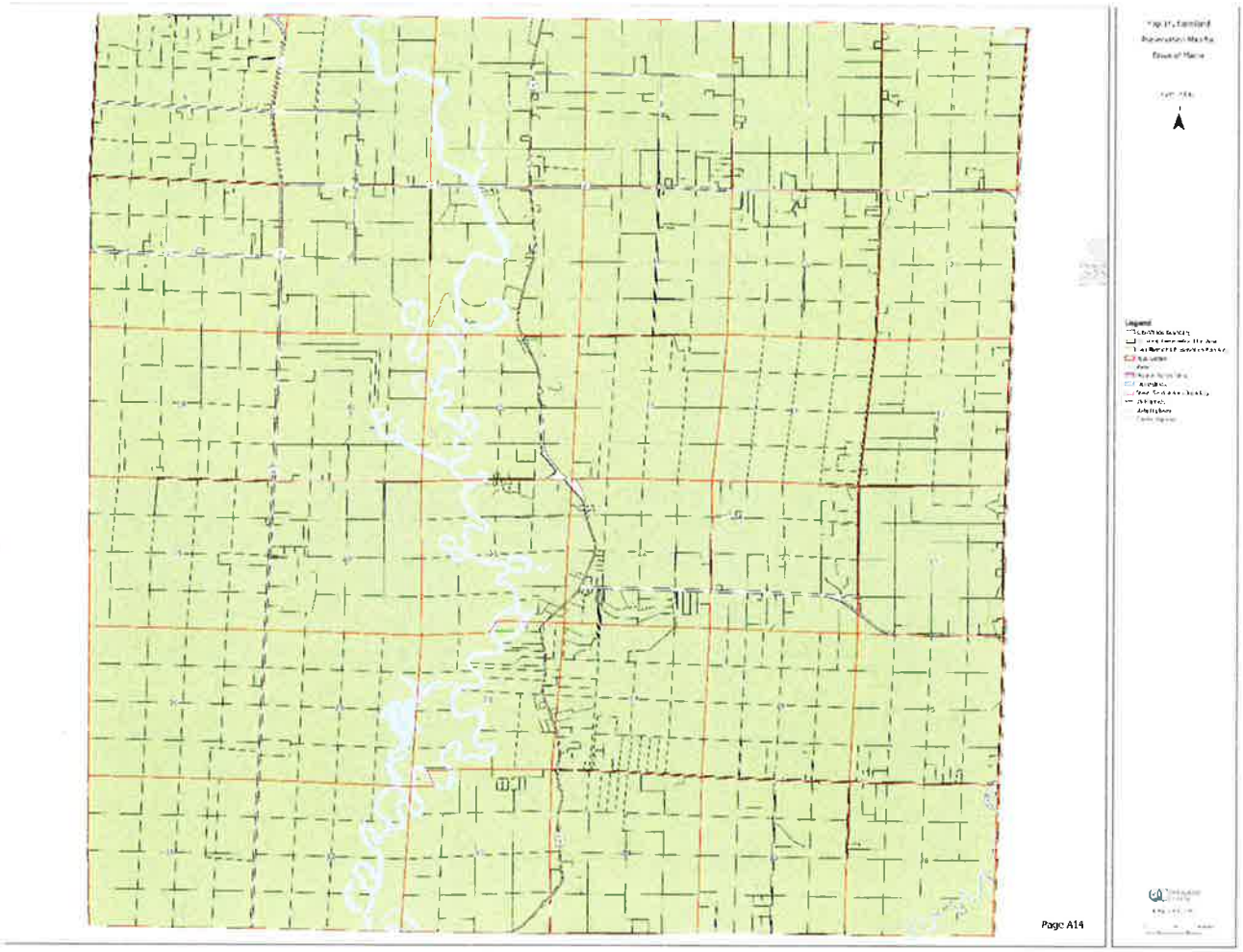

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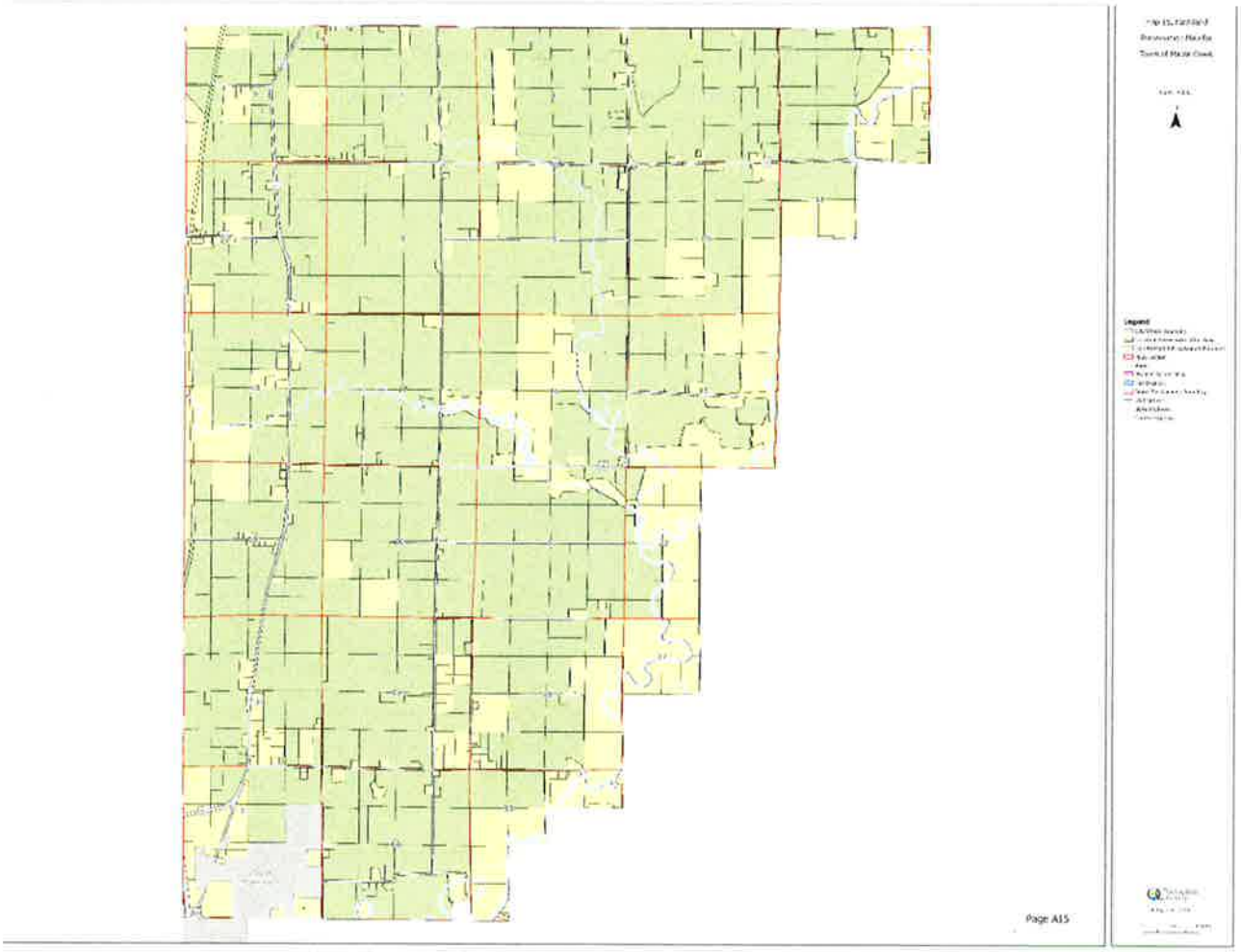

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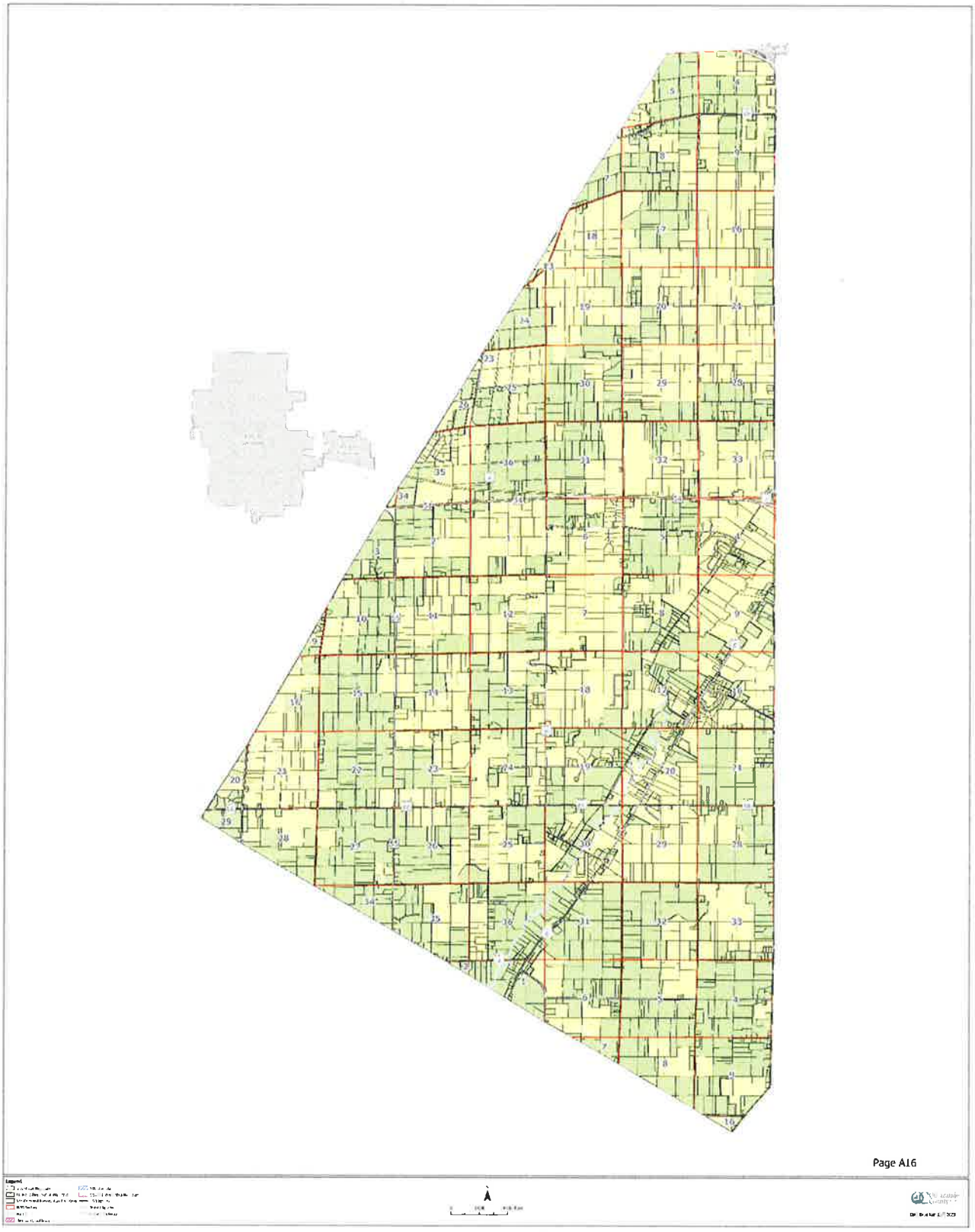

Map 12. Farmland Preservation Map
for Town of Kaukauna
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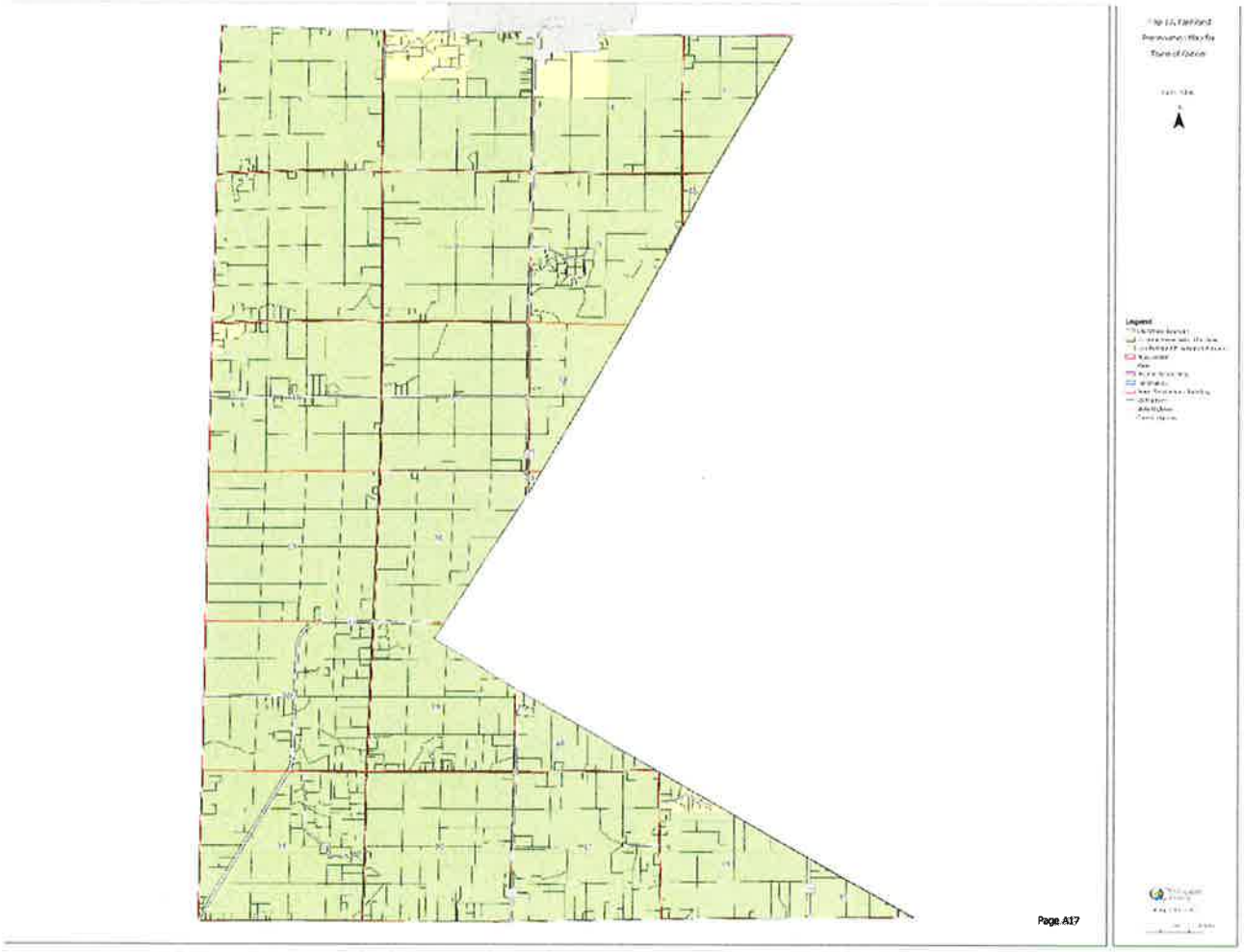

Map 13. Farmland Preservation
Map for Town of Liberty
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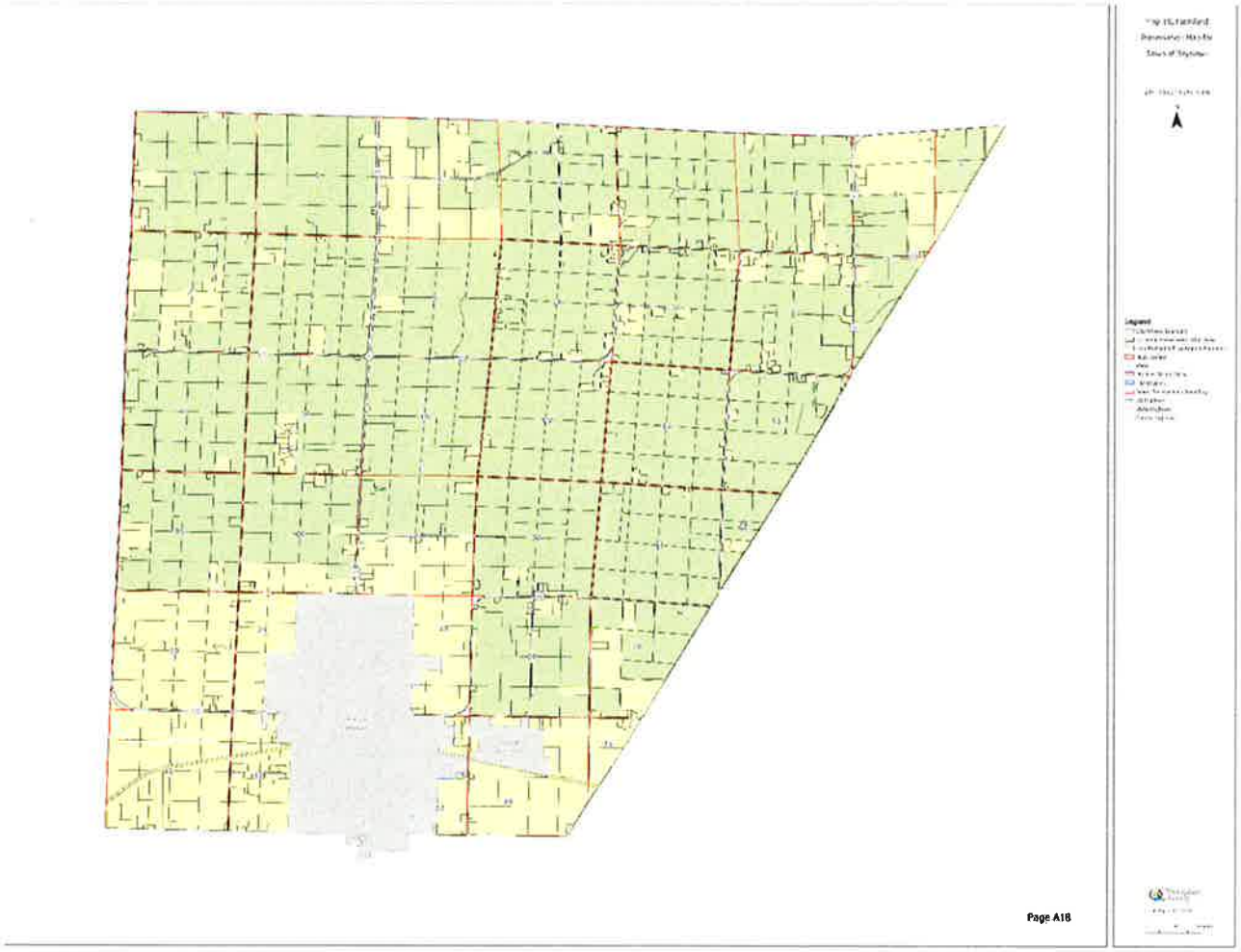

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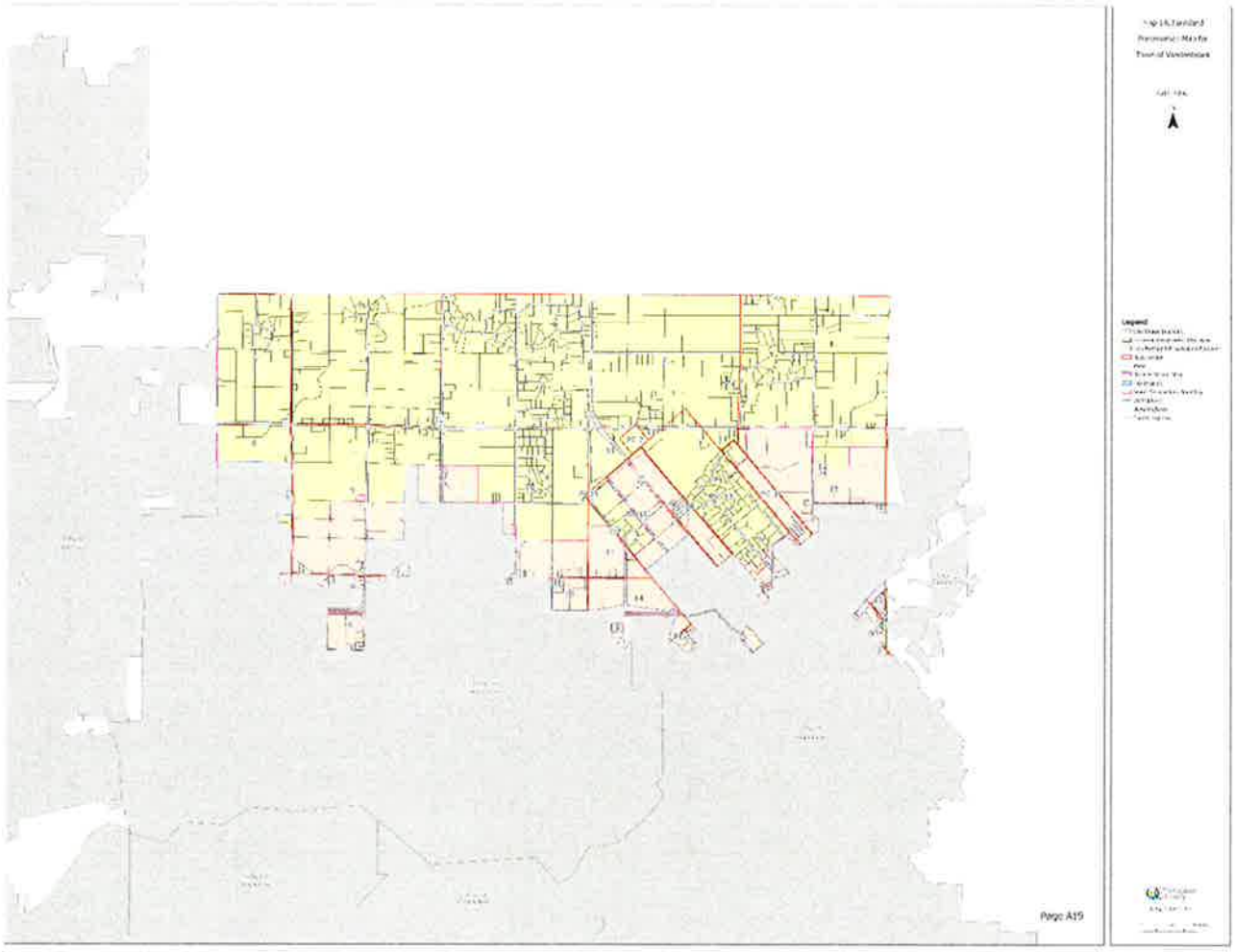

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Map 16. Farmland Preservation Map for
Town of Oneida




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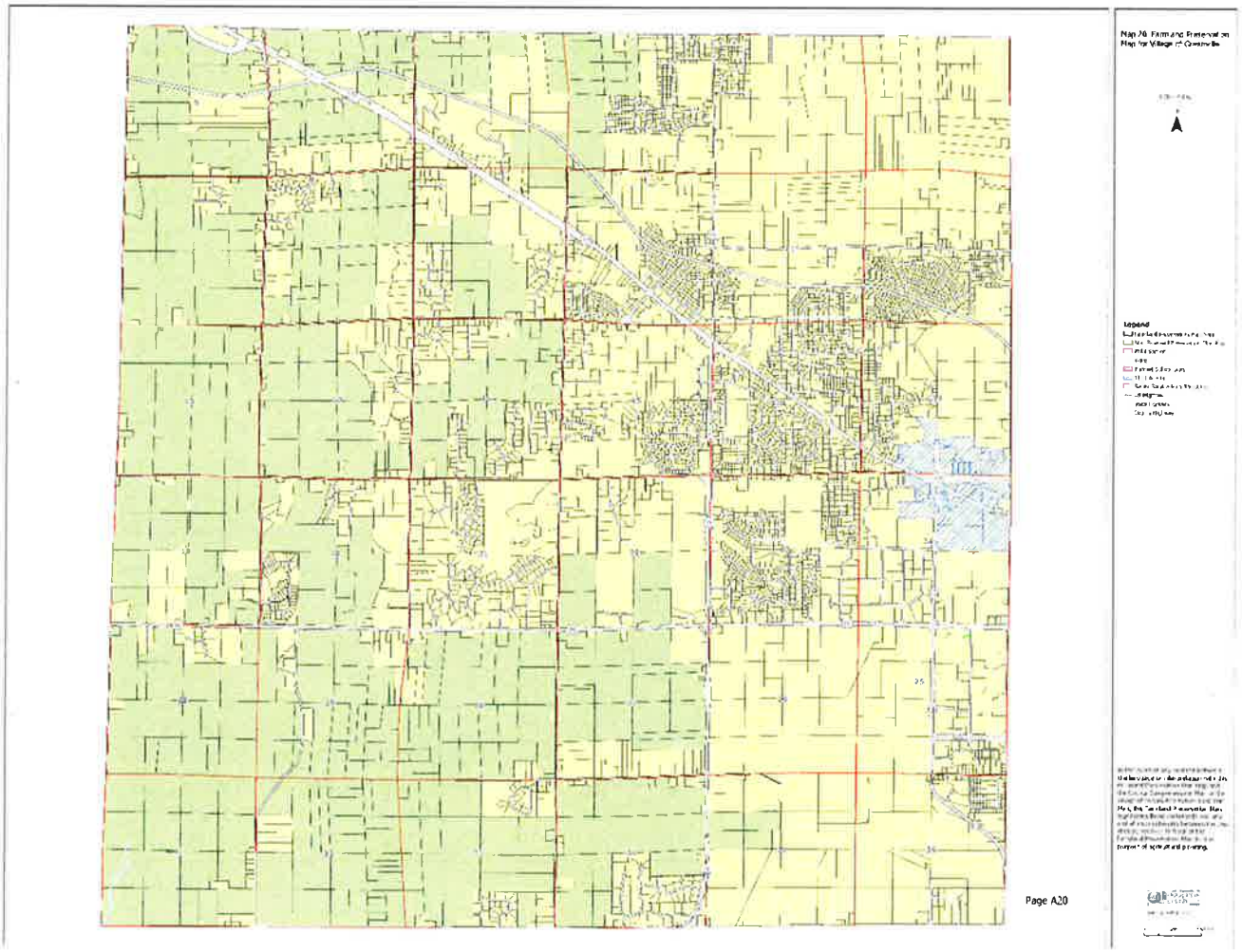

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EXHIBIT 2

Farmland Preservation Plan Update: Summary of Outreach and Engagement Activities

Outagamie County's Development and Land Services (DLS) Department updated the County's 2011 Farmland Preservation Plan in 2022 and 2023 for the 2023–2033 planning horizon. As part of the planning process, DLS provided opportunities for public and stakeholder engagement to seek feedback on the plan. This document serves as a summary of various outreach and engagement activities.

OUTREACH AND ENGAGEMENT ACTIVITIES

Project Webpage

DLS created a project webpage on Outagamie County's website to explain the project, post information, and communicate current project status. The webpage is located HERE.

Updates to Stakeholders and Decision Makers

To ensure key stakeholders and decision makers were aware of this project, DLS provided periodic updates at planned meetings. Updates occurred at the following meetings:

- **Outagamie County Zoning Committee Meeting.** On June 14, 2022, DLS explained to the Zoning Committee that they had kicked off an update to the County's farmland preservation plan. DLS explained what the purpose of the plan was, what information the plan is required to include, and the kinds of community engagement that would be conducted as part of the planning process.
- **Outagamie County's Quarterly Town's Association Meeting (1).** On July 18, 2022, DLS explained to the Town's Association that they had kicked off an update to the County's farmland preservation plan. DLS explained what the purpose of the plan was, what information the plan is required to include, and how to provide feedback on the plan. DLS explained that the first engagement activity would be online surveys. DLS passed out handouts with information about how to participate in a survey (see Appendix A for reference).
- **Outagamie County's Quarterly Town's Association Meeting (2).** On January 16, 2023, DLS provided a brief project status update. DLS explained the work to date (e.g., data analysis, mapping and framework development, and technical reviews with DATCP) and when to anticipate the publication of the first draft of the plan for review/comment. DLS asked how Town representatives would prefer to provide feedback on the plan and maps (email was noted as the best option).

Online Surveys

DLS developed two online surveys to gather input early on in the planning process. The surveys were intended to highlight issues and opportunities as well as to inform goals, policies, and strategies to preserve farmland for future generations.

The first survey was developed for agricultural producers and farmers. The second survey was developed for the general public (e.g., Outagamie County residents) and interested stakeholders. Both surveys were live for about two months in July through October 4, 2022. The surveys were advertised at the July Town's Association meeting, through an email blast to each Town, on the County Executive's Facebook page, and on the County's website (as a County-wide news article, as a DLS news article, and on the project webpage). In addition, DLS mailed a postcard advertising the survey to nearly 2,884 agriculturally-zoned properties across the county (see Appendix A for reference).

The survey intended for agricultural producers received 81 responses. The survey intended for the general public and interested stakeholders received 139 responses. Appendix B and C present the results of the surveys.

Direct Requests for Comments

DLS sought targeted feedback on the plan and key elements of the plan at specific stages of the project. The following summarizes:

- **Direct Request to Towns – Review Draft Farmland Preservation Maps.** The County's farmland preservation maps are integral elements of the plan. DLS developed maps using draft objective criteria to vet with Town staff and elected officials (e.g., Plan Commissions and/or Town Boards). Feedback on the proposed, draft maps and criteria was initially solicited in July of 2022 by email. DLS left a voicemail to Towns that had not responded in August of 2022. Comments from individual communities were primarily received from July through September of 2022. Some Towns commented they were okay with the draft maps, some recommended changes, and some chose not to respond. DLS attended two Town Plan Commission meetings at the request of the respective Town to discuss the draft maps.
- **Direct Requests to DATCP – Review Draft Plan.** DLS requested technical reviews of the County's draft farmland preservation from the State of Wisconsin's Department of Agriculture, Trade and Consumer Protection (DATCP). DLS requested they review the document relative to best practices and for compliance with Wis. Stats 91. DATCP provided three preliminary reviews of the plan. They sent DLS comments on November 17, 2022 and on January 23, 2023. DATCP did not have any additional comments on their third review.
- **Direct Request to Towns, Public, and Stakeholders – Review Draft Plan.** DLS solicited feedback on the County's draft farmland preservation plan in March and April of 2023. DLS posted the full draft plan and large-scale maps to the project website, emailed a request for feedback to individual communities (clerks or key staff), the County Zoning Committee, key County Department staff. A request for public input on the Plan was also documented on the first page of the County's website.

DLS refined the plan and mapping criteria after each request for feedback based on input received and to ensure the plan was compliant with state statutes.

Public Hearing

Outagamie County is required to include the Farmland Preservation Plan in its Comprehensive Plan under s. 91.10(2), Wis. Stats. To accomplish this, the Farmland Preservation Plan must be adopted as part of a County Comprehensive Plan amendment. As such, a public hearing will be held at an Outagamie County Zoning Committee meeting (October 10, 2023 at 10:30 AM). The public hearing will

be preceded by a Class 1 notice published at least 30-days before the hearing. The County will adhere to other noticing requirements established in Wis. Stats. 66.1001 (4).

Appendices

APPENDIX A: SURVEY ADVERTISEMENTS



Outagamie County is updating its Farmland Preservation Plan.

Updating the plan will allow the County to maintain compliance with Wisconsin's farmland preservation planning requirements (Wis. Stat. 91.10). The update will also allow the County to improve its policies to ensure it continues to **support farmers, preserve farmland** for future generations, and **mitigate environmental and land use conflicts** that have arose in the last decade (or may arise in the future).

We want your input!

We've prepared two surveys to get your feedback. Select the survey(s) you'd like to take by scanning the QR code or visiting the survey website:

Agricultural Producer Survey

If you're an agricultural producer in Outagamie County, please take this survey!

https://arcg.is/8aLK9

Community Survey

If you're a County resident or stakeholder, and interested in agriculture, please take this survey!

https://arcg.is/bKPPO

For questions or more information, please contact Sadie DiNatale Burda, Principal Planner, at Sadie.DiNataleBurda@Outagamie.org

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Dear Outagamie County Farmer:

Outagamie County is updating its Farmland Preservation Plan and we need your help to better understand the issues farmers are facing today.

Please visit our website to take our project survey. Your feedback will allow us to identify and reshape the County's policies and strategies to support our farmers and preserve farmland for future generations.

www.Outagamie.org/Farmland

- **Not a farmer?** We still want your input! Visit our website to take our survey that is intended for the general public and stakeholders with an interest in agricultural issues and opportunities.

APPENDIX B: RESULTS OF THE AGRICULTURAL PRODUCER SURVEY

Appendix B presents the results of the agricultural producer survey. A total of 81 participants responded; however, not every respondent answered every question. For each exhibit, the annotation "n = #" represents the number of participants that provided a response to the respective question. Note that, question 2 through 4 were removed for data quality issues.

Tell us about your operation.

Question 1: Select the statements that best describes your operation. Check all that apply.

Most respondents describe their operation as crop farming, followed by livestock farming (Exhibit 1). Some respondents selected "other," and commented:

- CRP CP-21 and CP-22 programs
- Entire property is in NRCS programming for conservation
- Hobby farm
- Mostly fish if fish are not considered livestock
- Rent farmland/farm acres (x2)

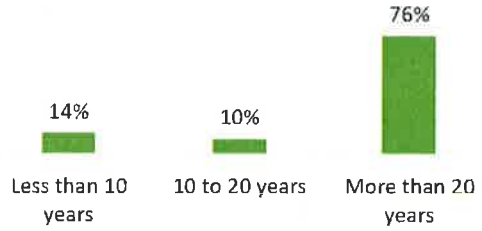
Exhibit 1. Type of Agricultural Operation (n = 81)



Question 5: How long has your farm(s) in Outagamie County been in operation?

A majority of respondents (76%) have been in operation in Outagamie County for more than 20 years (Exhibit 2).

Exhibit 2. Length of Time in Operation (n = 80)



Question 6: In the past five years, have you expanded your operation?

Most survey respondents (91%) indicated they did not expand their operations in the past five years (Exhibit 3).

Exhibit 3. Share of Respondents That Recently Expanded Their Operations (n = 80)



Question 7: If you did not expand, what were the primary reasons? Check all that apply.

Exhibit 4 shows that the top two reasons respondents chose not to expand their operations was due to satisfaction with the current size of their operation and the age of owner or operator / nearing retirement.

In addition, five respondents provided other responses. They were:

- I rent out about 17 acres for crops and the rest of the 22 acres is my home and woodlands.
- Ongoing land dispute with adjacent property owners
- Our farm is a **[redacted]** that has been in the family for more than 130 years. Residential developments have been built on two sides of the farm. These developments largely prevent purchase of contiguious farmland.
- Price of land
- Transmission lines destroying our property

Exhibit 4. Reasons for Not Expanding Operation (n = 70)

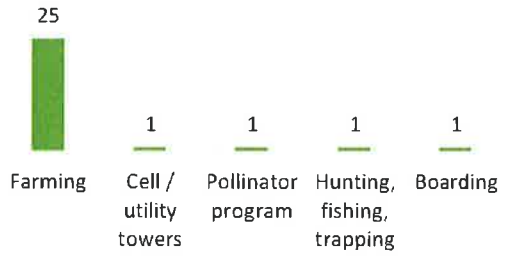


Question 8: If you are a landowner, do you currently lease any of your property for?

Exhibit 12 shows that of the respondents who lease agricultural land, most do so for farming purposes.

Respondents were also asked if they leased land for forestry, mining/quarry, or solar/wind farms, but no one indicated they lease land for these purposes.

Exhibit 5. Leasing Agricultural Property by Type (n = 29)



Tell us about your future plans.

Question 9: How much longer do you plan to operate your operation?

About a third of respondents (32%) plan to discontinue their operation in less than 10 years (Exhibit 6).

Exhibit 6. Years Respondents' Will Continue Farming (n = 77)

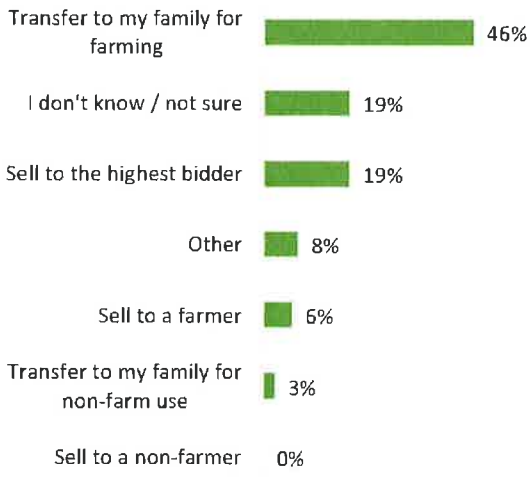


Question 10: When you retire, what do you expect to do with your operation?

Upon retirement, almost half of respondents (46%) plan to transfer their farm to family to continue farming (Exhibit 7). Of the respondents who indicated "other," comments included:

- Continue to lease.
- It is in Trust, it transfers upon death
- Not sure, Give it to a family member after I die? or sell it to the highes bidder if I need the money for the retirement home??
- Possibly place into conservation easement
- Transfer to my family for farming and add an Ag-Tourism venue that would be valued by area residents to visit and enjoy a working farmland setting with its associated wildlife.

Exhibit 7. Plans for Operation After Respondents' Retire (n = 80)



Question 11: Do you currently have a farm transition plan/estate plan?

A majority of respondents (63%) do not currently have a farm transition plan or estate plan (Exhibit 8).

Exhibit 8. Respondents with a Transition Plan (n = 79)



What are the issues and opportunities?

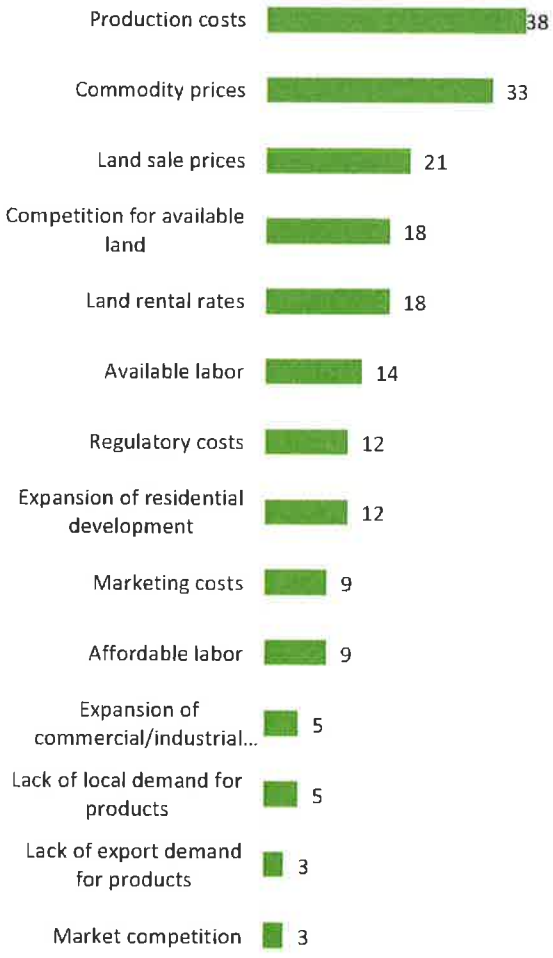
Question 12: Of the issues listed below, which do you think will most influence your operation in the next five years? Check all that apply.

Of the issues listed in Exhibit 9, respondents noted that (1) production costs, (2) commodity prices, and (3) land sale prices will most influence operations in the next five years.

Some respondents commented on other issues that will influence operations. They were:

- age now i am78
- available market places in this area for livestock
- Family support to make next business steps- not immediate family but extended.
- Herd health and mine
- Lack of active farmers within the area that wish to rent farmland.
- My physical ability yo continue.
- Transmission taking more property.

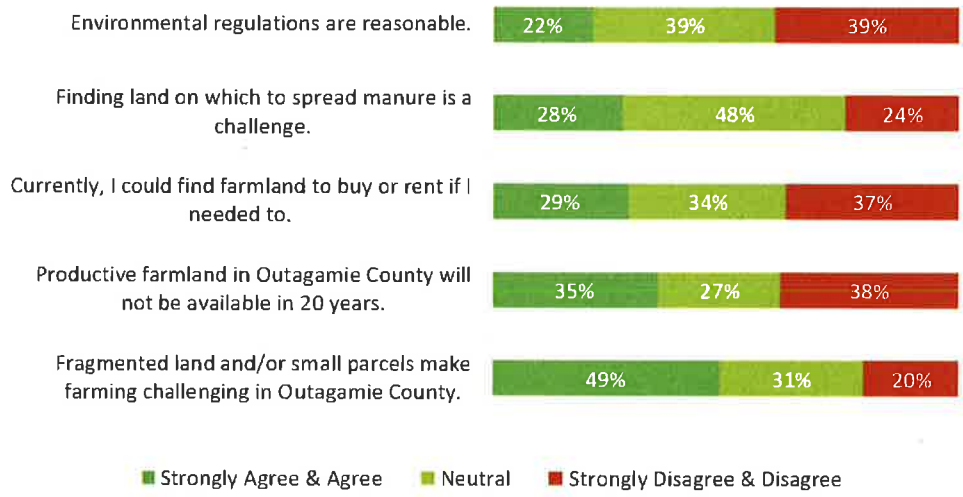
Exhibit 9. Issues Influencing Operations (n = 77)



Question 13: Please check the answer which best represents your opinion of the following statements.

Exhibit 10 provides perspectives on a range of comments the County has heard over the years. For example, DLS has heard that fragmented land or small parcels can make farming challenging; about half of survey respondents agree with that statement, while 20% disagree.

Exhibit 10. Respondent Perspectives (n = 79)



Question 14: What environmental or weather related changes (for good or for bad) are you seeing in the county? How have these conditions affected your operations?

Related to Question 14, respondents provided the following comments:

- More rainfall of over 2 inches in storm and high winds causing damage to crops and building
- Rain and wind, to much rain or not enough causing water problems. Strong winds
- None
- Increase in severe storms.
- None, sometimes there are storms that contain wind and sometimes heavy rain but wether is patterns and we learn make the best of what we recieve
- Invasive species are rapidly spreading- especially along county's bad state roads which are then spreading into property owners lands.
- no changes
- Wet conditions.
- more rain at one time high winds
- More drought conditions in the summer, wet springs limit getting on the land

- weather is more volatile, the patterns aren't what they use to be.
- Over 70 years I have experienced shorter and less sever winters, more high wind events and seemingly warmer summers. The spring and summers appear to be wetter. The main change observed in our lowland and local swamp wetlands is more water volume having to be handled in/by these areas due to larger and larger water runoff experienced from the expansion over these years of residential and commercial developments with impermeable surfaces such as roads, parking lots, altered drainage patterns and large building structures. This is worrisome from an overall water quality perspective as the same farmland and wetlands as 100 years ago are being asked to process more and more water from residential and commercial areas. This challenges Ag operations, the ecosystems, indigenous wildlife and for clean/purified water to enter our rivers and lake systems.
- less rain and shorter frost would be good for my land
- more rain from storms in shorter time frames and runs off instead of soaking in ground. we have a creek on our land and it overflows and floods our crops. Ditches and creeks need to be maintained to keep the water in the creeks and not flood fields because your neighbor won't clean out his creek. Township have to work together and not just drain the water to a different township and say not our problem.
- more intense rain and wind events
- The swings in weather is devastating. We have to spend more time and energy combatting the effects of wide swings in weather whether if be rain, wind or temperature extremes.
- more high wind events, more invasive plants and insects.
- Seems like we are getting more and more dangerous weather conditions. We saw a tornado last year miles away and this year one hit just down the road. High winds have always been a concern as we are out in the open. Heavy rain falls and for extended periods of time. These conditions cause white mold, increase in number of insects and difficulty getting in the fields and well as drying time for crops.
- Run off from subdivision flooding after heavy rains.
- I have seen patterns of more or less rain- inconsistencies as well as snow. Hail storms have increase.
- More high winds/ excessive rain events
- Lack of snow cover in the winter
- extreme weather events
- Warmer and wetter later in fall...Colder in spring
- Drainage changes due to people doing things they shouldn't be.
- None
- Higher rain and bad drainage, others running water onto my land.
- "Water run off from existing/new developments depositing their run off on to my land. The
- lack of Erosion control from the Town of Ellington and Outagamie County is a problem and it has created area's of wetland on my property. "

- Wetter springs, wetter falls
- Weather extremes
- It has been warmer and wetter. The wetter Spring weather makes it stressful to get things planted but generally the weather makes for better crops if it can get planted in decent conditions.
- Everything has a pretty good balance as of the last couple years.
- Excessive rainfall makes for harder planting and harvest. While also making maintaining pastures for livestock very hard.
- The issue of non native plant species and insects. Not enough CRP.
- More or less rain
- high winds, rain causing soil erosion, difficulty getting in fields once ground warms
- Planting season is longer
- EAB
- Seems weather is becoming more sever in all regards.
- I have 5 acres of farmland (other than wooded) that I entered into a buffer agreement to help reduce pollution in the Plum Creek Watershed.
- Longer warmer summers.
- Drainage boards and zoning is so screwed up and has no real understanding of water problems. Sitting in office and reading from text books has long passed.
- unknown
- I am not finding any of these items to be an issue.
- None
- Weather
- Rain in the spring, and early frost

Question 15: In the past five years, what conditions have you experienced, if any? (Check all that apply)

In the past five years, over half of respondents experienced high energy costs for operations and increased home or farm insurance costs.

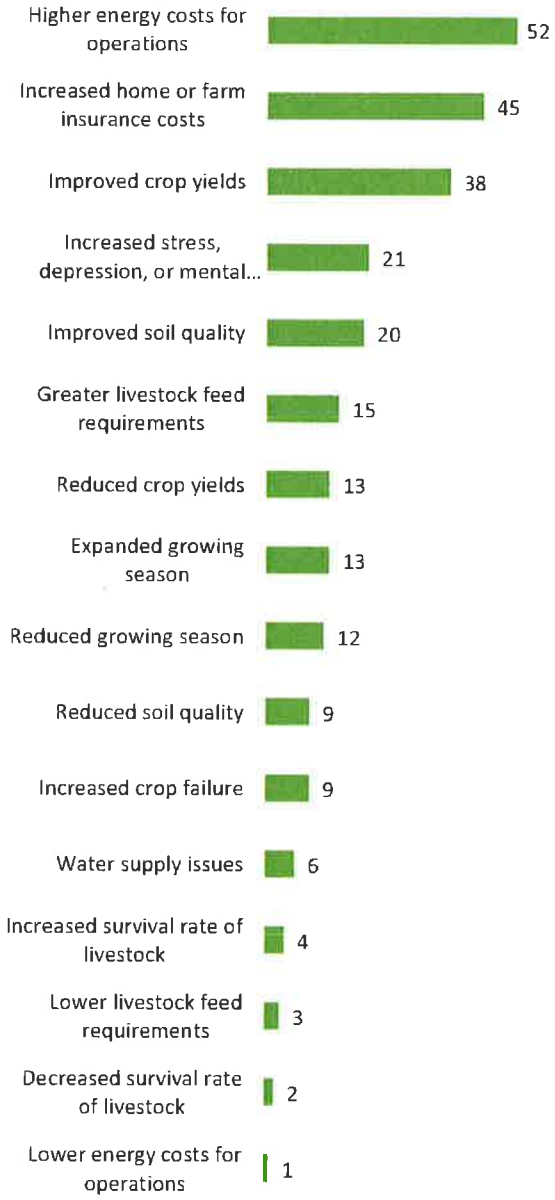
More respondents indicated they experienced improved crop yields in the past five years, compared to reduced crop yields.

Slightly more than a quarter of respondents experienced increased personal stress, depression, or mental health struggles in the past five years.

Some respondents commented on other conditions they experienced in the past five years. Those conditions were:

- Increased expenses which are making all farming operations a challenge.
- It is becoming more difficult to handle surface water runoff on our farm that enters it from neighboring lands and two residential developments that boarder our farm.
- While we see a longer growing season due to weather extremes we actually see a shorter growing season - more stop and start or do over.

Exhibit 11. Conditions Experienced In Past 5 Years (n = 77)



Question 16: What are one or two threats to agriculture, forestry, and/or agribusiness that you see in Outagamie County?

Related to Question 16, respondents provided the following comments:

- Cities expanding in rural areas
- Agriculture being forced out. Like to see more farms in Outagamie county. Average is being used for sub divisions on land that was used to grow crops.
- Labor shortage and unreasonable land prices
- Farmland being used for homes.
- A monopoly with the larger farms that are making it more difficult for the small or hobby farmers to succeed. Outagamie County Drainage board is applying more taxes to property owners.
- Cover crops
- Houses in the county . Don't think manure should be applied to fields
- Low commodity prices compared to the cost of energy, seed, fertilizer & chemical sprays
- Development Carbon sequestration
- Encroaching suburbia
- governmental overregultion
- Lack of farmers willing to lease, especially small parcels.
- increasing land development for homes,
- The cost of land becoming cost prohibitive for farming
- Urban sprawl Corporate Dairy/crop operations
- Without active farmland preservation policies in place, such as Purchase of Developmental Rights (PDR) programs and permanent protection of farmland through agricultural easements, we will see more and more productive farmland sold for residential and commercial development until little to no agriculture nor its support agribusinesses will be present in the county. Sound/aggressive Ag policies should be adopted by the county, its villages and townships that encourage and enable young folks interested in farming to be able afford to enter into productive farming and earn a good living without fear of development pushing them out of business.
- people not working together to benefit everyone. Everybody is out for themselves and heck with the other guy. we need some laws or regulations so people can't just drain their water on your land and flood you out so they get better crops. we have a guy that rents land next to ours and plows furrows in his field and drains the water on our land and there is nothing I can do, unless I spend a lot of money and build a burm to stop the water, This isn't right.
- Nonfarm pressure for developement . Nonfarm residents don't understand modern farming.
- residential sprawl

- My personal threat is the fact that aquaculture is not recognized as agriculture nor do we get any recognition in the farmland preservation scheme. Totally ignored. Yet we can raise more per acre and have a huge impact on reduction of imports.
- Transmission lines fragmenting forests and transporting insects and and invasive plants throughout the county. Horrendous trimming that leaves trees dead and dying at right-of-way (ROW) edges. Inability to use the ROW because it is mowed and the soil is compacted every 3-4 years. This all has taken a terrible toll on the wildlife and pollinators. Climate change is beginning to weaken vegetations resistance to disease and its ability to regenerate.
- Small farms being pushed out or forced into retirement. Safety issues to farmers because of rules that are put into place for one species but not another.
- Increase traffic on county roads over the past decade.
- Solar and wind farms
- developments and cost of algaculture supplies. Increasing of demands, less available farms and laborers.
- Farmland preservation rules have not been enforced in the past. This caused lots of farmland to be built on in a disorganized fashion wasting tillable acres. Solar farms are going to take some of the best producing land out of production.
- Farmland is being lost to city slickers at a high rate which is causing land prices to skyrocket and making it unaffordable for guys like me
- Solar farms on prime farmland. We have a concern about that in Maple Creek. While renewables are good in the right situation, not on good farmland, runs counter to goal of Farmland Preservation.
- Subdivisions
- Residential expansion
- Drainage issues
- To many regulations. Allowing to much development.
- Residential areas are buying up too much farm land.
- Loss of farmland to urban sprawl, power line, and road building. More diseases and insects in forests.
- Lower margins dictate a need for higher volumes which decreases quality. This in turn leads to an increase in land and capital costs. This makes it difficult for a younger generation to get into farming without some type of mentorship / business transfer.
- property taxes to high
- City people moving to the country and complaining! About smells, dirt on the road. Expansion of sub-divisions taking crop land away
- Urban Expansion
- Loss of farmland due to housing developments. Challenging to transport equipment on roads due to younger generations not understanding or knowing anything about agriculture.

- Increased acreage going to the creation of subdivisions. However, I can't blame a farmer for subdividing his land when the crop prices have not been keeping up with inflation for MANY years. The costs of seed/fuel/fertilizer are far outpacing the returns on said crops.
- Costs, crop diseases
- The family farms selling off large chunks of land to commercial growers who can produce more, cheaper, and they have capitol to keep up when the family farm has less resources Commercial farmers growing GMO food using chemicals like glyphosate, poisoning our ground and the surrounding water sources
- Urban area expanding
- Urban sprawl
- Disappearing farm land.
- Urban sprawl.
- Government regulations and Drainage board stealing land
- Input costs and labor
- Too many houses being built on productive farmland.
- Low prices and housing.
- When a 20 acre lot can be bought cheaper than a city lot this allows agriculture land to be bought for housing. These same people have a reduced property tax than in the city.
- Loss of farm land.
- Larger dairy businesses pushing the smaller dairies out of business and killing the dairy market.
- Reduced labor force. Weather conditions.
- Too many people moving to the " country ", but wanting city benefit s
- Housing developments

Question 17: What are one or two opportunities that exist for agriculture, forestry, and/or agribusiness that you see in Outagamie County?

Related to Question 17, respondents provided the following comments:

- Use Value for farmland to keep taxes down and Farmland Preservation
- Like that people buying small acres of land are growing produce. It might help them to understand the challenges farmers face. Education helps.
- Farming bees.
- Tourism and recreation
- market crops directly to large dairies
- plenty of labor needed on the big farms The need for affordable repair of equipment is big, but it's easier and more lucrative to work a mill job"

- I believe that Ag-tourism has great possibilities for the region and when coupled with an active farming operation can be a great resource for all residents. Farm to Table, educational opportunities for young folks, saving rich soil resources for the future, etc.
- small scale local sales of produce or livestock
- I see a tremendous amount of support (and subsidies) for crops and products that generally are produced in surplus and are normally operating in the red. The County and State have an opportunity to support (not even with money, just support) for commodities such as fish which are in high demand and in the black.
- I don't see forestry as being very viable since its value is dependent on the timber world market, while it's other attributes as a carbon sink, earth cooling and biodiversity properties are largely ignored.
- Grants and programs if needed.
- None that I can think of.
- Farmland Preservation
- Increasing demand for product need. More stability and education growth to operate on smaller resources.
- I don't see any
- Regenerative homesteads with smaller operations but wider varieties of livestock and crops.
- Consumer demand for local products
- More opportunity to fail bc of local government. City people are now getting on town boards and do not have the experience to work with the local farmers and their needs.
- Ag tourism
- A lot of farmers are going to be retiring / passing away in the next 5 to 15 years. Now is the time to encourage young people to learn about agricultural careers. Now is the time to start to transfer knowledge from experienced farmers to beginning farmers.
- Not much opportunity
- Growing more organic crops.
- Organic with locally grown food stores.
- Maintain farm land
- Family farms being able to sell directly to the consumer and people are beginning to see how much better food grown sustainably can change and hopefully reduce the effects of mass farming on our environment and it just tastes better!!!
- Being small you don't qualify for any thing
- Building large greenhouses.
- I am excited for the Manure Digester going in in Southern Brown County, 3 miles east of our house. I expect this to have a positive effect on the smell in the area and the mud and manure on the roads, besides hopefully being positive from a business and environmental perspective.

- farmland available in our area
- I don't see any.

Question 18: Do you feel that Outagamie County supports the protection of farmland and agricultural operations?

About half (51%) of survey respondents felt that the County supports the protection of farmland and agricultural operations and about half (49%) did not.

Exhibit 12. Perspective on the County's Support (n = 77)



Question 19: How could Outagamie County better support the protection of farmland and agricultural operations?

Related to Question 19, respondents provided the following comments:

- By slowing cities from expanding their boundaries into rural area by buying one farm and then forcing the farm they could not buy forcing it to sell to the city they should not be able to do that
- By supporting dairy farmers with better milk prices. Keeping prices up for dairy and crops. How can farmers plan with prices fluctuating for the planting season.
- Restrict urban sprawl, reduce taxes on farmland. No cows attend school, so school taxes should not be on farmland.
- Keep the DNR and Water board away from us.
- Stop urban sprawl
- Less regulation on farmers
- Don't, it's up to the land owner. If the farmer works his whole life to pay off his or her far it's their choice what to do with it weather it's development or selling to another farm
- Give more assistance to beginning farmers- to navigate the various rules and regulations to create a business.
- wider roads for equipment and bikepaths
- limit farm size limit 35 acres and a house.... end up with two 15 acre fields with a house and driveway in the middle.... and probably a pond for mosquitoes.
- Develop effective marketing strategies that inform the general public of the importance of agriculture in their daily lives and thereby gain financial support for permanent farmland protection and promote Ag operations, no matter where such an entity would lie within a communities' boundaries.
- work with people so everybody has the same opportunities to grow crops, Fix the drainage issues, make people maintain there drainage creeks, don't allow others to drain water on others property. Outagamie county talks alot but I don't see much action.
- Don't allow rural subdivisions

- restrict new developments
- As noted above
- Wooded property could be taxed at a lesser rate. Powerline property should not be taxed at all until we are allowed to grow woody crops (fruiting shrubs, small trees, and raspberries, for cripes sake, that nowhere near approach the lines but in fact protect both lines and forests on either side of them. This is considered a good maintenance practice.
- If a farmer has a good record with the state and federal inspections, then the farmer should be able to operate as he or she wishes and not have rules placed upon them because of another farmer "breaking the rules" as well as continually having to fill out paperwork to verify we are still in good standing. Ex. tail docking and animal safety.
- More awareness to growing need for farming. Grants and scholarships to improve farming and upcoming youth. Financial backing to future generation farmers that would need support in creating a farm. Community resources to do support arming on a smaller scale, bees, vegetable crops, general crop farming.
- Target the farms that over apply nutrients. We all know that cafo farms soil tests continue to go up yet they are given a free pass to over apply manure year after year. Why are cafo dairy's always given priority in all programs when they are the worst polluters. If you expect to be taken seriously in your conservation efforts stop rewarding bad actors with a constant flow of program payments.
- I got pulled over by a outagamie county cop while in a tractor when I was on hwy 47 because cars were unable to pass for a 5 mile stretch, the general public seems to have a strong dislike for farmers
- Take a position against large scale solar farms on prime farmland.
- Stop allowing farmers to spread their manure so rediculously....Stop the mega farmer....Reward local small farms
- Stop letting Appleton annex further and further north.
- Stop residential building
- Have more people in charge that have experience in farming and land preservation.
- Promote as many ways as possible of getting youth involved with agriculture. Provide incentives and opportunities for experienced farmers to work with youth.
- lower property taxes
- Stop building on farmland
- Designate properties as ag only in the future.
- Try to get more people to get in the program and understand why
- I believe low interest loans, education and help planning how to transition to more permaculture farming
- Help small farmers
- Restrict the building of non farm homes

- Better urban planning to avoid track homes that eat up farm land much more than necessary to provide housing. More compact housing developments with integrated businesses would improve land use, decrease car use, and increase social interactions.
- Organizing open houses with environmentally conscious farmers like **[redacted]** in Southern Brown County.
- Listen to more than the big farmers. Not one plan fits all.
- regulate the transition of farmland to subdivisions and housing.
- Stop letting people build homes on farmland
- There is NO hope for farmland in Outagamie. Only way to stop this land steal is to Tax parcels larger than 1 acre that was previouslly farmland within last 10 years at a very high rate.
- Stop handing out building permits to large dairies, even when the townships vote against it.
- Farm price have to keep pace
- Stop letting people build out in the country

Tell us about yourself.

Question 20: Is farming/forestry your primary occupation?

About 60% of respondents indicated that farming/forestry was their primary occupation (Exhibit 13).

Question 21: What percent of your household income comes from farm/forest operations?

About half (52%) of respondents earn 25% or less of their income from farming/forestry (Exhibit 14).

Question 22: What is your age?

About 61% of respondents were aged 60 years and older (Exhibit 15). Eighty percent were aged 50 and older.

Question 23: Are you aware of the Farmland Preservation Tax Credit program?

About 37% of respondents were not aware of the Farmland Preservation Tax Credit Program (Exhibit 13).

Question 24: Do you receive farmland preservation tax credits?

Although 63% of respondents were aware of the Farmland Preservation Tax Credit Program, only 43% were enrolled in the program (Exhibit 13).

Question 25: Do you have acreage enrolled in an Agricultural Enterprise Area (AEA)?

Of the respondents, 15% had acreage enrolled in an Agricultural Enterprise Area (AEA), (Exhibit 13).

Exhibit 13. Respondent Info (n = 79)

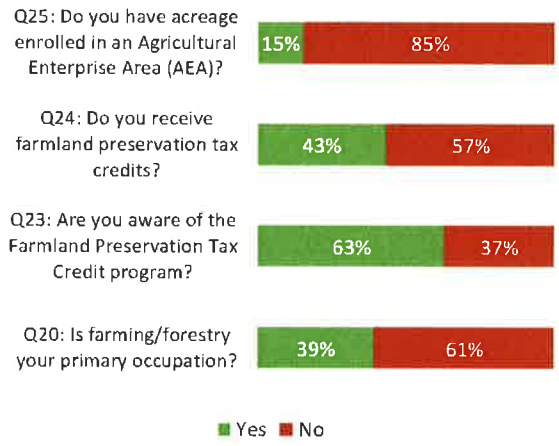


Exhibit 14. Percent of Respondent Income from AG Operations (n = 79)

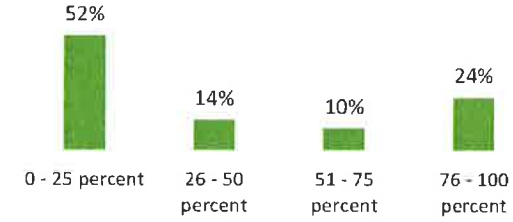
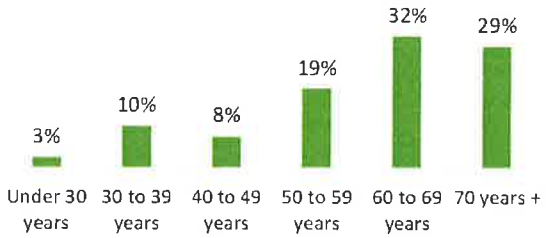


Exhibit 15. Respondent Age Distribution (n = 79)



Final thoughts?

Question 26: Do you have any final thoughts or comments to share with us?

Related to Question 26, respondents provided the following comments:

- Rent acres. Not eligible for preservation plans.
- Why are we in farmland preservation, exclusive ag? The land has been in the family for 50+ years and my parents who owned the land prior to passing it on to me, had opted out of exclusive ag. But we have it, how is that possible? This has caused issues for my daughter from being able to build on an acre of land here.
- Thanks
- Forcing us to have our land in the farm preservation de-values the land! The only people who would be interested in purchasing the land, (in the preservation area) are other farmers, who want the land at average, (or below the average) farm prices. The farmers around here are getting such low commodity prices that they can't pay the going price for land that is just one mile away from the city limits or two to five miles away from the developed areas. So the average farmer retiring in the farmland preserved areas are limited to selling to the local farmer, (who (again) are only willing to pay low farmland prices). There is no help from the local on national governments!! THEY THINK THE SMALL FARMERS ARE DOING WELL or MAKING PLENTY OF MONEY! But that's just not the case. With the cost of energy, seed, spray and fertilizers it's hard to come out ahead in the farming business. That's why you'll see, (& have been seeing) a lot of the small time farms going away lately,It's just the facts!
- We need to learn to work together for drainage, there's obviously going to be more residential areas and that's fine but we all need to cooperate and have a common goal to make sure no one floods.
- Keep supporting the local farmers.
- farmland may be preserved, but it will be operated by a two or three farms in each town. Not progress in my opinion
- I am 79 years old, retired and own **[redacted]** within the county. I believe it absolutely essential that we as a total community, commit time, resoures and serious money to permanently preserve as much farmland in our area as is possible (agricultural conservation easements can accomplish this). We are extremely fortunate in Outagamie County that our soil is rich with little to no irrigation required to grow crops to feed an ever increasing population. As many areas in the rest of the US are experiencing extended drought we are not. We cannot let commercial and residential develop continue unregulated to permanently take rich soil out of production just because entities representing non-farmland development can muster the most cash to buy prime farmland from elderly farmers or just simply wait to do so from those who happen to inherit the farmland and have little attachment to it other than its monetary value.
- Hope this survey results in some action.
- We need orderly developement restricted to areas served by municiple water and sewer. I think we should limit lot sizes to preserve farmland and make lots more affordable. How are we going to have any big parcels for schools or industrial parks if we piecemeal all the land close to urban

centers. There is a lot of pressure on farmland from nonfarm uses and I think we need more rules to make nonfarm conversion of ag land more difficult.

- I understand farmland preservation but don't. We know we have to protect farmland but the megafarm era is putting more and more money into fewer hands with more environmental issues. I do not see the need to overproduce which is the result of overfertilization, higher debt to pay off, more subsidies etc. I only responded to this part of the survey because I believe that fish farming (which is what I do) has to be recognized as a viable option. I have been training people for years in aquaculture but until we have the State and County allocate money for trained ag agents no one believes they can pull it off. We have no agents assisting in this process.
- We were in the DNR forestry program but found it to be more harmful than good.
- Stop mega farms....REWARD the small guy...stop allowing manure spread....We only have 1 water source...once contaminated its done
- No. There is not enough space or time to get into that.
- Protect the farmers or this world will go to hell in a hand basket real fast!
- Glad to have a program like this to save the land for crops every thing can't be at the grocery store with out it
- More programs for small farmers
- farmers are getting to much money for programs and manure storage assistance
- Glad you are listening.
- I am on the Town of **[redacted]** Plan Commission, and we will be reviewing the Farmland Preservation map proposal at our meeting tonight. I don't consider myself a farmer but the forester said I may have the largest wooded area under one owner in the town. I have a total of 25 acres and 15 are in the MFL program.
- There is to much money in Outagamie and poor leadership. There is no hope to preserve farmland.

APPENDIX C: RESULTS OF THE COMMUNITY SURVEY

Appendix C presents the results of the community survey. A total of 139 participants responded; however, not every respondent answered every question. For each exhibit, the annotation "n = #" represents the number of participants that provided a response to the respective question.

What are your thoughts on agriculture?

Question 1 and 3: Please tell us if you agree or disagree with the following statements:

Exhibit 17 (on the following page) shows that a majority of respondents view farming, farmers, and farmland positively. Notably, 84% of respondents strongly agreed or agreed that they wanted farming and agriculture to be a majority part of the County's identity in the future.

About three quarters of respondents indicated the County should do everything in its power to protect and preserve farmland (76%) and to protect existing and support new farming operations and enterprises (75%).

Question 2: How do you support the agricultural economy in Outagamie County? (Check all that applied)

A large share of respondents support Outagamie County's agricultural economy by buying produce at farmer's markets, pick-your-own farms, and roadside stands (79%) and by buying plants/trees from local nurseries and greenhouses (75%), (Exhibit 16).

Respondents that selected "other" (see Exhibit 16) provided the following comments:

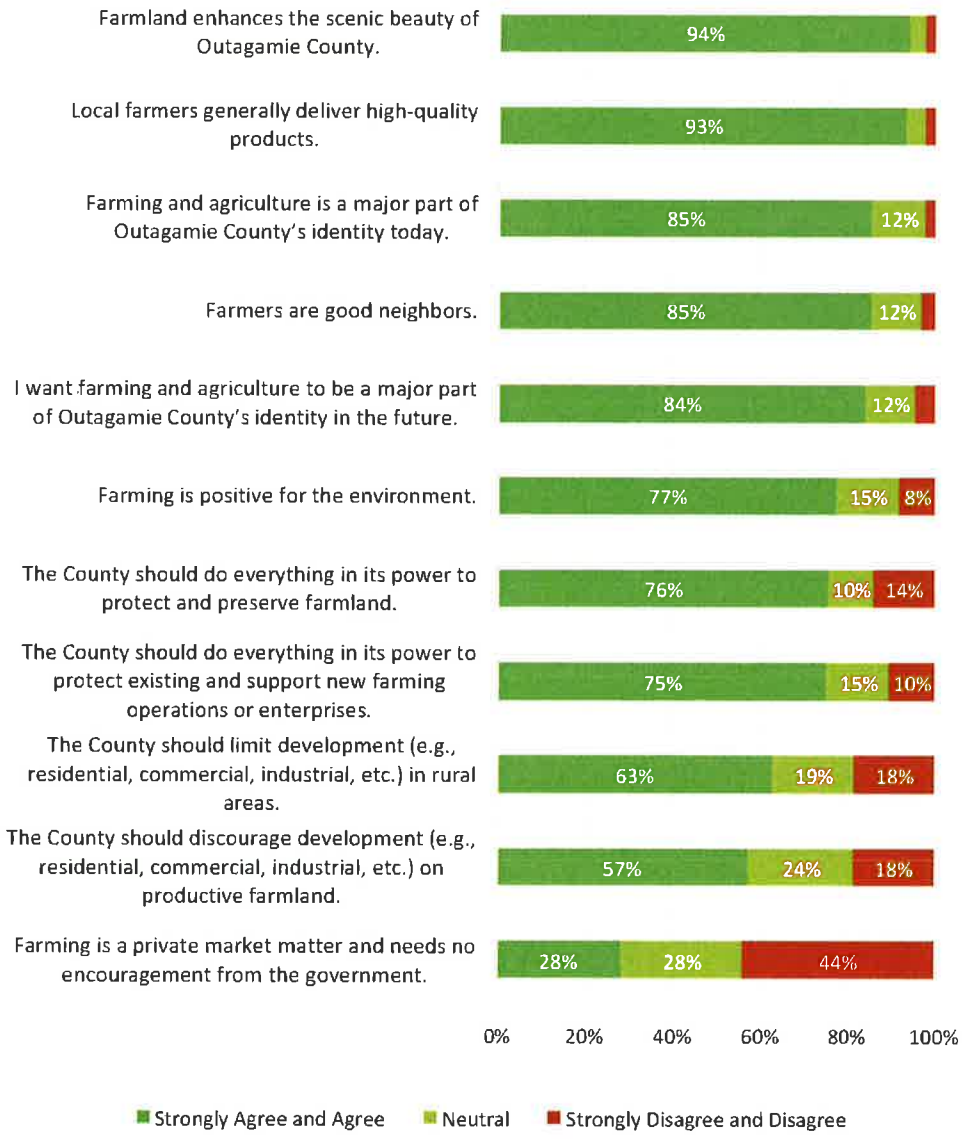
Exhibit 16. Support for Agricultural via Various Activities (n = 136)

Activities	Responses
I buy local produce at Farmers Markets, Pick-Your-Own farms, roadside stands, etc.	108
I buy plants or trees from local nurseries and greenhouses.	102
I buy meat from local producers.	89
I participate in agritourism activities (e.g., corn mazes, pumpkin patches, apple picking, petting farms, etc.)	78
I lease land to farmers.	65
Other	8

- Future of our country depends on open land. Growth is good, but Too much of our green space is being eliminated by going too big eliminating wildlife and insects we need.
- Grow our own hay and our neighbor farmer cuts/bales for us
- Help out a local farmer
- Hobby farm of our own
- I have my own large garden.
- I support farmers who incorporate conservation practices in their operation
- Participate in FSA pollinator programs.

Exhibit 17. Perspectives on Farming and Farmland (n = 137)

Note: Labels representing response ratings of less than five percent are not displayed.

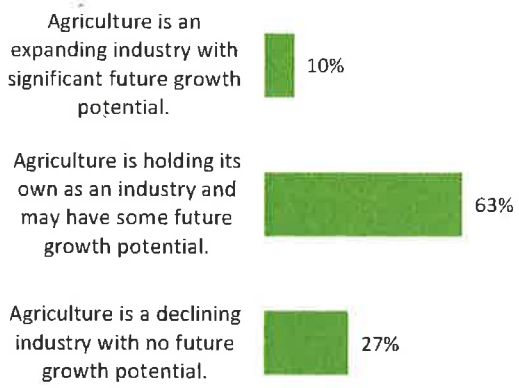


What are the issues and opportunities?

Question 4: Which statement best describes your view of the agricultural industry in Outagamie County?

While a majority of respondents (63%) believe agriculture in Outagamie County has some growth potential, over a quarter of respondents (27%) believe it is a declining industry with no future growth potential.

Exhibit 18. View of the Agricultural Industry (n = 135)



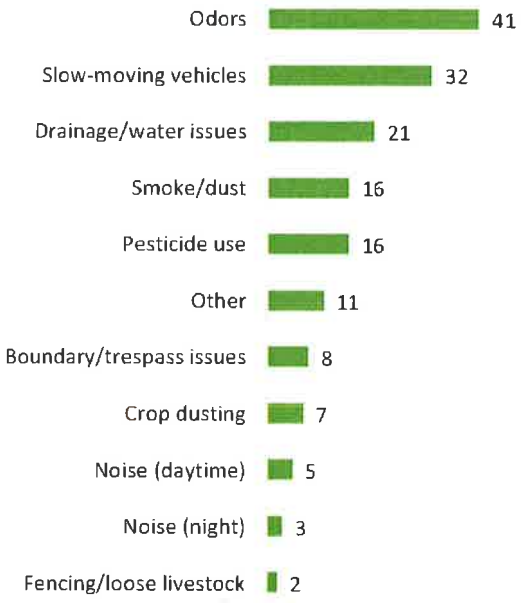
Question 5: Have you ever experienced problems with a farm neighbor regarding any of the following? If applicable, check all that apply.

Of the respondents who noted a problem with a farm neighbor (Exhibit 19), odors and slow-moving vehicles were cited as a concern most often.

Respondents that selected "other" provided the following comments:

- Crop residue blowing on to adjacent properties.
- Dandelion issues
- Dirt and clumps on the road
- Dirt or mud on roads
- I have experienced some of these - but never a problem
- Leaving large amounts of mud on residential roadways
- Manure trucks, Mud on roads
- Often when they leave the fields they leave a large amount of dirt on the roads which is a nuisance.

Exhibit 19. Support for Agricultural via Various Activities (n = 70)



- Roadways full of manure and mud during harvest and emptying of manure pit. Only one farmer in the are that actually doesn't take care of it. Most are really good.
- Throwing garbage (tires from their equipment) onto our property- called sheriff- he had county crew clean up the 30+ tires but even though they stated who did it (similar previous issues) did not prosecute

Question 6: What are one or two threats to agriculture, forestry, or agribusiness that you see in Outagamie County?

Related to Question 6, respondents provided the following comments:

- encroaching development
- Loss of Farmland to development.
- 1) Excessive government cost-sharing/funding being given to large agricultural producers (i.e., CAFOs), giving these major agricultural producers an even greater advantage over smaller agricultural producers. This is one contributing factor to the decline in small, family farms. Large industrial operations do not need cost-sharing/funding for things such as expanding their operations or manure storage structures. Although, cost-sharing/funding for real best management practices to reduce environmental affects of farming (e.g., nonpoint pollution) is warranted in my opinion.

  2) Lack of initiative by the agricultural producers and lack of regulation by County/DNR to protect natural resources (e.g., surface water, ground water, wetlands, forests, etc.). This will eventually cause major issues and animosity between the agricultural community and non-agricultural community, and may result in abrupt regulatory changes that severely affect the agricultural community.
- Too many mega farms with too much waste being put into fields that are heavily sprayed with pesticides and herbicides.
- Farmers selling their land to developers Poor education about agriculture
- Developers buying land to grow housing instead of crops/trees.
- Land development, Farmers not making enough profit, trees being removed for farming or Land development
- city and residential houses have not relationship to agriculture. They once went to grandpa's for the summer. This relationship no longer exists.
- Residential subdivision being built
- People moving to rural areas and thinking that they are still living in the city. Moving to a rural area does not eliminate lifes little inconviences. It just changes them.
- Random growth
- Subdivisions
- Continuing expansion of new neighborhoods. Enough already! I constantly see cornfield after cornfield being turned into houses.
- New subdivisions popping up everywhere.

- Cookie cutter neighborhoods being built anywhere there is even the slightest amount of room and too many zoning rules keeping people from being able to live the rural life.
- Large-scale vs small-scale farmers. Small-scale farmers need more support.
- Government overreach
- Inflation
- Residential Neighborhoods i.e. new builds
- Higher expenses for farmers compared to prices they get for their crops, milk, etc.. Smaller farms closing down, versus the next generation taking over.
- Developers who want to convert farmland into subdivisions. They can offer so much more money per acre than another farmer can.
- Development of all kinds
- Urbanization, infiltration of folk that lived in cities, then moving country sides complaining about the agriculture around them.
- Surface water pollution (leading to more regulation of the industry) and climate change
- The expansion of residential and commercial buildings and the cost to benefit for farmers especially with inflation
- Increased amount of urban dwellers relocating to rural setting with no understanding or appreciation for the farmer. Water and manure handling.
- Declining farmland Expense to operate (fuel, land rent etc)
- So many subdivisions, etc. Farm land is decreasing at an alarming rate and disturbing so many animals.
- Lack of local and federal support Future generations declining interest in farming
- Too much government involvement
- Continued pollution of waterways by manure and runoff - claimed as accidental yet harmful for years to come and sometimes permanently for wells. Lack of interest from younger generation is taking over family farms"
- Farmers losing options/ choice regarding their property
- Land lost to residential growth.
- The Urban sprawl is horrible. You need to stop allowing subdivisions in the country taking up our great farmlands. We will never get them back.
- selling land to a developer for a housing subdivision lack of financial support during hard economic times
- unpredictable milk prices lack of employee/workers
- Industrial, Residential, Commercial expanding development into rural areas. Commodity prices/input prices for farmers.

- Encroachment onto good farmland. Not properly draining the Mack Wildlife Area/surroundings - destroys crops/crop land due to flooding
- Lack of financial potential driving farmers out of the business, or worse yet they sell there acres for development.
- Residential and commercial development is growing too fast.
- Media's attack on farming as bad for the environment, which is not based on facts.
- Poor prices for product
- Possible urban sprawl. More people = more issues
- Subdivisions ponds are flooding neighbors out and turning woods into lakes. Farmland turned into subdivisions and then the home owners complain about everything from noise, smell etc.
- Federal Government Idiots like **[redacted]** Local Government Knuckleheads like **[redacted]**
- The constant expansion of residential neighborhoods. The high cost of farm equipment and low income for products produced is crowding small family farms out of the business.
- urban sprawl , global warming
- Crop destroying insects/pests Uncontrolled expansion of residential and commercial development on farm/forest land Pollution of underground water/wells in proximity of large dairy operations
- Development of the farm land
- the general public's lack of understanding of how, why, where food is produced.
- Changing attitudes towards the agribusiness and news media not helping
- labor shortage
- To much government involvement /bureaucracy restricting change and growth
- Runoff issues for watertable.
- housing takes more land every day. Farmers should have the option to sell their property for housing if they wish to. it is their property.
- Development -Runoff fromSubdivisions
- Disappearance of small family farms.
- How to dispose of animal waste from mega farms & still be a good neighbor"
- Housing
- Housing
- Solar farms and sub divisions
- Growing population/housing
- Over regulation.

- If a land-owner doesn't want residential/commercial business in rural areas, then don't sell to such an enterprise. Imposing restrictive zoning regulations actually don't allow a farmer to pass land, build thier homes on thier own property, etc. Is this a reason for declining agriculture?
- Subdivision expansion
- Residential Growth How farming is percieved by non farm community Unreasonable regulations
- Continued development, as municipalities spread outward
- There are too many subdivisions and apartment buildings being built on agricultural lands.
- Greedy developers only concerned about the short-term
- Residential growth
- Unnecessary housing on increasingly large tracts of land - especially when habitat for native plants or habitat / food sources for native birds / animals is destroyed.
- We are losing farmland forests due to major developments.
- weather
- Size of big farms could becom an issue.
- Non-Agricultural development on productive farmland. Farmland being purchased by outside investors with no ties to the county.
- to much Government interference
- when only profit drives use, exploitation results and we ALL loose. Sustainable agriculture is worth protecting, large agribusiness is not. Lack of environmental protections have allowed the "Farming" to ruin what the public once attributed to the profession: clean water, lakes, streams, groundwater... unregulated high-capacity wells rob the natural resources from the rest of the community - one small example
- Rural subdivision developments. Small family farms being replaced by mega farms.
- Land development.
- Hard question. Worry about global warming, but yet land continues to be covered. It's hard to watch progress that seems to be more material than feel for earth.
- Urban sprawl Cost of supplies
- I'm not sure
- Developers targeting farmland/woodlands for development profits with no regard to the monetary impacts they cause on rural township services or the degradation of quality of life enjoyed by those of us who currently live in the country. This also generates complaints from those who choose to move to those developments and think that the farmers need to change their ways as to not impact the new residents.
- Waste and fertilizers
- Large corporate farms that have more rights than people who live in the country. Large farm next to me knocked down trees went through my land and put drainage from field into creek that runs through my property. No silk, just dug out creek to widen at place they put in

drainage. DNR said that while not right they don't do anything to stop farmers from this type of work as it was funded by government.

- land development
- Over-reach by multiple layers of government into private enterprise. Excessive and unchecked regulatory authority
- Rural housing, pond digging,
- Mega farms and well water quality
- City residence moving to farm country and then want to change it to fit there city style life
- Lack of interest because of the long hours and commitment and also the startup expense. Also way too much regulation from county.
- I have not had any problems from farmers on any of the above but have had problems with neighbors in a plot who trespass, cut my trees, and send drainage water onto our property. Outagamie is a fast growing county with a lot of city growth. I think they could push the farmers out to other counties. But a lot of generational farmers are selling out to developments. "
- Cow manure, pesticides and fertilizer contaminating water supplies.
- Urban development.
- Development. There is only so much land available and we all want to use it for different purposes.
- to much land used for housing.
- Urbanization. Government officials too far removed from what farming really is. Families selling farmland because they do not see a viable future in agriculture.
- urban/suburban residential growth onto productive agricultural land increased zoning/local regulation that inhibits agricultural growth/development"
- Land is being bought, sold and developed
- Urban development encroachment. Animal processing shortage for small producers.
- use of chemicals and pesticides and herbicides, there needs to be more promotion and enforcement to use more organic options to protect the environmentmore
- Mostly the sprawl of urbanization. Business, industrial parks, residences, parking lots
- New housing Land being bought by developers
- Allowing mega farms to flood others property including farm lands. We lost several acres of productive farmland and our neighbor lost several acres as well. When The mega farm north of us drained his fields into a neighbors pond which in turn flooded onto ours and neighbors property. They even put in a much larger culvert so more water would flow onto our property. Same mega farmer uses that land, which is a southern sloping field, to spread liquid manure by the truckloads. This is then washed down onto our property. 2. The loss of small, family farms.
- the push for mega wind and solar farms

Question 7: What are one or two opportunities that exist for agriculture, forestry, or agribusiness that you see in Outagamie County?

Related to Question 7, respondents provided the following comments:

- agritourism
- Solar Farms
- Local vegetable, fruit, & meat farming. There are many studies showing that today's consumer wants local produce and meats, but it is difficult to find this in the grocery store. Most of the cropland in Outagamie County is planted with corn, soy, and alfalfa for energy production and cattle feed, not to feed the local population. One thing the pandemic and recent energy prices have taught us is that we, as a country, need to localize our food systems so these major global crises do not (or minimally) affect how we obtain our food.
- I believe that as much as farmland preservation is important so is allowing for the expansion of small towns to add housing. Preventing larger municipalities from annexing land would allow them not to feel the pressures of building more homes in their small municipalities to offset the rising costs on taxes on the residents that remain in the town.
- None that the County provide that I am aware of
- unsure
- there are jobs available that would allow building a relationship with agriculture
- Utilities the land to the full need
- Continue to transition to cash crop for local consumption.
- Grow hemp. A plethora of opportunities
- Preserving some land for farmers today and in the future. Progress is nice but it has gone too far in this area.
- We should encourage and support organic and sustainable farming more as their practices are better for the environment and future.
- Resources & grants to help them modernize and expand.
- Veterinarian Services--I've had trouble trying to find a veterinarian to check out our cat. They are all booked out for weeks!
- Conservation agriculture.
- Education to the public and buy local/support local movement
- Better management of land. Reduced wear and tear on town roadways.
- The equipment is amazing. Lots of subsidies and programs to help are available.
- Not sure
- A good life when working with the land
- A move to electric and hybrid fam vehicles thereby decreasing emissions from idling engines Investment in UWO as a research hub for agriculture in NE Wisconsin and the county

- Greater awareness/importance given to food sources.
- Stop the semi loads of manure of the land .and the amount they put on it not three or four loads .They should have to stay at least 100' from streams.
- not sure
- hemp fruit/orchards
- None
- Control flooding by draining **[redacted]**
- Don't know.
- Locally grown produce and locally raised beef, pork, chicken. More people are paying attention to what they are eating and how those foods are produced. Local farmers have an opportunity to provide this.
- Local food! Possibility in enhancing local economies From an environmental (climate change) approach; climate-resilient infrastructure, water and land management, new technology = better sustainable farming practices
- Tax break on land and farming in general
- Not sure.
- new meat plants
- Knowledge supporting land stewardship and efficient use Marketing - local, national, and international
- wetlands
- By being located near two metro areas I believe agriculture in Outagamie County is poised too locally increase farm to table. Helping reeducate a public that has been very distant from how food get to the grocery store.
- Not Sure
- organic farming Hydroponics Urban farming
- We all need to support the local farmers and be good neighbors. They need to be responsible as well as far as being good stewards of the land.
- Hunting opportunities.
- Designate more rural areas for "pocket parks", within or adjacent to developments in order to encourage places to grow your own food (for those within the developments) and community gardens. Train people on how to raise their own food and give them "ownership".
- Aqua farming, hops, grapes,
- There is still quite a bit of land that has not been built on
- Lumber harvesting, sawmilling
- Maintaining profitability for the farme
- Cash cropping what is left of our county's farmland

- Local farm-to-table is a huge opportunity in this area
- All are needed
- Increased market for organic / locally grown products- livestock as well as fruits / vegetables. Nurseries and landscaping plants.
- Better land quality
- weather
- The cheese industry
- Expansion into more specialty crops.
- Providing locally grown products
- support small sustainable operations, organic, family run.
- Producing more produce to sell at local grocery stores rather than having it imported.
- Tourism Environmental practices
- I'm not sure about this either
- I believe there has become a greater appreciation for locally sourced produce for personal consumption and restaurant use that could be capitalized on. Not too long-ago local farmers used to grow vegetables for local canning factories, why can't we grow those same crops and send them to the fresh or frozen food markets instead of relying on California and Mexico?
- Large farms with assistance from the government. Farming is important but it is a supplemented business.
- planting trees and going back to natural prairies
- Tie agribusiness goals to responsible development practices
- Jobs in the farming industry trucking, tractor drivers, milking jobs, general labor., logging, if the forestry or land owners replant trees after logging. Manufacturing jobs for new farming equipment.
- Keeping plot sizes large enough to attract Farmers to produce crops
- I feel we have a great farmland preservation program and people willing to help the local farmers with their concerns.
- More demand for products.
- Locally grown products.
- Local food production. Education for non-farm residents. Incentives for non-farming land owners to rent to other farmers. "
- locally sourced direct market agriculture increased conservation practices/programs to sustain and preserve farmland
- Animal processing facilities.
- more farm to local consumer type farmers, buy more local

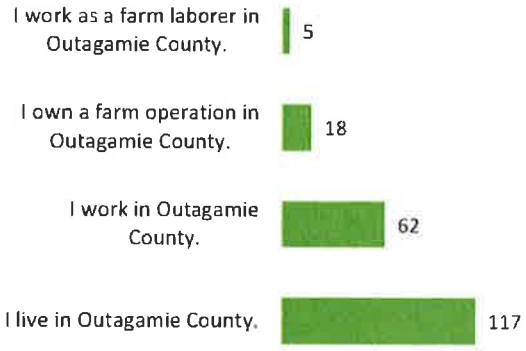
- Try to preserve as much farmland as possible. Make getting into farming a little easier.
- Pick your own apples, etc. are great for the economy. Grants are often needed to make this a reality as trees take several years to mature.
- Small organic farms, more emphasis on farm to table products

Tell us about yourself.

Question 8: What describes you? (Check all that apply)

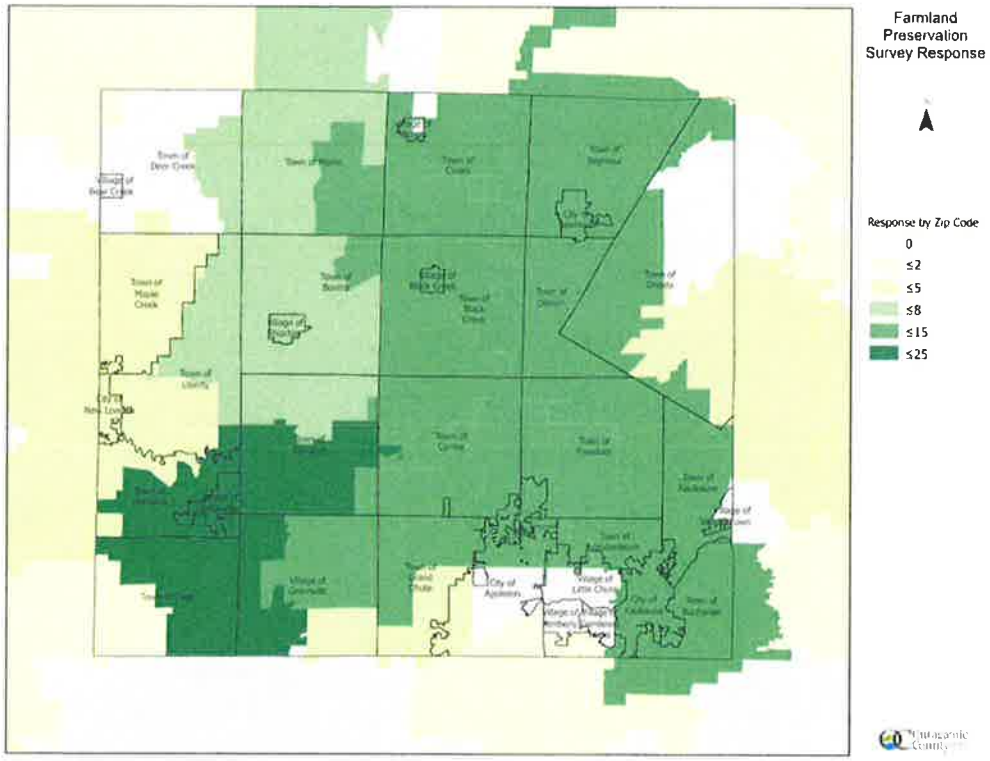
Of the 126 survey participants that responded to this question, 93% were residents of Outagamie County (Exhibit 20).

Exhibit 20. Description of Respondents (n = 126)



Question 9: What is your zip code?

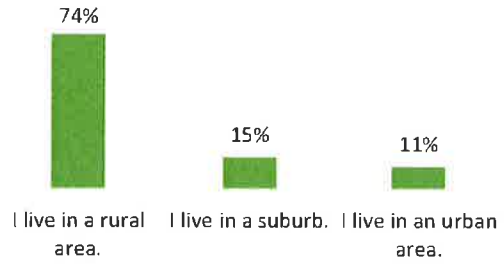
Exhibit 21. Distribution of Where Survey Respondents Live by Zip Code (n = 134)



Question 10: How would you characterize where you live?

A majority (74 percent) of survey respondents indicated that they characterize where they live as a rural area (Exhibit 22). For a visual representation of where where respondents actually reside, see Exhibit 21.

Exhibit 22. Distribution of Respondents by Community Type (n = 137)



Question 11: What is your household income?

About half (51 percent) of the survey respondents had a household income of $100,000 or more (Exhibit 23).

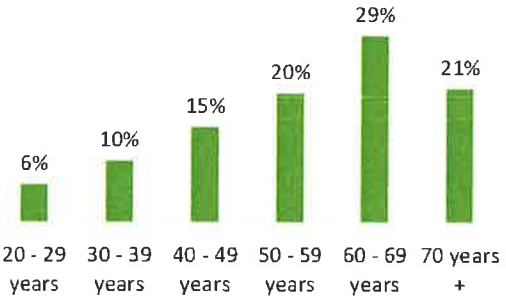
Exhibit 23. Distribution of Respondents by Household Income (n = 126)



Question 12: What is your age?

Survey respondents were relatively distributed by age, but tended to skew older. For example, Exhibit 24 shows that 70 percent of survey respondents were 50 years of age or older.

Exhibit 24. Distribution of Respondents by Age (n = 135)



Final thoughts?

Question 13: Do you have any final thoughts or comments to share with us?

Related to Question 13, respondents provided the following comments:

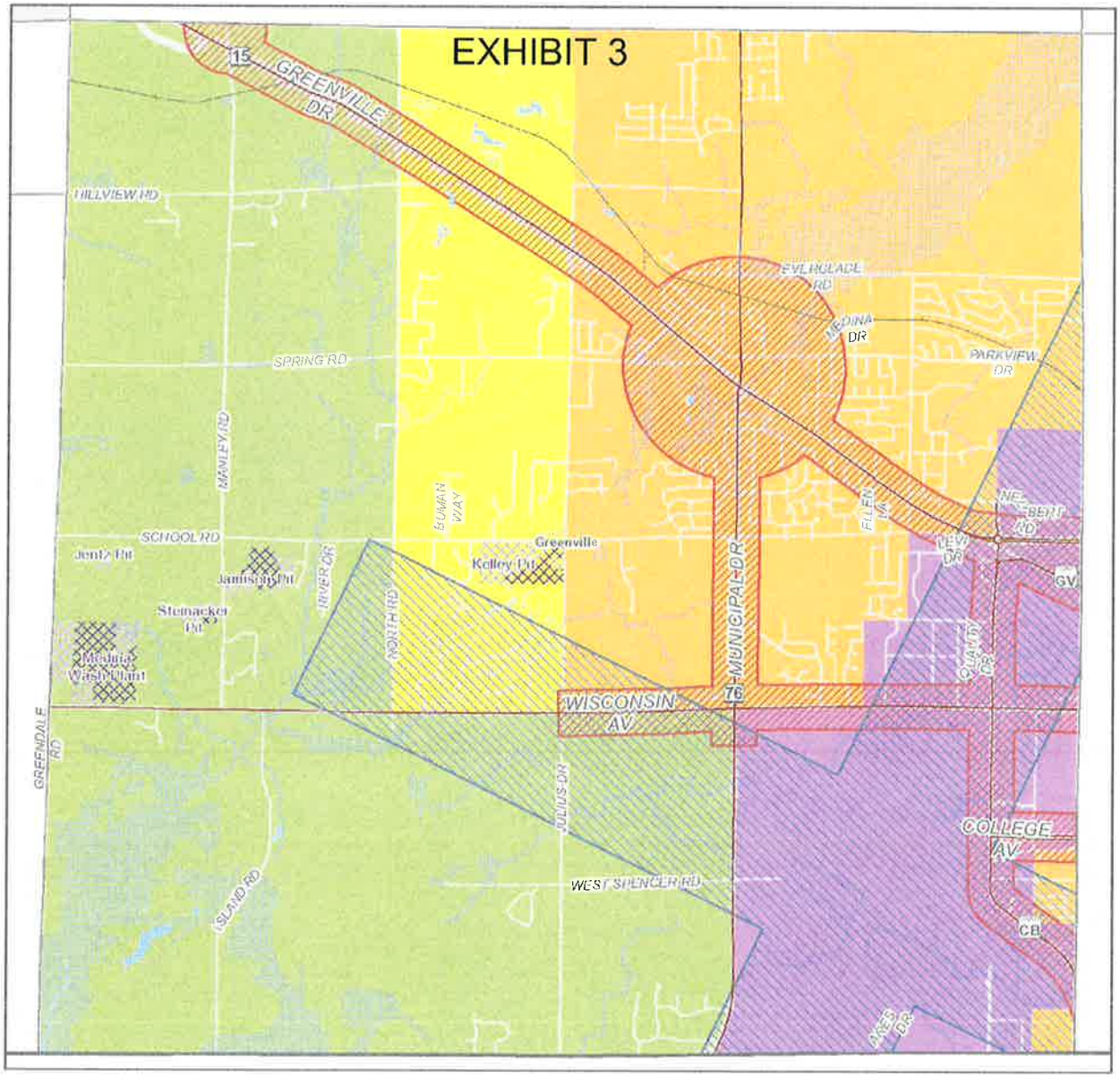
- It is hade to tell a land owner what they can do with their land and should be open to acceptance within reason if they want to build on their land. Example: building a home/shed on farmland.
- I would like to hope that we can see an evolution in our thought of what farming is in Outagamie County. I would like to see an increase in crop diversity, locally grown produce, and protection of our natural resources.
- While I marked that I've experienced odor & slow moving farm vehicles, I consider that to be a normal, seasonal experience for where I live. Farm equipment needs to get where it needs to be and I think my neighbors do their best to allow us to pass if it's safe for all involved.
- Farmland should be kept farmland and owned locally. If you don't live here you shouldn't own it. It should not sold to foreign corporations and entities or **[redacted]** for that matter. I see the country disappearing and housing taking over, not good!
- Preserve as much land as we can. STOP taking away the beauty of the farmland. NO MORE HOUSING DECELOPMENTS!
- Though Outagamie county is rooted in farming, the population here is no longer rural sized. We need to support the growth that is our reality.
- Thank you for looking out for our farmers. I'm addition to their products - their landscapes are also beautiful and an integral part of what makes Wisconsin special.
- Farms are still the future.
- I'd like to see something for tractor traffic. Cars are dangerous to them, tailgating, passing when not safe, we need to help them.
- A Purchase of Development Rights (PDR) program is needed in order for Outagamie County to maintain the remaining rural areas that exist. Possibly encourage more ag-tourism.
- My agricultural neighbors are great stewards of the land.
- Please incorporate conservation agriculture in farmland preservation program
- Farming is a critical part of Wisconsin, Outagamie county and the Town of Bovina. We must continue to find ways to support farming and its evolution.
- Over the years farming has definitely changed and is much harder to get into farming.
- I rent my property and have a no manure to be dumped on it. They can fertilize it and weed control with with safe weed pesticides.
- The time to act on urban sprawl is now or we will lose more and more agricultural land every year. We need to stop subdivisions and have a requirement that states you need so many acres of land to build a house on like some of the great townships in the county.

- Farmers need help. Every aspect of their business is expense: equipment, labor, feed, seeds etc. We need to offer more support and keep the farm land. NOT HAVE IT DEVELOPED INTO HOUSING
- Land owners need freedom to utilize their properties as they see appropriate. Less government give aways like farmland preservation!
- Repair drainage ditches/remove beaver/beaver dams from Mack Wildlife Area to Wolf River - stop flooding, improve crop land production
- Farming is integral to Wisconsin and Outagamie County. Prefer to see the residential and commercial development spread limited.
- Better prices, so they can pay me rent for my land.
- We need to save the farm land and I am experiencing farm land going under to subdivisions in the Town Of Grand Chute. There is not a lot of farms in Grand Chute anymore as houses have taken over and we now have major drainage issues because of it
- I grew up on farmland in Outagamie County, which I currently own and rent to a local farmer, but reside in Brown County (Village of Howard). It's sad to drive through the area and see more and more farmland being turned into residential usage. Rows of houses aren't as pleasing to my eye as rows and rows of corn! There's definitely something to be cherished about the good ol' days.
- would like to see more sustainable land use.
- I feel if you own land and have paid taxes on it for many years. It shouldn't be other organizations telling you what you can and can not do with it. I understand they want to preserve farm land, however, many do things for their own good. It has all become too political. Farmers are needed and welcomed, however, many worked their whole lives to now want to make some money by selling their land and getting some good money for it. They deserve it!! People that have no idea how hard it is to farm and all the labor intense days of work are, try to change that. I feel that it totally wrong. Land owners should have rights!!
- Our 40 acre homestead property is surrounded by agricultural operations. We like our neighboring farm operations and are impressed by the positive developments in land use and stewardship.
- I wish my land would sell. Overall I think the county is doing a good job at helping the farm community and it looks like it remains a strong area.
- Glad you put out a survey
- Need to keep development close to sewer and water. The county needs to monitor the runoff ponds better some do nothing to catch runoff and are poorly mantained
- When I was growing up, 4-H was a huge part of my childhood (I grew up on a farm), but I don't hear much about it anymore. If it's still viable, perhaps more publicity in order to encourage youth to join (and not just those on a farm). Anyone can raise vegetables on a food plot and take it to the county fair -- it doesn't have to be just livestock. These are life skills that youth can learn.

- I believe townships should have a large say in major infrastructure projects, such as solar panels and powerlines. We chose to live in rural areas of the county because we enjoy the open space. Just because areas are less populated doesn't mean ever major project needs to go there.
- I don't think it's right for the government to limit what anyone can do on/with their own property, as long as it doesn't hurt/harm others or the environment and it isn't illegal. That being said, I love living in a rural community where there are farms so it is kept less populated than in the cities. I would favor helping farmers succeed in farming rather than taking away the rights of land owners to do as they wish (within reason) on/with their own property.
- Protect Family Farm operations
- Keeping farming viable so to encourage future farming partners (youth)
- Greenville has a land stewardship committee that is spearheading this effort through a PDR (Purchase of Development Rights) program that everyone should know about, support, and replicate!
- I grew ip working on neighboring, family farms. In short, I value agriculture. Furthermore our current lot is large - 11 acres. We purchased it from a local farmer and have since large allowed approximately 9 acres of it to grow naturally, We mow off invasives, but avoid chemical pesticides/ herbicides snd provide housing options for a variety of birds, including barn swallows (which was motivated by the disappearance of local barns.) As a result we see an abundance of native plants, birds and wildlife on our land, which, I believe, in conjunction with agricultural fields and livestock, is an integral and beautifying aspect of Outagmie county's identity."
- Yes our county government needs to work with agriculture to keep it viable but also use common sense not to over regulate the industry. Also there are many rural roads that aren't being kept up.
- good luck - money is power and profit is king. protecting those resources for the rest of us will be a challenge
- Please continue to preserve farmland and rural areas in outagamie county.
- Hard question
- Farmland Preservation was adopted by my township, and I believe by several others. I feel those rules and other zoning ordinances are not always enforced properly or ignored and exceptions are made through the good old boy system. I believe more county oversight is needed for compliance.
- Soil lost and runoff are extreme during summer rains, spring thaw, and winter winds. It negatively affects water quality and overall nature health. Land stuard tilling practices, cover crops and runoff buffers need to be implemented.
- We as a town ship have had land preservation since 1986. It has worked well, we dont have little subdivisions, which are eating up valueable land and making water run off problem, or the big sewage problems without a sewage system. We also dont have the headaches to much of home owners complaining, people living to close or building on top of them. Keeping roads in good shape and clear in the winter are always going to be the big problem, but not as great as having more housing.

- Requie these mega farms to install digesters for manure handling. Limit number of catte per operation.
- We definitely need more family farms to continue and flourish in Outagamie County, but the mega farms are killing the small farmers. They have the capital to keep expanding. They can pay the outrageous prices for land and they know how to get all the grants/etc. It's forcing the small farmers out or preventing new ones from starting.
- I appreciate being included in this survey. We own property that we lease for farming and the City of Appleton is knocking on our door.
- I think that farmland is important to maintaining the identity of Outagamie County. It grows the food that we eat or feeds the cattle from which so much of our food comes from.
- I live in the country by choice because I like the beauty and privacy. New developments are great but should be limited and be forced to include parks and walking areas. I realize you give up tax dollars by keeping green space but it creates a much nicer, friendlier community.
- when the farmer is GONE this country is done for.
- Please do all that you can to help farmers thrive and preserve existing farmland in our county. Once it's gone, there is no getting it back. Agriculture is an important part of our history and needs to be given proper attention to ensure its success in the future.
- Hope that maximum efforts are made to preserve and protect productive agricultural land and programs/funding are supported that contribute to sustainability and development of local agriculture.
- The only problem I see with the farm operations is manure and mud on the roadways that is not cleaned off...especially when it is raining and slippery. The motorist is typically not expecting it until on top of it
- Our county has poor internet service outside of Appleton. It is expensive and very slow speed. Satellite is often the only option. For farmers and everyone I Living in rural areas, internet service needs to be made available at a reasonable cost. Ex. Viasat costs me $174/month. Hughes runs out of high speed internet quickly.(speed is below average even at high speed) Neither is adequate for most family needs. Online classes and networking are crucial to our future. Starling is a possibility as they expand service, but at $600 cost for the modem, start up is expensive, plus you have to install it yourself...no tech service
- I enjoy the space and farmland around us however, I do not believe it is the government's place to put a restriction, such as farm preservation, on an individual's property. I have seen first hand the results of this in the Black Creek area. When a landowner wants to sell their farm preservation property the value is considerably less than what the market value would be. This is a huge monetary loss to the landowner.

Map 35 : Future Land Use - Town of Greenville



Future Land Use

- Agriculture & Open Land
- Rural Character
- Suburban Transition
- Suburban Residential
- Community Mixed Use
- Commercial / Industrial
- Urban/Incorporated City & Village

Land Use Overlays

- Town Center / Highway Mixed Use
- Natural Areas
- Airport Protection Area
- Oneida Nation - US Trust & Fee Simple Land

NR135 Non-Metallic Mining Operations

- Existing / Active
- Future Expansion / Reserve



Outagamie County Est. 1851





NOTICE OF PUBLIC HEARING

OUTAGAMIE COUNTY

TO WHOM IT MAY CONCERN

Notice is hereby given that the Outagamie County Zoning Committee will hold a public hearing on October 10, 2023 at 10:30 AM in the Outagamie County Board Room located at 320 S. Walnut Street, Appleton, WI 54911 to consider a Comprehensive Plan Amendment, in accordance with 66.1001(4) Wis Stats. This amendment will accomplish the following:

- Repeal and Replace Addendum 2: Farmland Preservation Plan.
- Repeal the Town of Greenville Future Land Use Map (Map 35) and update map exhibit reference numbers.
- Add language to Volume 2 of the Comprehensive Plan to manage consistency between the Comprehensive Plan and the Farmland Preservation Plan.

For particulars, reference is made to documents located at **https://cityview.outagamie.org/** by referencing the below File Number under Planning Application search or visiting the county website at: **https://www.outagamie.org/government/departments-a-e/development-and-land-services/comprehensive-plan**.

Any interested person may address the Zoning Committee by mailing a letter to Outagamie County DLS, 320 S. Walnut Street, Appleton, WI 54911, emailing **zoningemail@outagamie.org**, or attending the meeting at the date and time listed above.

Dated this 30th day of August, 2023

OUTAGAMIE COUNTY ZONING COMMITTEE
DEBBIE VANDER HEIDEN, CHAIR

File No: PL202300376

Published: September 5, 2023

Accommodation Notice

Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.

LocaliQ
Wisconsin
GANNETT

Order Confirmation
Not an Invoice

Account Number:	1013041
Customer Name:	Outagamie County Development & Land Services
Customer Address:	Outagamie County Development & Land Services 320 S Walnut ST Zoning Dept. Appleton WI 54911-5918
Contact Name:	DEPT OUTAGAMIE CO ZONING
Contact Phone:	
Contact Email:	
PO Number:	

Date:	08/30/2023
Order Number:	9226711
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	51.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
APC Appleton Post Crescent	1	09/05/2023 - 09/05/2023	Govt Public Notices
APC postcrescent.com	1	09/05/2023 - 09/05/2023	Govt Public Notices

Order Confirmation Amount	**$52.51**

1-2

Ad Preview

NOTICE OF PUBLIC HEARING
OUTAGAMIE COUNTY
TO WHOM IT MAY CONCERN
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• Repeal and Replace Addendum 2: Farmland Preservation Plan.
• Repeal the Town of Greenville Future Land Use Map (Map 35) and update map exhibit reference numbers.
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For particulars, reference is made to documents located at **https://cityview.outagamie.org/** by referencing the below File Number under Planning Application search or visiting the county website at **https://www.outagamie.org/government/departments-a-e/development-and-land-services/comprehensive-plan.**
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Dated this 30th day of August, 2023
OUTAGAMIE COUNTY ZONING COMMITTEE
DEBBIE VANDER HEIDEN, CHAIR
File No. PL202300376
Published: September 5, 2023
Accommodation Notice
Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.
9/5/2023 WNAXLP

2/2

Resolution No. 59—2023-24 – Finance Committee. Approve to disallow the claim submitted by Edwin Schelling, on file in the County Clerk's office, and no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Supervisor Croatt moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 59—2023-24 IS ADOPTED.

VOTE RESULTS 31 YES 0 NO 0 ABSTAIN 5 ABSENT

Resolution No. 59—2023-24

Finance Committee. Approve to disallow the claim submitted by Edwin Schelling, on file in the County Clerk's brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **10-24-23 County Board Meeting - October 24 2023 07:15:33 PM** OpenMeeting

October 24, 2023 County Board Meeting

RESOLUTION NO.: 59—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

A notice of Injury and Claim for Damages was filed on September 28, 2023 by Edwin Shelling in the Outagamie County Clerk's Office. Upon review of this matter by Wisconsin Municipal Mutual Insurance Company and the Finance Committee, a recommendation was made that the claim be disallowed.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does disallow the claim submitted by Edwin Schelling that has been placed on file in the office of the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to Edwin Shelling, 312 S. Pierce Ave., Appleton, WI 54914, by certified mail, return receipt requested as a notice of disallowance, Wisconsin Municipal Mutual Insurance Company, 4781 Hayes Road, Suite 201, Madison, WI 53704, the Outagamie County Corporation Counsel, and the Outagamie County Risk Administrator.

Dated this 24th day of October 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: October 24, 2023

Signed: _____
Board Chairperson

Kelly M. Cantt, Deputy Clerk
County Clerk

Approved: 10.26.23

Vetoed: _____

Signed: _____
County Executive

WMMIC
Wisconsin Municipal Mutual Insurance Company

Chuck Schroeder
320 S. Walnut Street
Appleton, Wisconsin 54911

September 29th, 2023

RE: Claimant: Edwin Shelling
Claim number GLOC00002968
Our Insured: Outagamie County
Date of Loss 09/05/2023

Dear Chuck Schroeder,

The above referenced claim was filed on 09/29/2023. Following a review of the information and an investigation of the facts, it has been determined that Outagamie County has no liability for this claim. Please issue a formal disallowance and provide a copy of this disallowance to WMMIC.

This claim will be closed on the date of receipt of the disallowance.

A copy of this letter has been placed in the claim file for reference. If you should have any further questions, please contact me.

Sincerely,

Cheyenne MacKenzie, MPA, MUP
Senior Claims Representative
Wisconsin Municipal Mutual Insurance Company
(608) 721-7189
cmackenzie@wmmic.com

2418 Crossroads Drive, Suite 1500, Madison, WI 53718-2420 • Phone: 608-246-3336 • Fax: 608-852-8647 www.wmmic.com

Resolution No. 60—2023-24 – Finance Committee. Approve the sale of In-Rem Tax Foreclosure property in the Village of Hortonville, Parcel ID Number 240054600, "as is" for $453. 77, with no budget adjustment necessary, as detailed in the attached fiscal note and Agreement between Outagamie County and the Village of Hortonville.

Supervisor Croatt moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 60—2023-24 IS ADOPTED.

VOTE RESULTS 31 YES 0 NO 0 ABSTAIN 5 ABSENT

Resolution No. 60—2023-24

Finance Committee. Approve the sale of In-Rem Tax Foreclosure property in the Village of Hortonville, Parcel no budget adjustment necessary, as detailed in the attached fiscal note and Agreement between Outagamie County and the Village of Hortonville.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG ABSENT
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **10-24-23 County Board Meeting - October 24 2023 07:16:16 PM**

October 24, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 60—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County (the County) has taken title to a parcel of land located in the Village of Hortonville, Parcel ID Number 240054600, through the In-Rem Foreclosure process. The delinquent taxes, interest, and fees equal $453.77. The Village of Hortonville (the Village) would like to acquire the property. The Village will pay the County a total of $453.77.

The parcel is adjacent to a new walking trail along Highway 15 that the Village maintains. This is a small parcel with minimal value. The Village may be able to utilize this land for a rest area or some other purpose.

No budget adjustment is necessary as there are funds already budgeted in the appropriate cost center. This property is being offered solely to the Village of Hortonville based on their request.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the sale of In-Rem Tax Foreclosure property Parcel ID Number 240054600, Village of Hortonville "as is" in the amount of $453.77, with no budget adjustment necessary as the funds have already been budgeted in the appropriate cost center as detailed in the attached fiscal note and Agreement between Outagamie County and the Village of Hortonville, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Treasurer.

Dated this 24th day of October 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: October 24, 2023

Signed: _____
Board Chairperson

_____, Deputy Clerk
County Clerk

Approved: 10-26-23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Village of Hortonville offer to purchase In-Rem foreclosure property – 240054600 for $453.77

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The County has taken title to this property through the In-Rem Foreclosure process. The delinquent taxes, interest, and fees equaled $453.77 and the Village of Hortonville would like to acquire the property. They would pay the County the total of $453.77 to make the County whole.

The parcel is adjacent to a new walking trail along Highway 15 that the Village maintains. This is a small parcel with minimal value. The City may be able to utilize this land for a rest area or some other purpose.

No budget adjustment is necessary since there are funds already budgeted in the appropriate cost center. This is being brought forward for your consideration as the property is not being put out for sales bids but is just being offered solely to the Village of Hortonville based on their request.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☒ None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (x)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
n/a			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Trenten Woelfel

For Financial Services purposes only	
Reviewed By: Allison Bong	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number: n/a — Amount:
Date: 9/28/2023	
Comments:	

AGREEMENT
Between Outagamie County and Village of Hortonville Pursuant to §75.365, Wis. Stats.

THIS AGREEMENT is made and entered into this ____ day of _____, 2023, by and between the Village of Hortonville, Wisconsin, a municipal corporation, ("VILLAGE") and Outagamie County, Wisconsin, a quasi-municipal corporation ("COUNTY").

RECITALS

WHEREAS, there is one (1) parcel of land located in the VILLAGE identified as the following described real estate, together with the rents profits, fixtures and other appurtenant interests:

Parcel Identification Number: 240054600

Lot One (1), in Block One (1), Radtke's Plat No. 1, Village of Hortonville, Outagamie County, Wisconsin, EXCEPTING therefrom the South 60 feet and EXCEPTING that part for highway purposes in Jacket 6861, Image 42 and reserving any lands used for roadway purposes.

PROPERTY ADDRESS: (no address), Hortonville, WI 54944

hereafter referred to as the "PROPERTY"; and,

WHEREAS, the COUNTY has not done any due diligence regarding potential environmental hazards on the property and has not proceeded to acquire these parcels by *in rem* tax foreclosure; and

WHEREAS, the VILLAGE is interested in the PROPERTY in its efforts to revitalize and improve the downtown area of the Village of Hortonville; and

WHEREAS, the COUNTY and VILLAGE desire to enter into this agreement pursuant to §75.365, Wis. Stats.;

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I
ACQUISITION OF THE PROPERTY

Section 1.01 The COUNTY has included the property in its 2023 *In Rem* Tax Foreclosure proceedings pursuant to the authority vested in the COUNTY by the Wisconsin Statutes.

Section 1.02 The COUNTY agrees that it will make reasonable efforts to acquire the PROPERTY by *In Rem* Tax Foreclosure proceedings. The COUNTY and the VILLAGE recognize that even though the COUNTY has included the PROPERTY in its 2023 *In Rem* Tax Foreclosure proceedings, it is possible that the Outagamie County Circuit Court may refuse to order or adjudge that the COUNTY be vested with an estate in fee simple absolute in the PROPERTY.

Section 1.03 The COUNTY agrees that in the event the COUNTY acquires the PROPERTY by *In Rem* Tax Foreclosure proceedings it will thereafter convey the acquired PROPERTY to the VILLAGE by Quit Claim Deed(s) upon the condition that the VILLAGE has approved and executed this Agreement.

Section 1.04 The COUNTY and VILLAGE agree that the amount of $453.77 is the outstanding delinquent real property taxes (this amount includes interest through 09/30/2023 and special assessments/charges that the COUNTY has previously settled with the VILLAGE), and expenses accrued by the COUNTY in the *in rem* process due for the PROPERTY for the tax years 2019 through 2022, inclusive, calculated through 09/30/2023 as follows:

Property Taxes 2019-2022:	$ 102.77
Publication Costs:	$ 246.00
Title Letter:	$ 75.00
ROD Filing Fees:	$ 30.00
Appraisal Fee:	$ 0.00
	$ 453.77

Section 1.05 The COUNTY's obligation to convey the PROPERTY as set forth above is contingent upon approval of the conveyance by the Outagamie County Board.

Section 1.06 The VILLAGE agrees and acknowledges that the COUNTY'S conveyance of the PROPERTY to the VILLAGE is a conveyance "as is", by Quit Claim Deed(s) which will be prepared by COUNTY and recorded by the COUNTY.

Section 1.07 The VILLAGE shall be responsible to pay the 2023 Property Tax Bill.

ARTICLE II
INDEMNIFICATION

Section 2.01 The VILLAGE shall exonerate, save harmless, protect, indemnify and defend the COUNTY, its officers, employees and agents from and against any and all losses, damages, claims, suits or actions, judgments, and costs whatsoever, including reasonable attorneys' fees, which may arise out of or be attributable to the conveyance of the PROPERTY from the COUNTY to the VILLAGE.

Section 2.02 The VILLAGE shall exonerate, save harmless, protect, indemnify and defend the COUNTY, its officers, employees and agents from and against any and all losses, damages, claims, suits or actions, judgments, and costs whatsoever, including reasonable attorneys' fees, which may arise out of or be attributable to the PROPERTY.

Section 2.03 The COUNTY shall not be responsible or liable to the VILLAGE for any loss or damage that may be occasioned by or through either the acts or omissions of persons occupying the PROPERTY, if any.

ARTICLE III
ENVIRONMENTAL INDEMNIFICATION

Section 3.01 Definitions. The following terms shall have the following meanings for purposes of this Agreement:

(a) Hazardous Substances. "Hazardous Substances" means any substance:

(1) the presence of which requires investigation, clean-up, removal or other remediation under any federal, state or local statute, regulation, ordinance, order, action, policy or common law; or

(2) which is or becomes defined as a contaminant, a solid waste, a hazardous waste, a toxic waste, a hazardous substance, a pollutant, chemical, substance or material or any other substance subject to control under any applicable environmental law, now or hereafter in effect, including without limitation: the Federal Water Pollution Control Act, 33 U.S.C. § 1251 et seq.; the Clean Air Act, 42 U.S.C. § 7401 et seq.; the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 et seq.; the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 et seq.; the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq.; or under the laws of the State of Wisconsin or under any other applicable environmental law, whether now existing or hereafter in effect (the "Environmental Laws"); or

(3) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous; or

(4) the presence of which on the PROPERTY causes or threatens to cause a nuisance upon the PROPERTY or to adjacent properties or poses or threatens to pose a hazard to the health or safety of persons on or about the PROPERTY.

(b) Environmental Requirements. "Environmental Requirements" mean all applicable present and future statutes, regulations, rules, ordinances, codes, licenses, permits or orders of all governmental agencies, departments or instrumentalities of the United States, the State of Wisconsin and political subdivisions thereof and all applicable judicial, administrative, and regulatory decrees, judgments, and orders relating to the protection of human health or the environment, including, without limitation, all requirements pertaining to reporting, licensing, permitting, investigation, and remediation of emissions, discharges, releases, or threatened releases of Hazardous Substances whether solid, liquid, or gaseous in nature, into the air, surface water, groundwater, or land, or relating to the manufacture, processing, distribution, use, treatment, storage, disposal, transport, or handling of Hazardous Substances, and all requirements pertaining to the protection of the health and safety of employees or the public.

(c) Environmental Damages. "Environmental Damages" means all claims, judgments, damages, losses, penalties, fines, liabilities (including strict liability), encumbrances, liens, costs, and expenses of investigation and defense of any claim, whether or not such claim is ultimately defeated, and of any good faith settlement of judgment, of whatever kind or nature, contingent or otherwise, matured or unmatured, foreseeable or unforeseeable (including without limitation reasonable attorneys' fees and disbursements and consultants' fees and the cost of complying with any equitable form of relief or the result of any injunctive or similar action whether brought by the state or federal government, a private person or organization or any other party), any of which are incurred at any time as a result of the actual or suspected existence of any Hazardous Substances upon, about, or beneath the PROPERTY or migrating or threatening to migrate to or from the PROPERTY, or the actual or suspected existence of a violation of Environmental Requirements pertaining to the PROPERTY, regardless of whether the actual or suspected existence of such Hazardous Substances or the violation of Environmental Requirements arose prior to the present ownership or operation of the PROPERTY.

Section 3.02 Indemnification. The VILLAGE, for itself and its legal representatives, heirs, successors, and guarantors, jointly and severally agree to indemnify, defend (with counsel reasonably approved by the indemnified parties), reimburse and hold harmless the COUNTY, its elected officials, employees, agents and successors, and assigns (the "indemnified parties"). The VILLAGE agrees to indemnify, defend, reimburse and hold harmless the indemnified parties from and against any and all Environmental Damages arising from the actual or suspected presence of any Hazardous Substances upon, about, or beneath the PROPERTY or migrating to or from the PROPERTY, or arising in any manner whatsoever out of the actual or suspected violation of any Environmental Requirements pertaining to

the PROPERTY and the former, current or future activities thereon by any party, or from the breach of any warranty or covenant or the inaccuracy of any representation of the VILLAGE contained in this Agreement; provided, however, that the VILLAGE shall not be required to indemnify, defend, reimburse or hold harmless any of the indemnified parties for any Environmental Damages arising out of the presence of any Hazardous Substances which were deposited or disposed of on the PROPERTY on or after the date the PROPERTY is conveyed to the VILLAGE.

Section 3.03 Term. The obligations of the VILLAGE under this Agreement shall be continuing and shall survive the conveyance of the PROPERTY contemplated hereunder and payment of the specified sum.

Section 3.04 Investigation. The obligations of the VILLAGE under this Agreement shall not be affected by any investigation by or on behalf of the COUNTY or any other indemnified party, or by any information that the COUNTY or any other indemnified party may have or obtain with respect thereto.

Section 3.05 Expenditures for Property. The COUNTY shall have no responsibility for the payment of expenditures made and all liabilities incurred in performing the VILLAGE's obligations under this Agreement, including, but not limited to, fees of the engineers, surveyors, and consultants; the cost of environmental surveys; the cost of site clean-up, and remediation of any Hazardous Substances and other expenses.

ARTICLE IV
MISCELLANEOUS

Section 4.01 Notices. All notices, demands, requests, consents, approvals and other communications required to be given hereunder shall be in writing and delivered personally or sent by registered or certified mail, postage prepaid, return receipt requested, or by private courier or by facsimile transmission (followed by first class mail delivery of the original), addressed to the party to be so notified as follows:

If to COUNTY:
Outagamie County Treasurer
ATTN: Trenten Woelfel
320 S Walnut St
Appleton, WI 54911

If to VILLAGE:
Village of Hortonville Administrator
ATTN: Nathan Treadwell
PO Box 99
Hortonville, WI 54944-0099

and shall be deemed received three (3) days after the mailing thereof. Either party may at any time change the address for notice of such party by mailing a notice to the other party.

Section 4.02 Captions. The captions of Articles and Sections are for convenience of reference only, and shall not affect the construction to be given any provision hereof.

Section 4.03 Entire Agreement. This Agreement contains the entire Agreement between the parties with respect to the subject matter hereof, supersedes all prior agreements or understandings, if any, with respect thereto and may not be amended, supplemented or terminated, nor shall any obligation or condition be deemed waived, except by a written instrument signed by the party to be charged.

Section 4.04 Third party beneficiaries. The parties do not intend to confer any benefits hereunder on any person other than the parties hereto.

Section 4.05 No Assignment. The VILLAGE and the COUNTY agree that there will be no assignment or transfer of this Agreement, nor of any interest in this Agreement.

Section 4.06 Venue. This Agreement shall be governed by the laws of the State of Wisconsin and venue shall lie in the Circuit Court for and in Outagamie County, Wisconsin.

IN WITNESS WHEREOF, this Agreement has been executed by the parties, as of the day and year first above written.

OUTAGAMIE COUNTY, WISCONSIN:

By: _____ (SEAL)
Thomas M. Nelson
Outagamie County Administrator

By: _____ (SEAL)
Jeff King
Outagamie County Clerk

By: _____ (SEAL)
Jeff Nooyen
Outagamie County Board Chair

State of Wisconsin)
) ss.
Outagamie County)

Personally came before me this _____ day of _____, 2023, the above named Thomas M. Nelson, Jeff Nooyen, and Jeff King to me known to be the persons who executed the foregoing Agreement and acknowledged the same.

Becky Meulemans
Notary Public, State of Wisconsin
My Commission Expires: 01/16/2023

By: _____
Approved As To Form:
Kyle J. Sargent
Outagamie County Deputy Corporation Counsel

VILLAGE OF HORTONVILLE

By: Nathan Treadwell (SEAL)
Nathan Treadwell, Village Administrator

State of Wisconsin)
) ss.
Outagamie County)

Personally came before me this 22 day of September, 2023, the above named Nathan Treadwell to me known to be the person who executed the foregoing Agreement and acknowledged the same.

JANE E. BOOTH NOTARY PUBLIC

Name: Jane E. Booth
Notary Public, State of Wisconsin
My Commission Expires: 9-28-25

This Agreement drafted by:

Kyle J. Sargent
Deputy Corporation Counsel
For Outagamie County, Wisconsin

Resolution No. 61—2023-24 – Finance Committee. Approve the sale of In-Rem Tax Foreclosure property in the Town of Grand Chute, Parcel ID Number 102234900, "as is" for $1,151.51, with no budget adjustment necessary, as detailed in the attached fiscal note and Agreement between Outagamie County and the Town of Grand Chute.

Supervisor Cuff moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 61—2023-24 IS ADOPTED.

VOTE RESULTS 31 YES 0 NO 0 ABSTAIN 5 ABSENT

Resolution No. 61—2023-24

Finance Committee. Approve the sale of In-Rem Tax Foreclosure property in the Town of Grand Chute, Parcel no budget adjustment necessary, as detailed in the attached fiscal note and Agreement between Outagamie County and the Town of Grand Chute.

Passed By Majority Vote

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG ABSENT
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **10-24-23 County Board Meeting - October 24 2023 07:18:08 PM**

October 24, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 61—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County (the County) has taken title to a parcel of land located in the Town of Grand Chute on West Hiawatha Drive, Parcel ID Number 102234900 through the In-Rem Foreclosure process. The delinquent taxes, interest, and fees equal $1,151.51. The Town of Grand Chute (the Town) would like to acquire the property. The Town will pay the County a total of $1,151.51.

The Town was gifted the adjacent parcel to the south, Parcel ID Number 101064200, and has a plan to make a park at this location. Parcel 102234900 has delinquent taxes and has been a part of Outagamie County's 11 year write-off for several years.

No budget adjustment is necessary as there are funds already budgeted in the appropriate cost center. This property is being offered solely to the Town of Grand Chute based on their request.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the sale of In-Rem Tax Foreclosure property Parcel ID Number 102234900, Town of Grand Chute "as is" in the amount of $1,151.51, with no budget adjustment necessary as the funds have already been budgeted in the appropriate cost center as detailed in the attached fiscal note and Agreement between Outagamie County and the Town of Grand Chute, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Treasurer.

Dated this 24th day of October 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: October 24, 2023

Signed: _____
Board Chairperson

Kelly M. Cuta, Deputy Clerk
County Clerk

Approved: 10.26.23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Town of Grand Chute offer to purchase In-Rem foreclosure property – 102234900 for $1,151.51

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The County has taken title to this property through the In-Rem Foreclosure process. The delinquent taxes, interest, and fees equaled $1,151.51 and the Town of Grand Chute would like to acquire the property. They would pay the County the total of $1,151.51 to make the County whole.

The Town was gifted the adjacent parcel 101064200 (directly to the south) and has a plan to make a park at this location. Parcel 102234900 has delinquent taxes and has been a part of Outagamie County's 11 year write off for several years.

N/A

No budget adjustment is necessary since there are funds already budgeted in the appropriate cost center. This is being brought forward for your consideration as the property is not being put out for sales bids but is just being offered solely to the Town of Grand Chute based on their request.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☒ None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (x)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
n/a			

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Trenten Woelfel

For Financial Services purposes only	
Reviewed By: Allison Bong	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number: N/A — Amount:
Date: 3/28/2023	
Comments:	

AGREEMENT
Between Outagamie County and Town of Grand Chute Pursuant to §75.365, Wis. Stats.

THIS AGREEMENT is made and entered into this _____ day of _____, 2023, by and between the Town of Grand Chute, Wisconsin, a municipal corporation, ("TOWN") and Outagamie County, Wisconsin, a quasi-municipal corporation ("COUNTY").

RECITALS

WHEREAS, there is one (1) parcel of land located in the TOWN identified as the following described real estate, together with the rents profits, fixtures and other appurtenant interests:

Parcel Identification Number: 102234900

Outlot One (1), First Addition to Capitol Acres, Town of Grand Chute, Outagamie County, Wisconsin.

PROPERTY ADDRESS: W HIAWATHA DR

hereafter referred to as the "PROPERTY"; and,

WHEREAS, the COUNTY has not done any due diligence regarding potential environmental hazards on the property and has not proceeded to acquire these parcels by *in rem* tax foreclosure; and

WHEREAS, the TOWN is interested in the PROPERTY in its efforts to revitalize and improve the downtown area of the Town of Grand Chute; and

WHEREAS, the COUNTY and TOWN desire to enter into this agreement pursuant to §75.365, Wis. Stats.;

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I
ACQUISITION OF THE PROPERTY

Section 1.01 The COUNTY has included the property in its 2023 *In Rem* Tax Foreclosure proceedings pursuant to the authority vested in the COUNTY by the Wisconsin Statutes.

Section 1.02 The COUNTY agrees that it will make reasonable efforts to acquire the PROPERTY by *In Rem* Tax Foreclosure proceedings. The COUNTY and the TOWN recognize that even though the COUNTY has included the PROPERTY in its 2023 *In Rem* Tax Foreclosure proceedings, it is possible that the Outagamie County Circuit Court may refuse to order or adjudge that the COUNTY be vested with an estate in fee simple absolute in the PROPERTY.

Section 1.03 The COUNTY agrees that in the event the COUNTY acquires the PROPERTY by *In Rem* Tax Foreclosure proceedings it will thereafter convey the acquired PROPERTY to the TOWN by Quit Claim Deed(s) upon the condition that the TOWN has approved and executed this Agreement.

Section 1.04 The COUNTY and TOWN agree that the amount of $1,151.51 is the outstanding delinquent real property taxes (this amount includes interest through 09/30/2023 and special assessments/charges that the COUNTY has previously settled with the TOWN), and expenses accrued by the COUNTY in the *in rem* process due for the PROPERTY for the tax years 2011 through 2022, inclusive, as follows:

Property Taxes 2011-2022:	$ 800.51
Publication Costs:	$ 246.00
Title Letter:	$ 75.00
ROD Filing Fees:	$ 30.00
Appraisal Fee:	$ 0.00
	$ 1,151.51

Section 1.05 The COUNTY's obligation to convey the PROPERTY as set forth above is contingent upon approval of the conveyance by the Outagamie County Board.

Section 1.06 The TOWN agrees that in consideration for the conveyance of the PROPERTY, it shall remit to the COUNTY, by not later than 30 days after the COUNTY acquires the *in rem* judgment for the PROPERTY, or any of the parcels listed herein, the sum which consists of the outstanding principal and interest amount of real property taxes due for the tax years 2011 through 2022, inclusive, and shall hereinafter be referred to as the "specified sum."

Section 1.07 The TOWN agrees and acknowledges that the COUNTY'S conveyance of the PROPERTY to the TOWN is a conveyance "as is", by Quit Claim Deed(s) which will be prepared by COUNTY and recorded by the COUNTY.

Section 1.08 The TOWN shall be responsible to pay the 2023 Property Tax Bill.

ARTICLE II
INDEMNIFICATION

Section 2.01 The TOWN shall exonerate, save harmless, protect, indemnify and defend the COUNTY, its officers, employees and agents from and against any and all losses, damages, claims, suits or actions, judgments, and costs whatsoever, including reasonable attorneys' fees, which may arise out of or be attributable to the conveyance of the PROPERTY from the COUNTY to the TOWN.

Section 2.02 The TOWN shall exonerate, save harmless, protect, indemnify and defend the COUNTY, its officers, employees and agents from and against any and all losses, damages, claims, suits or actions, judgments, and costs whatsoever, including reasonable attorneys' fees, which may arise out of or be attributable to the PROPERTY.

Section 2.03 The COUNTY shall not be responsible or liable to the TOWN for any loss or damage that may be occasioned by or through either the acts or omissions of persons occupying the PROPERTY, if any.

ARTICLE III
ENVIRONMENTAL INDEMNIFICATION

Section 3.01 Definitions. The following terms shall have the following meanings for purposes of this Agreement:

(a) Hazardous Substances. "Hazardous Substances" means any substance:

(1) the presence of which requires investigation, clean-up, removal or other remediation under any federal, state or local statute, regulation, ordinance, order, action, policy or common law; or

(2) which is or becomes defined as a contaminant, a solid waste, a hazardous waste, a toxic waste, a hazardous substance, a pollutant, chemical, substance or material or any other substance subject to control under any applicable environmental law, now or hereafter in effect, including without limitation: the Federal Water Pollution Control Act, 33 U.S.C. § 1251 et seq.; the Clean Air Act, 42 U.S.C. § 7401 et seq.; the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 et seq.; the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 et seq.; the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq.; or under the laws of the State of Wisconsin or under any other applicable environmental law, whether now existing or hereafter in effect (the "Environmental Laws"); or

(3) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous; or

(4) the presence of which on the PROPERTY causes or threatens to cause a nuisance upon the PROPERTY or to adjacent properties or poses or threatens to pose a hazard to the health or safety of persons on or about the PROPERTY.

(b) Environmental Requirements. "Environmental Requirements" mean all applicable present and future statutes, regulations, rules, ordinances, codes, licenses, permits or orders of all governmental agencies, departments or instrumentalities of the United States, the State of Wisconsin and political subdivisions thereof and all applicable judicial, administrative, and regulatory decrees, judgments, and orders relating to the protection of human health or the environment, including, without limitation, all requirements pertaining to reporting, licensing, permitting, investigation, and remediation of emissions, discharges, releases, or threatened releases of Hazardous Substances whether solid, liquid, or gaseous in nature, into the air, surface water, groundwater, or land, or relating to the manufacture, processing, distribution, use, treatment, storage, disposal, transport, or handling of Hazardous Substances, and all requirements pertaining to the protection of the health and safety of employees or the public.

(c) Environmental Damages. "Environmental Damages" means all claims, judgments, damages, losses, penalties, fines, liabilities (including strict liability), encumbrances, liens, costs, and expenses of investigation and defense of any claim, whether or not such claim is ultimately defeated, and of any good faith settlement of judgment, of whatever kind or nature, contingent or otherwise, matured or unmatured, foreseeable or unforeseeable (including without limitation reasonable attorneys' fees and disbursements and consultants' fees and the cost of complying with any equitable form of relief or the result of any injunctive or similar action whether brought by the state or federal government, a private person or organization or any other party), any of which are incurred at any time as a result of the actual or suspected existence of any Hazardous Substances upon, about, or beneath the PROPERTY or migrating or threatening to migrate to or from the PROPERTY, or the actual or suspected existence of a violation of Environmental Requirements pertaining to the PROPERTY, regardless of whether the actual or suspected existence of such Hazardous Substances or the violation of Environmental Requirements arose prior to the present ownership or operation of the PROPERTY.

Section 3.02 Indemnification. The TOWN, for itself and its legal representatives, heirs, successors, and guarantors, jointly and severally agree to indemnify, defend (with counsel reasonably approved by the indemnified parties), reimburse and hold harmless the COUNTY, its elected officials, employees, agents and successors, and assigns (the "indemnified parties"). The TOWN agrees to indemnify, defend, reimburse and hold harmless the indemnified parties from and against any and all Environmental Damages arising from the actual or suspected presence of any Hazardous Substances upon, about, or beneath the PROPERTY or migrating to or from the PROPERTY, or arising in any manner whatsoever

out of the actual or suspected violation of any Environmental Requirements pertaining to the PROPERTY and the former, current or future activities thereon by any party, or from the breach of any warranty or covenant or the inaccuracy of any representation of the TOWN contained in this Agreement; provided, however, that the TOWN shall not be required to indemnify, defend, reimburse or hold harmless any of the indemnified parties for any Environmental Damages arising out of the presence of any Hazardous Substances which were deposited or disposed of on the PROPERTY on or after the date the PROPERTY is conveyed to the TOWN.

Section 3.03 Term. The obligations of the TOWN under this Agreement shall be continuing and shall survive the conveyance of the PROPERTY contemplated hereunder and payment of the specified sum.

Section 3.04 Investigation. The obligations of the TOWN under this Agreement shall not be affected by any investigation by or on behalf of the COUNTY or any other indemnified party, or by any information that the COUNTY or any other indemnified party may have or obtain with respect thereto.

Section 3.05 Expenditures for Property. The COUNTY shall have no responsibility for the payment of expenditures made and all liabilities incurred in performing the TOWN's obligations under this Agreement, including, but not limited to, fees of the engineers, surveyors, and consultants; the cost of environmental surveys; the cost of site clean-up, and remediation of any Hazardous Substances and other expenses.

ARTICLE IV
MISCELLANEOUS

Section 4.01 Notices. All notices, demands, requests, consents, approvals and other communications required to be given hereunder shall be in writing and delivered personally or sent by registered or certified mail, postage prepaid, return receipt requested, or by private courier or by facsimile transmission (followed by first class mail delivery of the original), addressed to the party to be so notified as follows:

If to COUNTY:
Outagamie County Treasurer
ATTN: Trenten Woelfel
320 S Walnut St
Appleton, WI 54911

If to TOWN:
Town of Grand Chute Public Works
ATTN: Katie Schwartz
1900 W. Grand Chute Blvd.
Grand Chute, WI 54913-9613

and shall be deemed received three (3) days after the mailing thereof. Either party may at any time change the address for notice of such party by mailing a notice to the other party.

Section 4.02 Captions. The captions of Articles and Sections are for convenience of reference only, and shall not affect the construction to be given any provision hereof.

Section 4.03 Entire Agreement. This Agreement contains the entire Agreement between the parties with respect to the subject matter hereof, supersedes all prior agreements or understandings, if any, with respect thereto and may not be amended, supplemented or terminated, nor shall any obligation or condition be deemed waived, except by a written instrument signed by the party to be charged.

Section 4.04 Third party beneficiaries. The parties do not intend to confer any benefits hereunder on any person other than the parties hereto.

Section 4.05 No Assignment. The TOWN and the COUNTY agree that there will be no assignment or transfer of this Agreement, nor of any interest in this Agreement.

Section 4.06 Venue. This Agreement shall be governed by the laws of the State of Wisconsin and venue shall lie in the Circuit Court for and in Outagamie County, Wisconsin.

IN WITNESS WHEREOF, this Agreement has been executed by the parties, as of the day and year first above written.

OUTAGAMIE COUNTY, WISCONSIN:

By: _____ (SEAL)
Thomas M. Nelson
Outagamie County Administrator

By: _____ (SEAL)
Jeff King
Outagamie County Clerk

By: _____ (SEAL)
Jeff Nooyen
Outagamie County Board Chair

State of Wisconsin)
) ss.
Outagamie County)

Personally came before me this _____ day of _____, 2023, the above named Thomas M. Nelson, Jeff Nooyen, and Jeff King to me known to be the persons who executed the foregoing Agreement and acknowledged the same.

Becky Meulemans
Notary Public, State of Wisconsin
My Commission Expires: 01/16/2027

By: _____
Approved As To Form:
Kyle J. Sargent
Outagamie County Corporation Counsel

TOWN OF GRAND CHUTE

By: _____ (SEAL)
Jason Van Eperen, Town Chairman

TOWN OF GRAND CHUTE MUNICIPAL SEAL Outa. Cnty., Wis

State of Wisconsin)
) ss.
Outagamie County)

Personally came before me this 21 day of September, 2023, the above named Jason Van Eperen to me known to be the person who executed the foregoing Agreement and acknowledged the same.

_____
Name:
Notary Public, State of Wisconsin
My Commission Expires: 7/6/202_

KAYLA RAATZ NOTARY PUBLIC STATE OF WISCONSIN

This Agreement drafted by:

Kyle J. Sargent
Corporation Counsel
For Outagamie County, Wisconsin

LOCK IN & ADOPTION OF RESOLUTION NO. 62 —2023-24.

Vote for lock in. ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 62 —2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS 31 YES 0 NO 0 ABSTAIN 5 ABSENT

Resolution No. 62—2023-24 - Lock In

Lock In of Resolution No. 62—2023-24

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG ABSENT
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County Est. 1851 **10-24-23 County Board Meeting - October 24 2023 07:20:03 PM** OpenMeeting TECHNOLOGIES

October 24, 2023 County Board Meeting

RECONSIDERATION OF RESOLUTION NO. 62 —2023-24.

Supervisor Krueger moved, seconded by Supervisor Culbertson, to reconsider Resolution No. 62—2023-24.

Vote for reconsideration. ROLL CALL: 31 yes, 5 absent. RESOLUTION NOS. 62 —2023-24 IS RECONSIDERED.



VOTE RESULTS — 31 YES | 0 NO | 0 ABSTAIN | 5 ABSENT

Resolution No. 62—2023-24 - Reconsideration

Reconsideration of Resolution No. 62—2023-24

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — 10-24-23 County Board Meeting - October 24 2023 07:19:52 PM — OpenMeeting

October 24, 2023 County Board Meeting

Resolution No. 62—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Seventh Addendum to Lease Agreement between the Appleton International Airport and Gulfstream Aerospace Services Corporation in order to extend the terms of the contract and construct additional on-site parking at the premises, as noted on the attachments; and authorize and approve to increase the Airport Rental Properties Gulfstream South Hangar line item by $12,193 and decreasing the Airport Terminal Fund Balance Applied line item by $12,193, as detailed on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 62—2023-24 IS ADOPTED.



VOTE RESULTS

31 YES 0 NO 0 ABSTAIN 5 ABSENT

Resolution No. 62—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve the Seventh Addendum to Le... Passed With 2/3 of Full Membership

International Airport and Gulfstream Aerospace Services Corporation in order to extend the terms of the contract and construct additional on-site parking at the premises, as noted on the attachments; and authorize and approve to increase the Airport Rental Properties Gulfstream South Hangar line item by $12,1...

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG ABSENT
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 10-24-23 County Board Meeting - October 24 2023 07:19:29 PM OpenMeeting

October 24, 2023 County Board Meeting

RESOLUTION NO.: 62—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Appleton International Airport (the Airport) and Gulfstream Aerospace Services Corporation desire to incorporate a Seventh Addendum to the South Hangar Premises Agreement. This Addendum extends the term of the Agreement through August 31, 2027 with four (4) additional one (1) year options. The Addendum also includes construction of additional on-site parking at the premises ("Parking Improvements"). The Parking Improvements are estimated to cost approximately $273,000. The Airport will fund $138,000 of the improvements and Gulfstream will fund $135,000 of the improvements to be paid back over the term commencing September 1, 2023 and expiring August 31, 2027 at four percent (4%) interest. Monthly rent related to the improvements will be $3,048.17. A budget adjustment is being requested for the period from September 1, 2023 to December 31, 2023 to increase the rent from Gulfstream. No budget adjustment related to the cost of the improvements is needed as it was already included in the 2023 budget.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the Seventh Addendum to Lease Agreement between the Appleton International Airport and Gulfstream Aerospace Services Corporation in order to extend the terms of the contract and construct additional on-site parking at the premises, as noted on the attached Seventh Addendum to Lease Agreement which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve increasing the Airport Rental Properties Gulfstream South Hangar line item by $12,193 and decreasing the Airport Terminal Fund Balance Applied line item by $12,193 as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Appleton International Airport Director.

Dated this 24th day of October 2023

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: October 24, 2023

Signed: _____ Board Chairperson

Kelly M. Cook, Deputy Clerk
County Clerk

Approved: 10. 26. 23

Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** 7th Addendum to Gulfstream Aerospace South Hangar Agreement

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Appleton International Airport and Gulfstream Aerospace Services Corporation desire to incorporate a 7th addendum for the South Hangar Premises Agreement. This addendum extends the term of the agreement through August 31, 2027 with the four (4) additional one (1) year options. The addendum also includes construction of additional on-site parking at the premises ("Parking Improvements"). The Parking Improvements are estimated to cost approximately $273,000. The Airport will fund $138,000 of the improvements and Gulfstream will fund $135,000 of the improvements to be paid back over the term commencing September 1, 2023 and expiring August 31, 2027 at four percent (4%) interest. Monthly rent related to the improvements will be $3,048.17. A budget adjustment is being requested for the period from September 1, 2023 to December 31, 2023 to increase the rent from Gulfstream. No budget adjustment related to the cost of the improvements is needed as it was already included in the 2023 budget.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially (X) n/a ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (X) no ( )

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( ) To be determined

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Airport Rental Properties	Gulfstream South Hangar	5000117.4467.17	12,193
Airport Terminal	Fund Balance Applied	5000110.8955	(12,193)

Annual and Long-Term Impact

8. Is the above increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0

Annual Revenue $36,578.04

Fiscal Note Prepared by: Abe Weber/Katie Horan

For Financial Services purposes only

Reviewed By: Alison Bong

Date: 10/9/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number | Amount

Comments:

SEVENTH ADDENDUM TO LEASE AGREEMENT

THIS SEVENTH ADDENDUM (the "Seventh Addendum") is entered into this 27th day of September, 2023 (the "Effective Date"), by and between Gulfstream Aerospace Services Corporation ("GAC") and Outagamie County (the "County").

WITNESSETH:

WHEREAS, the parties entered into a Lease Agreement dated August 25, 1998 (the "Initial Lease") for an initial term of thirty-six (36) months commencing on September 1, 1998, with renewal options for five (5) additional terms of one (1) year each; and

WHEREAS, the parties entered into a First Addendum to Lease Agreement dated May 10, 2005 (the "First Addendum"), that extended the term of the lease for ten (10) additional terms of six (6) months each; and

WHEREAS, the parties entered into a Second Addendum to Lease Agreement dated July 1, 2006 (the "Second Addendum"), that extended the term of the lease for one (1) five (5) year extension, with renewal options for six (6) additional terms of six (6) months each; and

WHEREAS, the parties entered into a Third Addendum to Lease Agreement dated September 1, 2012 (the "Third Addendum"), that extended the term of the lease for one (1) two (2) year extension; and

WHEREAS, the parties entered into a Fourth Addendum to Lease Agreement dated September 9, 2014 (the "Fourth Addendum"), that extended the term of the lease for one (1) three (3) year extension; and

WHEREAS, the parties entered into a Fifth Addendum to Lease Agreement dated August 4, 2017 (the "Fifth Addendum"), that extended the term of the lease for one (1) four (4) year extension, with renewal options for four (4) additional terms of one (1) year each (each, a "Renewal Term"); and

WHEREAS, the parties entered into a Sixth Addendum to the Lease Agreement dated August 1, 2022 (the "Sixth Addendum") that added approximately 19,564 square feet of office and hangar space and 31,857 square feet of land, all located at W6412 Challenger Drive, Appleton, Wisconsin, known as the Challenger Premises; and

WHEREAS, the parties desire to incorporate this Seventh Addendum into the Initial Lease, First Addendum, Second Addendum, Third Addendum, Fourth Addendum, Fifth Addendum and Sixth Addendum (collectively, the "Lease"); and

WHEREAS, GAC and the County desire to construct a new parking area for the Premises and to further amend the Lease as provided herein; and

NOW, THEREFORE, in consideration of the mutual benefits, covenants, obligations and other good and valuable consideration of the parties, it is agreed as follows:

AGREEMENTS:

1. **Recitals**. The foregoing recitals are acknowledged to be accurate and are hereby incorporated by reference.

2. **Capitalized Terms**. Capitalized terms used in this Seventh Addendum and not defined herein shall have the meanings given to such terms in the Lease. From and after the date hereof, all references to the "Lease" in the Lease shall mean the Lease, as amended by this Seventh Addendum.

3. **Premises**. From and after the Effective Date of this Seventh Addendum, the Premises shall include the Parking Improvements, as defined in Paragraph 5 below.

4. **Term**. Article 2 of the Lease (including the amendments to Article 2), shall be deleted in its entirety, and replaced with the following:

   "The term of this Lease shall commence on the first day of September, 1998, and shall expire on August 31, 2027 (the "Term"). Provided no GAC event of default pursuant to the terms of the Lease has occurred and is continuing as of the date GAC provides its notice to renew, GAC shall have the option to extend this Lease on the same terms and conditions, with the exception of the rental amount, for four (4) additional terms of one (1) year each (each a "Renewal Term" and collectively, the "Renewal Terms") by giving County written notice at least sixty (60) days prior to the expiration of the Term, or the then current Renewal Term, as applicable, of its intent to renew the Lease. The definition of "Term" shall include any and all Renewal Terms, if exercised. GAC shall have the option to terminate the Appleton South Premises and/or the Challenger Premises at any time during the Term of this Lease, upon written notice to County at least sixty (60) days prior to the termination date."

5. **Parking Improvements**. Commencing on the Effective Date of this Seventh Addendum, the County will proceed with the construction of sufficient onsite parking for GAC's exclusive use at the Premises as more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Parking Improvements"). The County shall commence the Parking Improvements work on the Effective Date of this Seventh Addendum and reach substantial completion of the Parking Improvements no later than November 30, 2023. The parties agree that GAC may use the County's existing overflow parking lot (as shown on Exhibit A) as needed until the Parking Improvements are fully completed and can be used for its intended purpose.

6. **Amortization of Parking Improvements**. The Parking Improvements are estimated to cost approximately Two Hundred Seventy-Three Thousand Dollars ($273,000.00). The County has agreed to fund One Hundred Thirty-Eight Thousand Dollars ($138,00.00) of the Parking Improvements using its own funds and amortize the remaining balance of

One Hundred Thirty-Five Thousand ($135,000.00) at an interest rate of four percent (4%) over the Term, beginning September 1, 2023, and expiring August 31, 2027. The provisions of Article 3, Payment of Rent, shall be amended to add the additional rent for the Parking Improvements as set forth herein.

7. **Payment of Rental**. Article 3 of the Lease, Payment of Rental, shall be deleted in its entirety and replaced with the following:

"Commencing on the Effective Date of the Seventh Addendum, GAC agrees to pay the County monthly rental for the Premises in advance of the first day of each month as follows:

Date	South Rent	Challenger Rent	Parking Improvements	Total Monthly	Annual
9/1/23-8/31/24	$14,607.34	$14,021.81	$3,048.17	$31,677.32	$380,127.84

Commencing September 1, 2024, the rental rate for the Premises during each of the Renewal Terms, if exercised, shall increase annually by two and one-half percent (2.5%) at the start of each Renewal Term as set forth in the chart below.

Date	South Rent	Challenger Rent	Parking Improvements	Total Monthly	Annual
9/1/24-8/31/25	$14,972.52	$14,372.36	$3,048.17	$32,393.05	$388,716.60
9/1/25-8/31/26	$15,346.83	$14,731.67	$3,048.17	$33,126.67	$397,520.06
9/1/26-8/31/27	$15,730.50	$15,099.96	$3,048.17	$33,878.63	$406,543.61

Subject to Article 9 herein, rent shall be prorated for any month during which GAC has not occupied the Premises for the full month."

8. **Repairs and Maintenance of Premises**. Article 5 of the Lease, Repairs and Maintenance, shall be amended by removing "Update fire alarm system" from the list of preventative maintenance and repair work to the Premises listed in Exhibit A of the Fifth Addendum. For avoidance of doubt, pursuant to the Fifth Addendum, Exhibit A, the County shall perform preventative maintenance to parking lot line striping and sidewalks, which includes the Parking Improvements. The remainder of Exhibit A of the Fifth Addendum remains unchanged and in full force and effect.

9. **Counterparts.** This Seventh Addendum may be executed in any number of counterparts, each of which shall be effective only upon delivery and thereafter shall be deemed an original, and all of which shall be taken to be one and the same instrument, for the same effect as if all parties hereto had signed the same signature page. Any signature page of this Seventh Addendum may be detached from any counterpart of this Seventh Addendum without impairing the legal effect of any signatures thereon and may be attached to another counterpart of this Seventh Addendum identical in form hereto but having attached to it one or more additional signature pages. Signatures delivered electronically shall be legally binding as original signatures.

10. **Conflicts**. Except as expressly provided herein, the Lease shall remain unchanged and in full force and effect. In the event of any conflict or inconsistency between the provisions of the Lease and the provisions of this Seventh Addendum, the provisions of this Seventh Addendum shall govern and control.

IN WITNESS WHEREOF, the parties hereto have caused this Seventh Addendum to be duly executed as of the date first written above.

COUNTY:

OUTAGAMIE COUNTY

By: _____
Name: _____
County Executive

APPROVED AS TO FORM:

By: _____
Name: _____
Board Chairperson

By: _____
Name: Kyle Sargent
Corporation Counsel

By: _____
Name: _____
County Clerk

GAC:

GULFSTREAM AEROSPACE SERVICES CORPORATION

By: _____
Name: James P. Winden
Title: Ass. Asst Secretary

Exhibit A

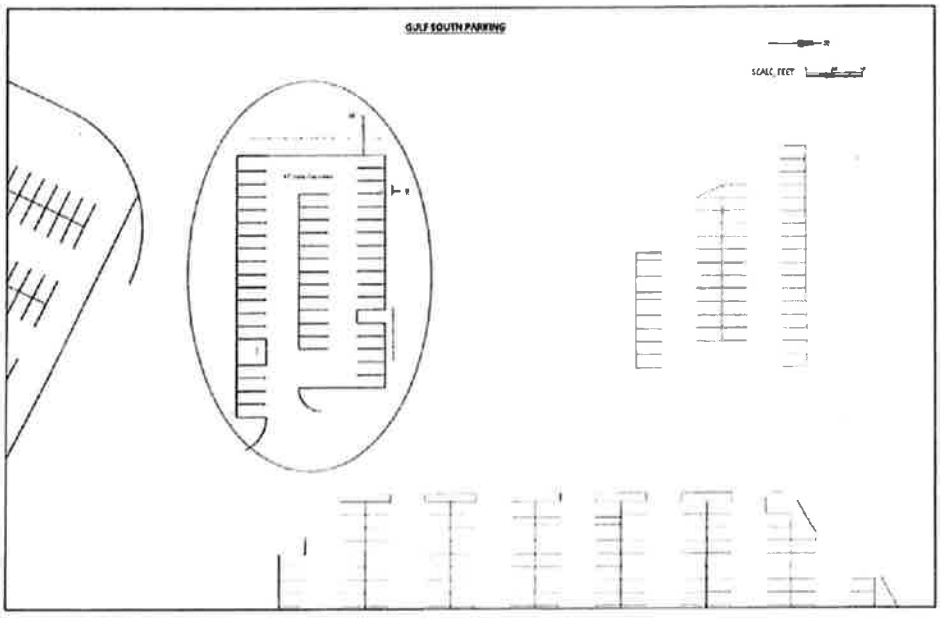
Parking Improvements

The County is to design and construct the Parking Improvements, which consists of a 47-car parking lot for GAC's exclusive use, located adjacent to the South Hangar as shown on the sketch below.

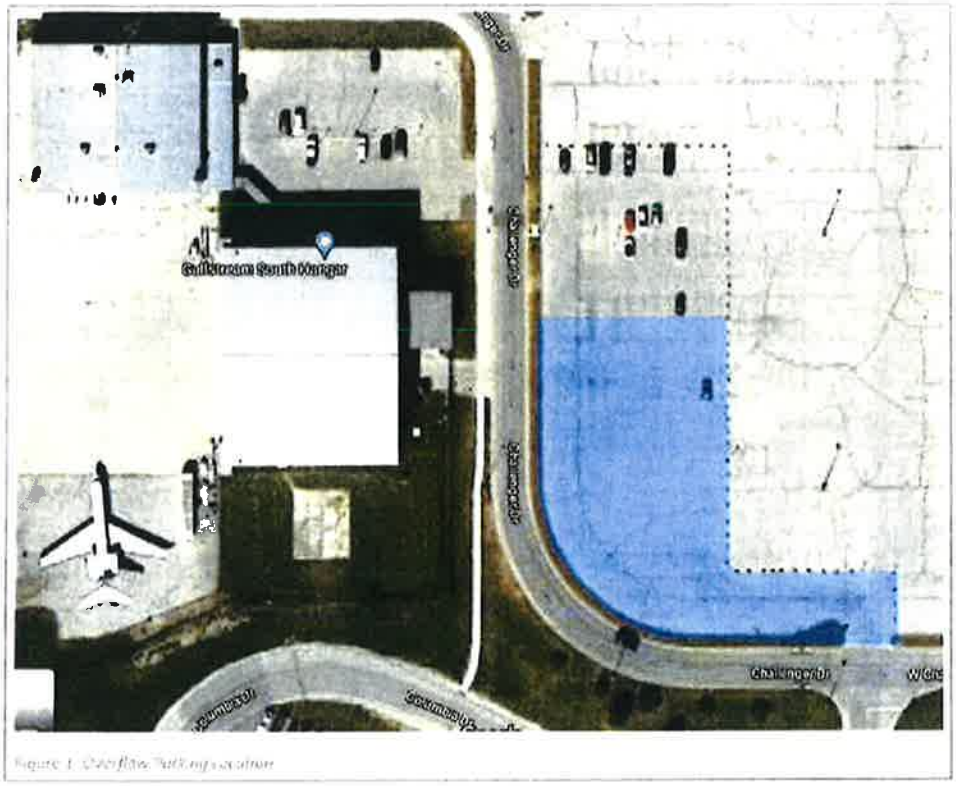
This work includes the following:

- All design and construction administration work needed to complete the project
- Relocation of utilities
- Excavation and addition of aggregate base (as necessary)
- Storm sewer extension and/or relocation
- Adding, removing, and/or relocation of fencing
- Landscaping to be consistent with Airport/County standards
- Biofilters (as necessary)
- Lighting (may be wall mounted or may be on light poles)
- Pavement and all pavement markings

Depiction of location of Parking Improvements to be constructed by the County:



Depiction of location of overflow parking that GAC may use until the Parking Improvements are completed is shown in blue below:



Resolution No. 63—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize selling and moving an Appleton International Airport owned house located at W6854 County Road BB in the Village of Greenville, Outagamie County, and authorize the necessary sealed bids for the selling and moving of the house.

Supervisor Monfils moved, seconded by Supervisor Culbertson, for adoption.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 63—2023-24 IS ADOPTED.



VOTE RESULTS — 31 YES | 0 NO | 0 ABSTAIN | 5 ABSENT

Resolution No. 63—2023-24

Property, Airport, Recreation and Economic Development Committee. Authorize selling and moving an Apple… **Passed By Majority Vote**
W6854 County Road BB in the Village of Greenville, Outagamie County, and authorize the necessary sealed bids for the selling and moving of the house.

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG ABSENT
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 10-24-23 County Board Meeting - October 24 2023 07:20:40 PM
October 24, 2023 County Board Meeting — OpenMeeting

RESOLUTION NO.: 63—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Appleton International Airport (the Airport) is requesting authorization to sell an Airport owned house located at W6854 County Road BB in the Village of Greenville. According to Section 22-165 of the Code of Ordinances, the standing Property, Airport, Recreation and Economic Development Committee shall determine the method to be used for the sale or donation of the particular property. Due to a list of necessary repairs to the Airport owned house, the committee has concurred to sell and move the house. Sealed bids will be issued for the purchase and removal of the house.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize selling and moving an Appleton International Airport owned house located at W6854 County Road BB in the Village of Greenville, Outagamie County, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize the necessary sealed bids for the selling and moving of the house, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director, the Outagamie County Procurement Coordinator, and the Appleton International Airport Director.

Dated this 24th day of October 2023

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: October 24, 2023

Signed: _____ Kelly M. Gust, Deputy Clerk
Board Chairperson County Clerk

Approved: 10 26 23 Vetoed: _____

Signed: _____
County Executive

Resolution No. 64—2023-24 – Authorize and approve of decreasing the IT Salaries line item by $35,000 and increasing the IT Purchased Services line item by $35,000, to fill a vacant Systems Analyst position, as detailed on the resolution and attached fiscal note.

Supervisor Lawrence moved, seconded by Supervisor Croatt, to approve Resolution No. 64—2023-24 as amended.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 64—2023-24 IS ADOPTED AS AMENDED.

VOTE RESULTS 31 YES 0 NO 0 ABSTAIN 5 ABSENT

Resolution No. 64—2023-24 As Amended

Approve Resolution No. 64—2023-24 As Amended.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	ABSENT	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **10-24-23 County Board Meeting - October 24 2023 07:23:25 PM** OpenMeeting

October 24, 2023 County Board Meeting

Resolution No. 64—2023-24 – Finance Committee. To Amend authorizing and approving of increasing the IT Salaries line item by $35,000 and decreasing the IT Purchased Services line item by $35,000, to fill a vacant Systems Analyst position, as detailed on the resolution and attached fiscal note.

Supervisor Miller moved, seconded by Supervisor Thiede, to amend Resolution No. 64—2023-24.

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 64—2023-24 IS AMENDED.



VOTE RESULTS — 31 YES | 0 NO | 0 ABSTAIN | 5 ABSENT

To Amend Resolution No. 64—2023-24

To Amend Resolution No. 64—2023-24

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG ABSENT
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
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10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 10-24-23 County Board Meeting - October 24 2023 07:23:07 PM — OpenMeeting

October 24, 2023 County Board Meeting

Amended

RESOLUTION NO.: 64—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Information Technology (IT) Department has experienced challenges with recruiting staff. After several attempts to fill a vacant Systems Analyst position, the IT Department utilized a contract to hire option and successfully recruited a candidate. As funding was originally budgeted under salaries and fringe benefits, a budget adjustment is being requested to cover these contractor costs as purchased services. The budget adjustments for this cost center (6040100) is as follows: decrease Salaries by $35,000 and increase Purchased Services by $35,000. This change is cost neutral and does not result in any additional funding for 2023.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of decreasing the IT Salaries line item by $35,000 and increasing the IT Purchased Services line item by $35,000, as detailed in the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Director of Information Technology.

Dated this 24th day of October 2023

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: October 24, 2023

Signed: _____ Board Chairperson

Kelly M. Breuer, Deputy Clerk
County Clerk

Approved: 10-26-23

Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** IT Request 2023 Budget Adjustment for Staffing Related Expenditures

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Information Technology Cost Center 6040100

Operationally, some vacant IT positions have been difficult to recruit for. After several attempts to fill a vacant Systems Analyst, the IT department utilized a contract to hire option and successfully recruited a candidate. As funding was originally budgeted under salaries and fringe benefits, a budget adjustment is requested to cover these contractor costs as purchased services. The budget adjustment for this cost center (6040100) is as follows: decrease salaries by $35,000, increase in purchased services of $35,000. I believe there is enough in salaries alone without having to adjust the associated fringe benefits. This change is cost neutral and does not result in any additional funding for 2023.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☒ Expenses (Cost) ☐ None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
IT (6040100)	Salaries	6040100.5100	(35,000)
IT (6040100)	Purchased Services	6040100.5500	35,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost N/A Annual Revenue N/A

Fiscal Note Prepared by: Julie Vanden Acker

For Financial Services purposes only	
Reviewed By: Allison Bong	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 10/17/2023	
Comments: Finance has reviewed IT's proposed cost centers; there is adequate savings in salaries to cover the proposed transfer.	

RESOLUTION NO.: 64—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Information Technology (IT) Department has experienced challenges with recruiting staff. After several attempts to fill a vacant Systems Analyst position, the IT Department utilized a contract to hire option and successfully recruited a candidate. As funding was originally budgeted under salaries and fringe benefits, a budget adjustment is being requested to cover these contractor costs as purchased services. The budget adjustments for this cost center (6040100) is as follows: decrease Salaries by $35,000 and increase Purchased Services by $35,000. This change is cost neutral and does not result in any additional funding for 2023.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the IT Salaries line item by $35,000 and decreasing the IT Purchased Services line item by $35,000, as detailed in the attached fiscal note which by reference is made a part hereof, and

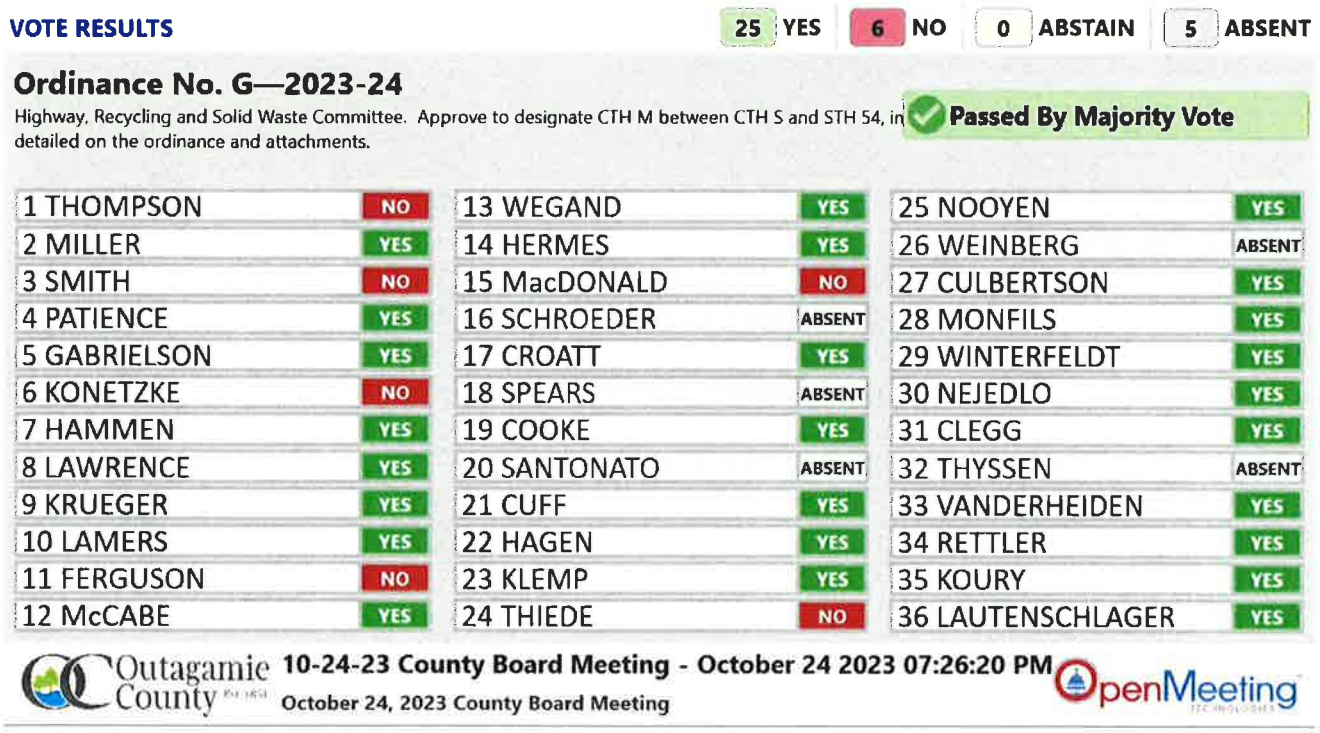
BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Director of Information Technology.

Dated this 24th day of October 2023

Ordinance No. G—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH M between CTH S and STH 54, in the Town of Liberty, as an ATV/UTV route, as detailed on the ordinance and attachments.

Supervisor Hagen moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 25 yes, 6 no (Thompson, Smith, Konetzke, Ferguson, MacDonald, Thiede), 5 absent. ORDINANCE NO. G—2023-24 IS ADOPTED.



VOTE RESULTS — 25 YES | 6 NO | 0 ABSTAIN | 5 ABSENT

Ordinance No. G—2023-24

Highway, Recycling and Solid Waste Committee. Approve to designate CTH M between CTH S and STH 54, in detailed on the ordinance and attachments.

Passed By Majority Vote

1 THOMPSON NO	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG ABSENT
3 SMITH NO	15 MacDONALD NO	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE NO	18 SPEARS ABSENT	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON NO	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE NO	36 LAUTENSCHLAGER YES

Outagamie County — 10-24-23 County Board Meeting - October 24 2023 07:26:20 PM — OpenMeeting

October 24, 2023 County Board Meeting

ORDINANCE NO.: G—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on roadways designated by Outagamie County and referred to as "routes." On August 22, 2023, the Outagamie County Board adopted Ordinance D—2023-2024 which modified the ordinance as pertains to speed limits and operating hours. Wis. Stat. §23.33(8)(b)1 offers a town, village, or city the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV/UTV route.

The Town of Liberty has submitted an application to the Outagamie County Highway Commissioner to designate the following county highway as an ATV/UTV route:

- CTH M between CTH S and STH 54

The Town of Liberty has completed said requirements of Outagamie County Code of Ordinance Sec. 50-353(4)(a)(ii) and submitted the following documents with the application:

- A map showing the proposed ATV/UTV route on the county highway system.
- A map showing any existing or future ATV/UTV routes leading to the proposed route.
- A statement explaining why the proposed route should be designated as an ATV/UTV route.
- Documentation that items required in Ordinance 50-353 Sec. 4(a)(i)1-3 were completed by the Municipality.
- A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
- Regulations set forth in Ordinance Sec. 50-353(5) were adopted by the Town of Liberty on October 11, 2023.

The Outagamie County Highway Commissioner has completed a review as detailed in Ordinance Sec. 50-353(4)(b) and is recommending approval. The Outagamie County Highway, Recycling and Solid Waste Committee is recommending approval.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve designating CTH M between CTH S and STH 54, said section in the Town of Liberty, as an ATV/UTV route as detailed on the attached Memorandums and maps, which by reference are made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, and the Town of Liberty.

Dated this 24th day of October 2023

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: October 24, 2023

Signed: _____
Board Chairperson

Kelly M. Gent, Deputy Clerk
County Clerk

Approved: 10.26.23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

Find us on @Outagamie County Highway Department

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 10/24/2023
RE: Town of Liberty – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Liberty
Request:	ATV/UTV Route Designation
Highway:	CTH M
Limits:	CTH S to STH 54
Public Hearing Date:	05/10/2023 Held by Town of Liberty
Written Notice Sent to Property Owners on:	04/22/2023 by Town of Liberty
Official Action to Apply for Route Taken on:	05/10/2023 by Town of Liberty
Regulations Adoption Date:	10/11/2023 by Town of Liberty

Background:
The Town of Liberty has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

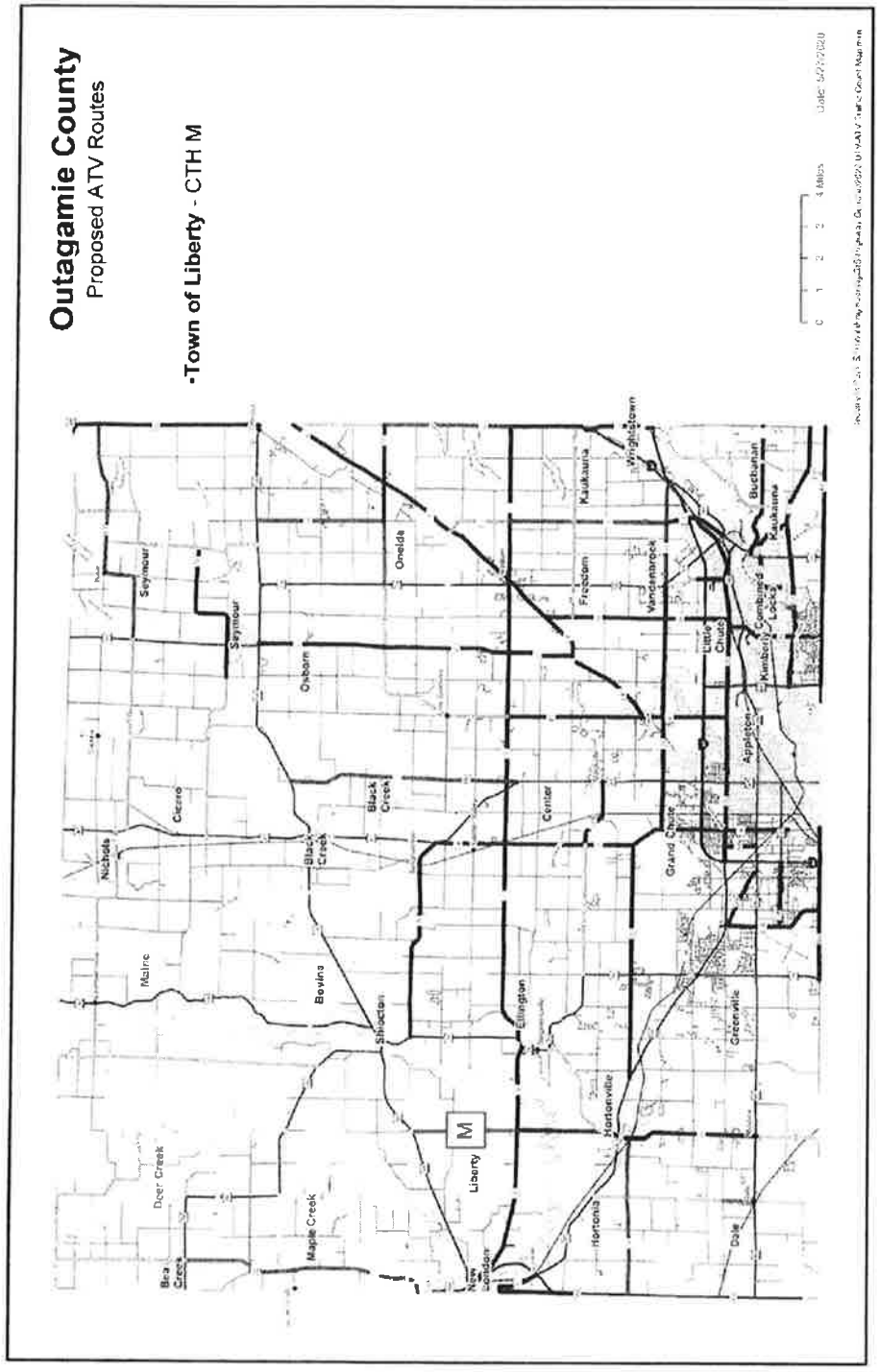
1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Liberty.
5. A statement that the Town of Liberty will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Liberty board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 460
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Liberty\CTH M_ATV UTV Engineering Memo CTH M.docx


Outagamie County
Proposed ATV Routes
-Town of Liberty - CTH M
Seymour
Oneida
Kaukauna
Wrightstown
Buchanan
Freedom
Vandenbroek
Combined Locks
Kimberly
Little Chute
Appleton
Osborn
Cicero
Black Creek
Center
Grand Chute
Nichols
Maine
Bovina
Shiocton
Ellington
Greenville
Hortonville
M
Liberty
Deer Creek
Maple Creek
Bear Creek
Hortonia
Dale

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the October 24, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on October 24, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 24th Day of October, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: November 17, 2023

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, November 6, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 5:30 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 32 present, 4 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Wegand, MacDonald, Schroeder, Croatt, Spears, Cooke, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Rettler, Koury, and Lautenschlager. Members Absent: Konetzke, Hermes, Santonato, Thyssen.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Santonato. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

Supervisor Konetzke arrived at 5:31 p.m.

SPECIAL ORDER OF BUSINESS - none.

ESTABLISH ORDER OF THE DAY
The budget and the enabling resolution will both need to be locked in, as well as any Resolutions pertaining to the 2024 budget.

Under New Business, Resolution Z-6—2023-24 will need to be locked in due to timing.

2024 COUNTY EXECUTIVE BUDGET - The Finance Committee moves for adoption of the 2024 County Executive Budget as amended by the Finance Committee (see Final Finance Committee 2024 Executive Budget Amendments Worksheet and ARPA Budget Amendments).

Supervisor Miller moved, seconded by Supervisor Spears, for adoption of the 2024 County Executive Budget as amended by the Finance Committee.

Chairperson Nooyen requested unanimous consent to allow Corporation Counsel Sargent and Brian Massey to answer technical questions. VOICE VOTE CARRIED UNANIMOUSLY.

Budgets were taken up in the order, by committee, as listed in the order of the agenda.

Highway, Recycling and Solid Waste Committee
No amendments were offered.

Property, Airport, Recreation & Economic Development Committee
No amendments were offered.

Legislative/Audit and Human Resources Committee
There was an amendment made to the meeting agenda and Ordinance No. H—2023-24 due to a clerical error. Ordinance No. H—2023-24 was originally numbered as Ordinance No. Z-6—2023-24.

Ordinance No. H—2023-24 – Legislative/Audit & Human Resources Committee. Approve to amend the Outagamie County Code of Ordinances, language for Section 2-58, RULE 15, for the County Board Salary and fringe adjustments for the 2024-26 term of office, effective with the 2024 April reorganization meeting. Annual salaries for Board meetings, standing committee meetings, seminars and conventions are the following: Supervisors $5,953 (per diem $25 for specified meetings); standing committee chairs $6,062 (per diem $25 for specified meetings); Vice-Chairperson $7,577 (no per diem); and Board Chairperson $16,500 (no per diem) as noted in the ordinance and on the attachments.

Supervisor Spears moved, seconded by Supervisor MacDonald, for adoption.

ROLL CALL: 28 yes, 5 no (Miller, Ferguson, Schroeder, Cuff, Thiede), 3 absent. ORDINANCE NO. H—2023-24 IS ADOPTED.

In order to expedite the meeting, Chairperson Nooyen requested unanimous consent to group the resolutions for roll calls for the Table of Organization Changes, New Position Changes, and Regrading (Resolution Nos. 65-70–2023-24), unless a Supervisor wanted a resolution separated out from the combined roll call. VOICE VOTE CARRIED UNANIMOUSLY.

New Position Requests – 2024 Budget – tables included in packet and referenced in all position change resolutions:

Health & Human Services
Resolution No. 65—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2063100, by creating one (1) full-time Office Specialist – ADRC position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Resolution No. 66—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2066090, by creating one (1) full-time Sr. Account Technician position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Resolution No. 67—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2063595, by creating one (1) full-time Program Assistant - CLTS position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Resolution No. 68—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2063100, by creating three (3) full-time Benefit Specialist - Disability positions (sunset positions) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Resolution No. 69—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2063595, by creating three (3) full-time Case Manager Positions (sunset positions) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Resolution No. 70—2023-24 – Legislative/Audit & Human Resources Committee. Amending the Health and Human Services Department Table of Organization, cost center 2063100, by creating one (1) full-time Case Manager position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption of Resolution Nos. 65, 66, 67, 68, 69 and 70—2023-24.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NOS. 65, 66, 67, 68, 69 and 70—2023-24 ARE ADOPTED.

Agriculture, Extension Education, Zoning and Land Conservation Committee
No amendments were offered.

Public Safety Committee
No amendments were offered.

Health and Human Services Committee
No amendments were offered.

Finance Committee
No amendments were offered.

Independent Supervisor Amendments to the 2024 County Executive Budget.

Supervisor Thiede moved, seconded by Supervisor Patience, to allow Option Two of the Longevity Plan Proposal increasing the Contingency Fund and General Fund Applied by $585,000 each, and to allow the Finance Department to complete the allocations by Department when it is calculated in late 2023 or 2024.

Supervisor Hermes arrived at 5:46 p.m.

ROLL CALL: 4 yes (MacDonald, Schroeder, Spears, Thiede), 30 no, 2 absent. INDEPENDENT SUPERVISOR AMENDMENT TO THE 2024 COUNTY EXECUTIVE BUDGET #1 IS DEFEATED.

Supervisor Gabrielson moved, seconded by Supervisor Culbertson, to delete funding for the Lobbyist position in the Legislative Services Department for the 2024 Budget with the following changes to the 2024 budget: Legislative Services Cost Center, decrease Salaries by $90,917, decrease Fringe Benefits by $22,964, decrease Travel/Training by $4,750, increase Purchased Services by $20,000. Changes to General Fund Surplus: decrease Transfer Out to Capital Projects Fund by $98,631, decrease Fund Balance Applied by $98,631. Changes to 2024 Capital Projects Fund: decrease Transfer In from General Fund by $98,631.

Supervisor Rettler left the meeting at 6:22 p.m.

ROLL CALL: 30 yes, 3 no (Hermes, MacDonald, Thiede), 3 absent. INDEPENDENT SUPERVISOR AMENDMENT TO THE 2024 COUNTY EXECUTIVE BUDGET #2 IS ADOPTED.

Chairperson Nooyen asked for any additional individual amendments. No additional amendments were offered.

ROLL CALL to adopt the 2024 County Executive Budget as amended.

ROLL CALL: 32 yes, 1 no (Thiede), 3 absent. 2024 COUNTY EXECUTIVE BUDGET IS ADOPTED AS AMENDED.

RECONSIDERATION/LOCK IN OF 2024 ADOPTED BUDGET

Supervisor Patience moved, seconded by Supervisor Lawrence to reconsider the 2024 Adopted Budget for the purpose of lock in.

ROLL CALL: 33 yes, 3 absent. 2024 COUNTY EXECUTIVE BUDGET AS AMENDED IS RECONSIDERED.

ROLL CALL: 33 yes, 3 absent. 2024 COUNTY EXECUTIVE BUDGET AS AMENDED IS ADOPTED AND LOCKED IN.

ROLL CALL for County Board Supervisors who would like a printed final 2024 Adopted Budget (Note that the 2024 Adopted Budget will be posted online).

Supervisor Thompson, Supervisor Smith, Supervisor Patience, Supervisor Gabrielson, Supervisor Ferguson, Supervisor Hermes, Supervisor MacDonald, Supervisor Cooke, Supervisor Cuff, Supervisor Hagen, Supervisor Nejedlo, and Supervisor Lautenschlager requested a printed final 2024 Adopted Budget.

Finance Committee – continued.

Resolution No. 71—2023-24 – Finance Committee. Enabling Tax Levy Resolution for 2023, collected in 2024.

Supervisor Miller moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 71—2023-24 IS ADOPTED.

Supervisor Thiede moved, seconded by Supervisor Krueger, to reconsider Resolution No. 71—2023-24 for the purpose of lock in.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 71—2023-24 IS RECONSIDERED.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 71—2023-24 IS ADOPTED & LOCKED IN.

The following items are pertinent to regular business and the 2023 budget.

MINUTES OF THE OCTOBER 24, 2023 PUBLIC BUDGET HEARING AND COUNTY BOARD MEETING

Supervisor Wegand moved, seconded by Supervisor Lamers, for approval of the minutes.

ROLL CALL: 31 yes, 2 abstain (Schroeder, Weinberg), 3 absent. MINUTES OF THE OCTOBER 24, 2023, PUBLIC BUDGET HEARING AND COUNTY BOARD MEETING ARE APPROVED.

COMMUNICATIONS -
Chairperson Nooyen summarized the following communications:

- There are two Supervisors, Supervisor Schroeder and Supervisor Thyssen, that have to complete the previous IT security training. Please get this completed as soon as possible. There is a new IT security training that was sent via email November 5th and needs to be completed by all Supervisors.
- Reminder from HR, Supervisors must either email HR or complete the waiver of health insurance coverage as soon as possible.
- The County Clerk's office will have County Board nomination papers available for pick-up beginning Thursday, November 16th. Please contact the County Clerk's office to schedule a time to visit the office and complete nomination papers. Papers can be circulated beginning December 1st, 2023. Those Supervisors that plan to not seek re-election must complete a non-candidacy form by 5:00 p.m. Friday, December 22nd according to state law. This is a holiday at Outagamie County, so please complete by 4:00 p.m. Thursday, December 21st if possible.
- Legislative Services has a limited supply of the 2023 Blue Book. If you would like one, please see the Legislative Services office.
- Chairperson Nooyen offered condolences to Supervisor Patience, whose father passed away on October 22nd.
- The County Board will be accepting donations for the Adopt A Family program again this year. Anyone interested in donating can drop off donations in the Legislative Services office by November 27th. This year's goal is to collect $500.
- Happy Birthday to Supervisor Ferguson.
- The Legislative Services office received a copy of a resolution from the Wisconsin Treasurers Association recognizing former Outagamie County Treasurer Trenten Woelfel for his exemplary ideals and public service that brought honor to the Association. Congratulation to Trent.
- In honor of Veteran's Day this Friday, November 10th, Chairperson Nooyen recognized all Veterans for their service, including Supervisor Culbertson, Supervisor Rettler, and Supervisor Cooke.
- Chairperson Nooyen presented Supervisor Konetzke with a plaque in honor of his last meeting as a Supervisor and his years of service on the Outagamie County Board of Supervisors.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS –

County Board Chair Nooyen nomination for appointment of Rochelle Oskey as the Outagamie County Treasurer; said term expiring January 5, 2025.

Supervisor Spears moved, seconded by Supervisor VanderHeiden, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED WITH THIRTY-THREE (33) YES AND THREE (3) ABSENT. ROCHELLE OSKEY IS APPOINTED OUTAGAMIE COUNTY TREASURER.

RECONSIDERATION/LOCK IN OF OUTAGAMIE COUNTY TREASURER APPOINTMENT

Supervisor Gabrielson moved, seconded by Supervisor Hagen, to reconsider the Outagamie County Treasurer Appointment.

ROLL CALL: 33 yes, 3 absent. THE OUTAGAMIE COUNTY TREASURER APPOINTMENT IS RECONSIDERED.

ROLL CALL: 33 yes, 3 absent. THE OUTAGAMIE COUNTY TREASURER APPOINTMENT IS ADOPTED & LOCKED IN.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. Z-6—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Ione Immel, Ione Berg, Bergstrom Properties Inc., and Town of Grand Chute for parcels 102114800, 102114700, 102114600, 102114501, 102114500, 102114400, 102114300, 102114200, 102114100, 101078001, and part of 101078000, from the Single-Family Residential District and the Two-Family Residential District to the Local Commercial District in the Town of Grand Chute, as noted on the attachments.

Supervisor Lautenschlager moved, seconded by Supervisor Weinberg, for adoption.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. Z-6—2023-24 IS ADOPTED.

RECONSIDERATION/LOCK IN OF RESOLUTION NO. Z-6—2023-24

Supervisor Thiede moved, seconded by Supervisor Wegand, to reconsider Resolution No. Z-6—2023-24.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. Z-6—2023-24 IS RECONSIDERED.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. Z-6—2023-24 IS ADOPTED & LOCKED IN.

Ordinance No. Z-7—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the Outagamie County Comprehensive Plan to adopt the Bicycle and Pedestrian Plan as Addendum 3 of Outagamie County's Comprehensive Plan, as noted on the ordinance and in the review of Exhibit 1.

Supervisor Koury moved, seconded by Supervisor VanderHeiden, for adoption.

ROLL CALL: 32 yes, 1 no (Klemp), 3 absent. ORDINANCE NO. Z-7—2023-24 IS ADOPTED.

Ordinance No. Z-8—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the Outagamie County Comprehensive Plan, as reflected in the review of Exhibit 1, for the Town of Kaukauna, to Repeal and replace Map 33: Future Land Use Map and modify Map 18: Future Land Use Map - Outagamie County to reflect the future land use map changes, as noted on the ordinance and attachments.

Supervisor Krueger moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 33 yes, 3 absent. ORDINANCE NO. Z-8—2023-24 IS ADOPTED.

RECONSIDERATION/LOCK IN OF ORDINANCE NO. Z-8—2023-24

Supervisor Cooke moved, seconded by Supervisor Nejedlo, to reconsider Ordinance No. Z-8—2023-24.

ROLL CALL: 33 yes, 3 absent. ORDINANCE NO. Z-8—2023-24 IS RECONSIDERED.

ROLL CALL: 33 yes, 3 absent. ORDINANCE NO. Z-8—2023-24 IS ADOPTED & LOCKED IN.

Resolution No. 72—2023-24 – Legislative/Audit and Human Resources Committee. Approve the addition of one (1) full-time MDS (Minimum Data Set) Coordinator position, effective November 5, 2023, for Brewster Village, with no budget adjustment required as the monies needed for the additional compensation will be included as part of the 2024 budget process, as noted on the attachments.

Supervisor Spears moved, seconded by Supervisor Gabrielson, for adoption.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 72—2023-24 IS ADOPTED.

Resolution No. 73—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Second Addendum to the Airline Operating Agreement between the Appleton International Airport and Allegiant Air LLC, to provide additional square feet of Terminal office rent, as noted on the attached Second Addendum to Airline Operating Agreement; and authorize and approve to increase the Airport Terminal Allegiant Air First Floor Exclusive line item by $8,259 and decreasing the Airport Terminal Fund Balance Applied line item by $8,259, as noted on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 73—2023-24 IS ADOPTED.

REPORTS– None.

ADJOURNMENT
Supervisor Lawrence moved, seconded by Supervisor Konetzke to adjourn until December 12th, 2023, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 6:45 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

Ordinance No. H—2023-24 – Legislative/Audit & Human Resources Committee. Approve to amend the Outagamie County Code of Ordinances, language for Section 2-58, RULE 15, for the County Board Salary and fringe adjustments for the 2024-26 term of office, effective with the 2024 April reorganization meeting. Annual salaries for Board meetings, standing committee meetings, seminars and conventions are the following: Supervisors $5,953 (per diem $25 for specified meetings); standing committee chairs $6,062 (per diem $25 for specified meetings); Vice-Chairperson $7,577 (no per diem); and Board Chairperson $16,500 (no per diem) as noted in the ordinance and on the attachments.

Supervisor Spears moved, seconded by Supervisor MacDonald, for adoption.

ROLL CALL: 28 yes, 5 no (Miller, Ferguson, Schroeder, Cuff, Thiede), 3 absent. ORDINANCE NO. H—2023-24 IS ADOPTED.

VOTE RESULTS — 28 YES | 5 NO | 0 ABSTAIN | 3 ABSENT

Ordinance No. H—2023-24

Legislative/Audit & Human Resources Committee. Approve to amend the Outagamie County Code of Ordina — Passed With Majority of Full Membership
County Board Salary and fringe adjustments for the 2024-26 term of office, effective with the 2024 April reorganization meeting.

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER NO	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER NO	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF NO	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON NO	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE NO	36 LAUTENSCHLAGER YES

Outagamie County — 11-6-23 County Board Meeting - November 6 2023 05:37:57 PM — OpenMeeting
November 6, 2023 County Board Meeting

ORDINANCE NO.: H—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wisconsin State Statute 59.10(3)(i) provides that the County Board of Supervisors may fix the compensation of the supervisors to be next elected at an annual salary for services for the county. Members of the Legislative/Audit and Human Resources Committee have recommended a salary increase for the 2024-2026 County Board Session equal to 3% for the two-year term (to align with the proposed 3% employee salary adjustment for county employees). This ordinance establishes compensation for the Outagamie County Board of Supervisors for the 2024-2026 term of office.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does establish the Outagamie County Code of Ordinances, language for Section 2-58, Rule 15, be amended to read:

RULE 15: SUPERVISORS' SALARY AND EXPENSES.

(a) *Salary*. The County Board shall receive such salary as is determined pursuant to the Wisconsin Statutes. Therefore, effective with the ~~2022~~ ***2024*** April reorganization meeting, Supervisors shall receive an annual salary of ~~$5,723 and effective with the 2023 April reorganization meeting, Supervisors shall receive an annual salary of $5,780~~ ***$5,953*** as compensation for their attendance for all Board meetings, standing committee meetings, seminars, and conventions. Standing committee chairs shall receive ~~$5,827 effective with the 2022 April reorganization meeting and $5,885 effective with the 2023 April reorganization meeting~~ ***$6,062***. For any meetings attended beyond those described above, a Supervisor is eligible to receive $25 per meeting at a maximum of $25 per day, provided one of the following apply: the meeting is that of a committee or board to which the Supervisor has been appointed or confirmed by the County Board or the Supervisor requesting per diem was directed by the County Board Chairperson to attend a meeting. The Vice-Chairperson shall receive a salary of ~~$7,283 effective with the 2022 April reorganization meeting and $7,356 effective with the 2023 April reorganization meeting~~ ***$7,577*** and the Board Chairperson shall receive ~~$15,150 effective with the 2022 April reorganization meeting and $15,302 effective with the 2023 April reorganization meeting~~ ***$16,500.*** The Vice-Chairperson and Board Chairperson shall not receive per diem.

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect upon approval by the County Board of Supervisors and published per Wisconsin State Statute §59.14 and §66.0103, and

BE IT STILL FURTHER ORDAINED, that the county board salary and fringe benefit increase adjustments for the 2024-2026 term of office are listed on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Human Resources Director, the Outagamie County Finance Director, and Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 6th day of November 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: _____ Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** County Board Proposed Salary and Fringe Benefit Increase Adjustments for 2024-2025 term of office

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Legislative/Audit and Human Resources Committee is recommending an increase for all County Board members of 3% for the two-year term of 2024 and 2025 (to align with the proposed 3% salary adjustment for county employees, excluding the DSA union group), except for the Board Chairperson as follows:

- 27 Supervisors from current $5,780 to $5,953
- 7 Committee Chairs from current $5,885 to $6,062
- 1 County Board Vice Chairperson from current $7,356 to $7,577
- 1 County Board Chairperson from current $15,302 to $16,500

The increase will be effective in April 2024, when the current terms expire. The total increase for a 12-month period in salary is $7,329. The increase for April through December 2024 of 5496.75 will be included in the board adjustments to the 2024 Executive Budget.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☒ None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X) 2024 budget

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

N/A

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 7,329 Annual Revenue

Fiscal Note Prepared by: Sara Hickey

For Financial Services purposes only	
Reviewed By: Allison Berg	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 10/4/2023	
Comments:	

ORDINANCE NO.: Z-6—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wisconsin State Statute 59.10(3)(i) provides that the County Board of Supervisors may fix the compensation of the supervisors to be next elected at an annual salary for services for the county. Members of the Legislative/Audit and Human Resources Committee have recommended a salary increase for the 2024-2026 County Board Session equal to 3% for the two-year term (to align with the proposed 3% employee salary adjustment for county employees). This ordinance establishes compensation for the Outagamie County Board of Supervisors for the 2024-2026 term of office.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does establish the Outagamie County Code of Ordinances, language for Section 2-58, Rule 15, be amended to read:

RULE 15: SUPERVISORS' SALARY AND EXPENSES.

(a) *Salary*. The County Board shall receive such salary as is determined pursuant to the Wisconsin Statutes. Therefore, effective with the ~~2022~~ ***2024*** April reorganization meeting, Supervisors shall receive an annual salary of ~~$5,723 and effective with the 2023 April reorganization meeting, Supervisors shall receive an annual salary of $5,780~~ ***$5,953*** as compensation for their attendance for all Board meetings, standing committee meetings, seminars, and conventions. Standing committee chairs shall receive ~~$5,827 effective with the 2022 April reorganization meeting and $5,885 effective with the 2023 April reorganization meeting~~ ***$6,062***. For any meetings attended beyond those described above, a Supervisor is eligible to receive $25 per meeting at a maximum of $25 per day, provided one of the following apply: the meeting is that of a committee or board to which the Supervisor has been appointed or confirmed by the County Board or the Supervisor requesting per diem was directed by the County Board Chairperson to attend a meeting. The Vice-Chairperson shall receive a salary of ~~$7,283 effective with the 2022 April reorganization meeting and $7,356 effective with the 2023 April reorganization meeting~~ ***$7,577*** and the Board Chairperson shall receive ~~$15,150 effective with the 2022 April reorganization meeting and $15,302 effective with the 2023 April reorganization meeting~~ ***$16,500.*** The Vice-Chairperson and Board Chairperson shall not receive per diem.

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect upon approval by the County Board of Supervisors and published per Wisconsin State Statute §59.14 and §66.0103, and

Supervisor Gabrielson moved, seconded by Supervisor McCabe to approve Resolution Nos. 65, 66, 67, 68, 69, 70—2022-23.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NOS. 65, 66, 67, 68, 69, 70—2023-24 ARE ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 11-6-23 County Board Meeting - November 6 2023 05:38:54 PM OpenMeeting

November 6, 2023 County Board Meeting

Resolution No. 65—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2063100, by creating one (1) full-time Office Specialist – ADRC position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 65—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 11-6-23 County Board Meeting - November 6 2023 05:38:54 PM OpenMeeting

November 6, 2023 County Board Meeting

RESOLUTION NO.: 65—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The County Executive has requested the following Department of Health and Human Services Table of Organization change, and the same has been made a part of the 2024 County Executive Budget:

Create: One (1) Full-Time Office Specialist – ADRC Position (sunset position)

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby and herewith authorize and approve of amending the Table of Organization for the Department of Health and Human Services, cost center 2063100, by creating one (1) full-time Office Specialist – ADRC position (sunset position) effective January 1, 2024, as described in the attached Position Addition Form, Position Description, and Table of Organization, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the fiscal change has been included in the aforementioned budget as well as attendant budget expenditures and revenues as are detailed in the attached documents, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Health and Human Services Director, and the Outagamie County Finance Director.

Dated this 6th day of November 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11.9.23

Vetoed: _____

Signed: _____
County Executive

POSITION ADDITION FORM		
Completion Checklist		
o A visual of your proposed Table of Organization o Job description/class specification for the position request below, highlighting any changes		
Request Details		
Effective Date of Requested Change:	**1/1/2024**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2063100**	
Position Title:	**Office Specialist - ADRC**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Non-Exempt**	
Pay Grade of Position:	**125**	
Estimated Starting Step:	**1**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	**Full Time:**	**1**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?		
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
This ADRC Assistant position is currently contracted through Valley Packaging. We would like to bring this position internal to be an Outagamie County ADRC position. **This role helps our consumers with the Medicaid Application and applying for benefits to be eligible for Long Term Care funding. The Medicaid Application and supporting documentation can be extensive and complicated. This individual uses good customer service skills and organizational skills to assist individuals to apply for a Medicaid benefit in order to receive Long Term Care funding to get their needs met and receive assistance.**		
Employee(s) Impacted By This Change (if no one in position - leave blank)		
Fiscal Data		
How will this position be funded (choose from drop-down list)?	**Grants**	

PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**43,450**
Fringe Benefits	$	**31,458**
Travel/Training	$	-
Supplies - IT	$	**318**
Supplies - Other		
Purchased Services - IT	$	**2,350**
Purchased Services - Other	$	-
Capital Outlay		
TOTAL EXPENDITURES	$	**77,576**
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
ADRC Grant	$	**(77,576)**
	$	-
TOTAL COST SAVINGS/REVENUES	$	**(77,576)**
NET COUNTY COST (Levy/Fund Bal)	$	-

ADRC Assistant

Position Purpose

Reporting to the Aging and Disability Resource Center (ADRC), the ADRC Assistant provides assistance to the ADRC Staff, Economic Support, and Mental Health divisions in their work with consumers who are applying for public assistance with preparing financial, medical, and other documents related to applications for entitlements and other programs, to ensure that documents are in place and deadlines for applications are met.

Key Responsibilities

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Assists ADRC staff in gathering financial information and documentation for consumers in the application process for economic, employment support programs, and other public assistance programs such as Medical Assistance, Food Share, W2, BadgerCare Plus, etc.
- Assists consumers with completing applications and related documents when needed, either paper or online versions. Assisting consumers includes activities within the office, by phone, by email, and in person at their home.
- Assists potential applicants for private and government benefits and programs to locate and gather verifying data, both financial and non-financial.
- Assists consumers in communicating with agencies during the application process and in the review process in order to enable necessary correspondence and provision of information between consumer and agency, which may include any or all of the following: reading and understanding documents, writing, assisting with translators, and using computer for email and online information
- Refers consumers to other service providers, private bar for legal representation, employment, and other disability-related counseling and services as necessary.
- Provides information on consumer rights, complaints, grievance and appeal processes.
- Enters consumer data into appropriate databases and inform both ADRC Staff and Economic Support Specialist when information is entered and customer is ready for eligibility determination.

- Compiles required statistical records; assures accurate data entry into mandated computer software.
- Maintains public relations role through public speaking, written press releases, newsletter articles, etc.
- Documents and maintains current consumer activity files for reporting purposes and service outcome effectiveness.
- Maintains consumer confidentiality.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned.

Education/Certifications/Experience Requirements

- Requires a High School diploma or equivalent.
- Experience working with various publicly funded programs preferred.

Required or Preferred Skills

- Ability to operate a variety of office equipment including computer with printer, typewriter, calculator, photocopier, telephone system with voice mail, and fax machine.
- Ability to research and investigate problems, and advocate on behalf of consumers.
- Ability to add, subtract, multiply, divide, and calculate decimals and percentages.
- Ability to comprehend and interpret applications information and documents including Medicare, Social Security, Medical Assistance, tax forms, bank statements, insurance payment forms, etc.
- Ability to prepare written documents including press releases, consumer files, statistical reports, etc.
- Ability to use and interpret medical and legal terminology, and knowledge of services and resources for persons with disabilities.
- Ability to communicate effectively with service organizations, health care providers, insurance company representatives, the general public, etc. verbally and in writing.

- Ability to listen, communicate and be sensitive to older persons and their needs.
- Ability to work independently and make sound judgments.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

FUND: HEALTH & HUMAN SERVICES 206 COST CENTER NAME: HEALTH & HUMAN SERVICES

DEPARTMENT NAME: HEALTH & HUMAN SERVICES

POSITION COUNT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT
REGULAR POSITIONS:								
AGING AND LONG TERM SUPPORT								
COST CENTER 2063005								
~~BENEFIT SPECIALIST *~~	2	0	2	0	2	0	2	0
SUPERVISOR: AGING SERVICES *	1	0	1	0	1	0	1	0
COST CENTER TOTALS	3	0	3	0	3	0	3	0
COST CENTER 2063100								
SENIOR SUPPORT SPECIALIST *	5	0	5	0	5	0	5	0
COST CENTER TOTALS	5	0	5	0	5	0	5	0
COST CENTER 2063050								
FOOD TRANSPORTER	0	6	0	6	0	6	0	6
HUMAN SERVICES SPECIALIST III	0	0	0	0	0	0	0	0
NUTRITION COORDINATOR	0	1	0	1	0	1	0	1
SITE MANAGER	0	6	0	6	0	6	0	6
~~SUPPORT SPECIALIST III~~	0	0	0	0	0	0	0	0
COST CENTER TOTALS	0	13	0	13	0	13		
COST CENTER 2063060								
COMMUNITY SUPPORT SPECIALIST *	7	0	7	0	7	0	8	0
PSYCHIATRIC RN	1	0	1	0	1	0	0	0
SOCIAL WORK SPECIALIST I - V	1	0	0	0	0	0	0	0
SOCIAL WORK SPECIALIST I - V *	1	0	1	0	1	0	0	0
SUPERVISOR: AGING SERVICES UNIT	0	0	1	0	1	0	1	0
~~NDRI Function CC3 Name~~ COST CENTER TOTALS	10	0	10	0	10	0	9	0

Supervisor Gabrielson moved, seconded by Supervisor McCabe to approve Resolution Nos. 65, 66, 67, 68, 69, 70—2022-23.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NOS. 65, 66, 67, 68, 69, 70—2023-24 ARE ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 11-6-23 County Board Meeting - November 6 2023 05:38:54 PM OpenMeeting

November 6, 2023 County Board Meeting

Resolution No. 66—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2066090, by creating one (1) full-time Sr. Account Technician position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 66—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 11-6-23 County Board Meeting - November 6 2023 05:38:54 PM OpenMeeting

November 6, 2023 County Board Meeting

RESOLUTION NO.: 66—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The County Executive has requested the following Department of Health and Human Services Table of Organization change, and the same has been made a part of the 2024 County Executive Budget:

Create: One (1) Full-Time Sr. Account Technician Position (sunset position)

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby and herewith authorize and approve of amending the Table of Organization for the Department of Health and Human Services, cost center 2066090, by creating one (1) full-time Sr. Account Technician position (sunset position) effective January 1, 2024, as described in the attached Position Addition Form, Position Description, and Table of Organization, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the fiscal change has been included in the aforementioned budget as well as attendant budget expenditures and revenues as are detailed in the attached documents, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Health and Human Services Director, and the Outagamie County Finance Director.

Dated this 6th day of November 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 11.9.23 Vetoed: _____

Signed: _____
County Executive

POSITION ADDITION FORM

Completion Checklist

- o A visual of your proposed Table of Organization
- o Job description/class specification for the position request below, highlighting any changes

Request Details

Effective Date of Requested Change:	**1/1/2024**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2066090**	
Position Title:	**Sr. Account Technician**	
Sunset Position? (Yes or No)	**yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Non-Exempt**	
Pay Grade of Position:	**130**	
Estimated Starting Step:	**2**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	**Full Time:**	**1**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?		
If deleting a position to add this position; which position(s) will be deleted?		

(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)

List any positions in your Table of Organization that have been vacant for 6 months or longer:	

Position Justification

Briefly summarize why this position is needed, as well as areas of revenue and savings.

The HHS Department is bringing in house several Substance Abuse services including the Intoxicated Driver Assessment Program, that are currently outsourced. With the addition of the services in-house, the fiscal department will experience a substantial increase for the completion of client ability to pay calculations. Also, the fiscal department will need to start verifying income sources from individuals and families we serve.

With the substantial increase in fiscal workload to provide these Substance Abuse services in house, fiscal needs to add another Account Associate III who will be responsible for completing the client ability to pay calculations, verifying income sources, and other tasks associated with the services.

Employee(s) Impacted By This Change (if no one in position - leave blank)

Fiscal Data

How will this position be funded (choose from drop-down list)?		**Non-Levy (Chgs for Service)**
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**49,358**
Fringe Benefits	$	**31,806**

Travel/Training	$	-
Supplies - IT	$	-
Supplies - Other	$	1,292
Purchased Services - IT	$	2,995
Purchased Services - Other	$	325
Capital Outlay	$	2,342
TOTAL EXPENDITURES	$	88,118
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
CCS Funding	$	(44,059)
Intoxicated Driver Program	$	(44,059)
TOTAL COST SAVINGS/REVENUES	$	(88,118)
NET COUNTY COST (Levy/Fund Bal)	$	0

Outagamie County

Account Associate III (DHHS-Fiscal)

Class Spec Code: 6500-8
Established Date: 09/12/2017
Last Revised Date: 10/24/2022
Effective: 12/16/2022

Salary Range

$21.22 - $25.34 Hourly

Bargaining Unit

N/A

EEO

Other

Occupational Group

200

FLSA

Non-Exempt

Benefit Code

General

Physical Class

N/A

Grade

22

Employee Group (General, AS&P, etc.)

Position Purpose

Under the general supervision of the Supervisor: Accounting Systems, the Account Associate III performs accounting responsibilities for DHHS to maintain department and/or client specific financial records and prepares expenditure reports.

Key Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Process and receipts payments in various software systems.
- Performs representative payee receipting and check issuance functions following defined procedures and within specified timeframes.
- Back-up to main representative payee.

Non-Exempt

Blood Borne Pathogen
C

- Generates payments and/or makes correcting adjustments to prior transactions.
- Provides training and monitors that portion of receipting procedures completed by others.
- Processes direct payment vouchers and journal entries.
- Sets up and maintains bank accounts.
- Prepares invoices when requested.
- Compiles and maintains spreadsheets.
- Reviews accounts for collections process.
- Meets mandated deadlines as determined by specific assignment.
- Phone and walk in clinic when assigned.
- Balances reports and verifies information against ledgers.
- Representative payee for youth clients.
- Maintains accurate and timely client data.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned.

Education/Certifications/Experience Requirements

- Associate degree in accounting or related field required.
- Three or more years progressively responsible experience in bookkeeping/accounting preferred.
- Or any combination of education and experience that provides equivalent knowledge, skills, and abilities.

Required or Preferred Skills

- Knowledge of and demonstrated ability to conform to goals, policies, and procedures of the Department as well as the

Outagamie County Work Rules and Terms of Employment.

- Knowledge of accounting and bookkeeping procedures and business mathematics.
- Ability to solve accounting problems.
- Knowledge of Mainframe, Server and PC operation including the software programs utilized by the department.
- Ability to adopt accounting methods to variety of transactions and problems.
- Knowledge of departmental operations.
- Ability to interpret and analyze complex data with a high degree of accuracy.
- Ability to determine priorities, plan and organize work schedule to meet mandated deadlines.
- Ability to work independently, budget time and schedule work to efficiently complete tasks.
- Ability and skill in exercising sound judgment and discretion in the application and interpretation of state, county and department policies and regulations.
- Ability to establish and maintain effective working relationships with co-workers, other county and agency employees, and the general public.
- Ability to maintain confidentiality and accountability.
- Knowledge of office procedures.

- Ability to effectively communicate in English and understand and follow written and oral instructions.
- Ability to add, subtract, multiply, divide, and figure simple mathematical calculations.
- Skill in the use of telephone, calculators, copy machines, computer terminals, typewriters, fax machines and other office equipment.
- Ability to lift, carry, push, pull or otherwise move up to 5 pounds, understanding and utilizing proper body mechanics.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

FUND: HEALTH & HUMAN SERVICES 206 COST CENTER NAME: HEALTH & HUMAN SERVICES
DEPARTMENT NAME: HEALTH & HUMAN SERVICES COST CENTER NUMBER: 2067020, 2066090

POSITION COUNT	2020		2021		2022		2023	
	FT	PT	FT	PT	FT	PT	FT	PT
MENTAL HEALTH, ALCOHOL AND DRUG ABUSE								
COST CENTER 2066090								
ACCOUNT ASSOCIATE I	1	0	1	0	1	0	1	0
BENEFIT SPECIALIST	0	0	2	0	2	0	2	0

Supervisor Gabrielson moved, seconded by Supervisor McCabe to approve Resolution Nos. 65, 66, 67, 68, 69, 70—2022-23.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NOS. 65, 66, 67, 68, 69, 70—2023-24 ARE ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Board 11-6-23 County Board Meeting - November 6 2023 05:38:54 PM OpenMeeting

November 6, 2023 County Board Meeting

Resolution No. 67—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2063595, by creating one (1) full-time Program Assistant - CLTS position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 67—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 05:38:54 PM** OpenMeeting

November 6, 2023 County Board Meeting

RESOLUTION NO.: 67—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The County Executive has requested the following Department of Health and Human Services Table of Organization change, and the same has been made a part of the 2024 County Executive Budget:

Create: One (1) Full-Time Program Assistant - CLTS Position (sunset position)

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby and herewith authorize and approve of amending the Table of Organization for the Department of Health and Human Services, cost center 2063595, by creating one (1) full-time Program Assistant - CLTS position (sunset position) effective January 1, 2024, as described in the attached Position Addition Form, Position Description, and Table of Organization, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the fiscal change has been included in the aforementioned budget as well as attendant budget expenditures and revenues as are detailed in the attached documents, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Health and Human Services Director, and the Outagamie County Finance Director.

Dated this 6th day of November 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11 · 9 · 23

Vetoed: _____

Signed: _____
County Executive

POSITION ADDITION FORM		
Completion Checklist		
o A visual of your proposed Table of Organization o Job description/class specification for the position request below, highlighting any changes		
Request Details		
Effective Date of Requested Change:	**1/1/2024**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2063595**	
Position Title:	**Program Assistant - CLTS**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Non-Exempt**	
Pay Grade of Position:	**115**	
Estimated Starting Step:	**2**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	**Full Time:**	**1**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?		
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
The department continues to add about 12-15 new Children's Long Term Support (CLTS) clients each month. In 2023, the department added 3 new CLTS case managers and in 2024 they are anticipating adding up to three more case managers. With the addition of the new case managers in 2024, we anticipate adding appproximately 300 additional children to the CLTS program. **With the addition of 300 additional children, the program assistant responsibilities will substantially increase and we need to add another fiscal program assistant to assist with entering authorizations, track and reconcile all the service dollars needed in the program to serve the new participants, complete client specific CLTS plans to set up the children in the medical record system, assign funding sources, assign rates, determine service codes and other tasks associated with each new child added to the program.**		
Employee(s) Impacted By This Change (if no one in position - leave blank)		

Fiscal Data		
How will this position be funded (choose from drop-down list)?		**Non-Levy (Chgs for Service)**
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**52,756**
Fringe Benefits	$	**32,838**
Travel/Training	$	-
Supplies - IT	$	**325**
Supplies - Other	$	**529**
Purchased Services - IT	$	**2,995**
Purchased Services - Other	$	-
Capital Outlay	$	-
TOTAL EXPENDITURES	$	**89,443**
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
State and Federal CLTS Funds	$	**(89,443)**
	$	-
TOTAL COST SAVINGS/REVENUES	$	**(89,443)**
NET COUNTY COST (Levy/Fund Bal)	$	-

Outagamie County

Program Assistant (DHHS-Fiscal)

Class Spec Code: 6500-4
Established Date: 09/12/2017
Last Revised Date: 11/08/2022
Effective: 12/16/2022

Salary Range

$20.17 - $25.80 Hourly

Bargaining Unit

N/A

EEO

Other

Occupational Group

140

FLSA

Non-Exempt

Benefit Code

General

Physical Class

N/A

Grade

18

Employee Group (General, AS&P, etc.)

Position Purpose

Reporting to the Supervisor, the Program Assistant performs various long term support fiscal functions including Children's Long Term Support (CLTS) billing, claim reconciliation, HSRS reporting, processes re-certification/6 month review documents, prepares program projections, waiting lists, and unit statistics, etc.

Key Responsibilities

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Processes annual client specific CLTS re-certification, and 6-month review documents.

Non-Exempt

Blood Borne Pathogen
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- Completes client specific CLTS plans. Includes working with service coordinator to identify services, assigning rates, determining SPCs and service codes, assigning funding sources, entering data in database/TCM, and problem solving with State CLTS staff.
- Provides ongoing support to CLTS Service Coordinators and service providers.
- Facilitates completion of Medicaid and Disability Determination applications for clients of the MH/AODA division.
- Attends morning crisis staffing's.
- Attends weekly MA (Medical Assistance) Third Party Liability Team meetings.
- Processes invoices for client specific services.
- Maintains close working relationship with In-Patient Discharge Planners at hospital and IMD facilities.
- Completes HSRS/HOD State reporting including opening, closing, and updating client specific data both in CORE and in the Waiver module.
- Monthly non-payment TCM (The Clinical Manager) entries.
- Completes client specific, monthly CLTS billing including collection of units of service, determination of hourly and daily rates, and coordination with state and county program personnel.
- Prepares various reports including CLTS projections.
- Reconciles CLTS P-card statements.
- Enters authorizations for CLTS funded services as needed.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned.

Education/Certifications/Experience Requirements

- High school graduate with one to two years accounting experience.
- Associate's Degree in Accounting desirable.

Required or Preferred Skills

- Ability to operate a variety of office equipment including personal computer, computer terminal, typewriter, calculator, photocopier, telephone, etc.
- Ability to add, subtract, multiply, divide, calculate decimals and percents.
- May also require ability to make use of descriptive statistics.
- Ability to comprehend and interpret a variety of documents including client files, HSRS reports, CLTS billing summaries, insurance PRA's (Provider Remittance Advice), program activity logs, letters and other correspondence, records, various internal and external reports, policy and procedure manuals, evaluations, logs, statements, etc.
- Ability to prepare a variety of documents including individual service plans, monthly CLTS & BIW claims, journal entries, letters to families, CLTS related forms, unit statistics, cost share worksheets, level of care (LOC), HSRS data entry, etc.
- Ability to use and interpret department specific terminology such as accounting or medical terminology.
- Ability to communicate effectively verbally and in writing, with inter- and intra-departmental staff members, clients,

outside agency personnel, service providers, and the general public.
- Ability to lift, carry, push, pull; or otherwise move objects up to 25 pounds, understanding and utilizing proper body mechanics.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

FUND: HEALTH & HUMAN SERVICES 206 COST CENTER NAME: HEALTH & HUMAN SERVICES

DEPARTMENT NAME: HEALTH & HUMAN SERVICES COST CENTER NUMBER: 2063060, 2063065, 2063090

POSITION COUNT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT	2024 FT	2024 PT
REGULAR POSITIONS:										
COST CENTER 2063065										
HOMEMAKER AIDE	11	0	11	0	11	0				
SUPERVISOR: SUPPORTIVE HOME CARE	1	0	1	0	1	0	1			
COST CENTER TOTALS	12	0	12	0	12	0	12	0		
COST CENTER ~~2063090 & 2063595~~ 2063595										
COMMUNITY SUPPORT SPECIALIST ^^	6	0	7	0	7	0	10	0		-0
COMMUNITY SUPPORT SPECIALIST ^^ - LEAD					1	0	1	0		
~~MANAGER AGING & LONG TERM SUPPORT~~	~~1~~	~~0~~	~~1~~	~~0~~	1	0	1	0		
SUPERVISOR CLTS					1	0	1	0		
COST CENTER TOTALS	6	0	7	0	10	0				3-0

^ ADRC Function cc2063100

^^ Two of these positions are based on FTE per Res. 171-2001-2002

Transfer 2063090 to 2063595						
Manager Aging & Long Term Support	1-0	1-0	1-0	1-0		
Community Support Specialist - Lead	2-0	2-0	2-0	2-0	3-0	

Supervisor Gabrielson moved, seconded by Supervisor McCabe to approve Resolution Nos. 65, 66, 67, 68, 69, 70—2022-23.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NOS. 65, 66, 67, 68, 69, 70—2023-24 ARE ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 11-6-23 County Board Meeting - November 6 2023 05:38:54 PM OpenMeeting

November 6, 2023 County Board Meeting

Resolution No. 68—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2063100, by creating three (3) full-time Benefit Specialist - Disability positions (sunset positions) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 68—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 11-6-23 County Board Meeting - November 6 2023 05:38:54 PM OpenMeeting

November 6, 2023 County Board Meeting

RESOLUTION NO.: 68—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The County Executive has requested the following Department of Health and Human Services Table of Organization change, and the same has been made a part of the 2024 County Executive Budget:

Create: Three (3) Full-Time Benefit Specialist - Disability Positions (sunset positions)

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby and herewith authorize and approve of amending the Table of Organization for the Department of Health and Human Services, cost center 2063100, by creating three (3) full-time Benefit Specialist - Disability positions (sunset positions) effective January 1, 2024, as described in the attached Position Addition Form, Position Description, and Table of Organization, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the fiscal change has been included in the aforementioned budget as well as attendant budget expenditures and revenues as are detailed in the attached documents, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Health and Human Services Director, and the Outagamie County Finance Director.

Dated this 6th day of November 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11-9-23

Vetoed: _____

Signed: _____
County Executive

POSITION ADDITION FORM		
Completion Checklist		
o A visual of your proposed Table of Organization o Job description/class specification for the position request below, highlighting any changes		
Request Details		
Effective Date of Requested Change:	**1/1/2024**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2063100**	
Position Title:	**Benefit Specialist - Disability**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Non-Exempt**	
Pay Grade of Position:	**145**	
Estimated Starting Step:	**1**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? Enter number of positions.	**Full Time:**	**3**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?		
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
There are 3 existing Disability Benefit Specialist positions. They currently are Valley Packaging positions that are contracted for Outagamie County. We are proposing these 3 positions become Outagamie County full-time positions. Staff make varied wages $59,410/year and $59,710/year, with one vacant position. I am recommending Grade 25 – Non-Exempt. **This position is responsible for legal decisions and works closely with the Disability Rights Attorney to do their work. It requires a skilled person to work through issues/denials/appeals of benefits and alongside a program attorney to advise and guide our consumers through the process and advocate on their behalf.** **In 2022, the Disability Benefit Specialists served 992 unduplicated consumers with 1731 contacts. Their Monetary Impact on benefits was $1,869,831. Monetary Impact, recorded at time of case closure, is the estimated value of any benefits that a Disability Benefit Specialist helped a consumer to obtain or preserve. These individuals have a significant role with those in need of assistance with their disability benefits.**		
Employee(s) Impacted By This Change (if no one in position - leave blank)		
Fiscal Data		

How will this position be funded (choose from drop-down list)?		Grants
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	182,793
Fringe Benefits	$	102,150
Travel/Training	$	-
Supplies - IT	$	954
Supplies - Other		
Purchased Services - IT	$	6,720
Purchased Services - Other	$	-
Capital Outlay		
TOTAL EXPENDITURES	$	292,617
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
ADRC Grant	$	(292,617)
	$	-
TOTAL COST SAVINGS/REVENUES	$	(292,617)
NET COUNTY COST (Levy/Fund Bal)	$	-

Disability Benefit Specialist (ADRC)

Position Purpose

Reporting to the Aging and Disability Resource Center (ADRC) and under the direction of the legal services provider, the Benefit Specialist provides benefit counseling and advocacy to individuals between the ages of 18 and 59 years with developmental disabilities, physical disabilities, or a mental illness in order to assure that they receive information about, assistance in, and accessing the public and private benefits for which they are eligible.

Key Responsibilities

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Informs, educates and counsels consumers and their families on available rights, services, entitlements and benefits.
- Provides accurate and current information on a comprehensive array of private and government benefits and programs, and provides technical assistance about how to access such benefits.
- Interprets and maintains a current knowledge in the areas of health care financing, income maintenance, community based services, and prescription drug coverage.
- Assists potential applicants for private and government benefits and programs to locate and gather verifying data, both financial and non-financial.
- Refers consumers to other service providers, private bar for legal representation, employment, and other disability-related counseling and services as necessary.
- Provides information on consumer rights, complaints, grievance and appeal processes.
- Provides advice and assistance in preparing and filing complaints, grievances and appeals at the local and state levels, as well as beyond.
- Provides legal advocacy and representation in matters that require review, waiver, reconsideration, or hearing before administrative agencies.
- Consults regularly with the designated DBS Program Attorney to determine appropriate interpretation of law or regulation and appropriate action to assist in resolution of client issues.

- Compiles required statistical records; assures accurate data entry into mandated computer software.
- Maintains public relations role through public speaking, written press releases, newsletter articles, etc.
- Documents and maintains current consumer activity files for reporting purposes and service outcome effectiveness.
- Maintains consumer confidentiality.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned.

Education/Certifications/Experience Requirements

- Requires a Bachelor's degree in a health or human services related field.
- One to two years experience working with public benefits, insurance, and/or the legal system. The ability to read, interpret, and apply regulations governing eligibility for benefits.

Required or Preferred Skills

- Ability to operate a variety of office equipment including computer with printer, typewriter, calculator, photocopier, telephone system with voice mail, and fax machine.
- Ability to research and investigate problems, and advocate on behalf of consumers.
- Ability to add, subtract, multiply, divide, and calculate decimals and percentages.
- Ability to comprehend and interpret applications information and documents including Medicare, Social Security, Medical Assistance, tax forms, bank statements, insurance payment forms, etc.
- Ability to prepare written documents including press releases, consumer files, statistical reports, etc.
- Ability to use and interpret medical and legal terminology, and knowledge of services and resources for persons with disabilities.

- Ability to communicate effectively with service organizations, health care providers, insurance company representatives, the general public, etc. verbally and in writing.
- Ability to listen, communicate and be sensitive to older persons and their needs.
- Ability to work independently and make sound judgments.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

FUND: HEALTH & HUMAN SERVICES 206 COST CENTER NAME: HEALTH & HUMAN SERVICES

DEPARTMENT NAME: HEALTH & HUMAN SERVICES

POSITION COUNT REGULAR POSITIONS:	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT
AGING AND LONG TERM SUPPORT								
COST CENTER 2063005								
~~BENEFIT SPECIALIST *~~	2	0	2	0	2	0	2	0
SUPERVISOR: AGING SERVICES *	1	0	1	0	1	0	1	0
COST CENTER TOTALS	3	0	3	0	3	0	3	0
COST CENTER 2063100								
~~SENIOR SUPPORT SPECIALIST *~~	5	0	5	0	5	0	5	0
COST CENTER TOTALS	5	0	5	0	5	0	5	0
COST CENTER 2063050								
FOOD TRANSPORTER	0	6	0	6	0	6	0	6
HUMAN SERVICES SPECIALIST III	0	0	0	0	0	0	0	0
NUTRITION COORDINATOR	0	1	0	1	0	1	0	1
SITE MANAGER	0	6	0	6	0	6	0	6
~~SUPPORT SPECIALIST III~~	0	0	0	0	0	0	0	0
	0	13	0	13	0	13		
COST CENTER 2063060								
COMMUNITY SUPPORT SPECIALIST *	7	0	7	0	7	0	8	0
PSYCHIATRIC RN	1	0	1	0	1	0	0	0
SOCIAL WORK SPECIALIST I - V	1	0	0	0	0	0	0	0
SOCIAL WORK SPECIALIST I - V *	1	0	1	0	1	0	0	0
SUPERVISOR: AGING SERVICES UNIT	0	0	1	0	1	0	1	0
COST CENTER TOTALS	10	0	10	0	10	0	9	0

~~ADRC Function CC#63100~~

Supervisor Gabrielson moved, seconded by Supervisor McCabe to approve Resolution Nos. 65, 66, 67, 68, 69, 70—2022-23.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NOS. 65, 66, 67, 68, 69, 70—2023-24 ARE ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Board Meeting - November 6 2023 05:38:54 PM

November 6, 2023 County Board Meeting

OpenMeeting

Resolution No. 69—2023-24 – Legislative/Audit & Human Resources Committee. Amend the Health and Human Services Table of Organization, cost center 2063595, by creating three (3) full-time Case Manager Positions (sunset positions) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 69—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES ABSENT	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 11-6-23 County Board Meeting - November 6 2023 05:38:54 PM OpenMeeting

November 6, 2023 County Board Meeting

RESOLUTION NO.: 69—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The County Executive has requested the following Department of Health and Human Services Table of Organization change, and the same has been made a part of the 2024 County Executive Budget:

Create: Three (3) Full-Time Case Manager Positions (sunset positions)

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby and herewith authorize and approve of amending the Table of Organization for the Department of Health and Human Services, cost center 2063595, by creating three (3) full-time Case Manager positions (sunset positions) effective January 1, 2024, as described in the attached Position Addition Form, Position Description, and Table of Organization, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the fiscal change has been included in the aforementioned budget as well as attendant budget expenditures and revenues as are detailed in the attached documents, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Health and Human Services Director, and the Outagamie County Finance Director.

Dated this 6th day of November 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11/9/23

Vetoed: _____

Signed: _____
County Executive

POSITION ADDITION FORM		
Completion Checklist		
o A visual of your proposed Table of Organization o Job description/class specification for the position request below, highlighting any changes		
Request Details		
Effective Date of Requested Change:	**1/1/2024**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2063595**	
Position Title:	**Case Manager (previously Community Support Specialist (CLTS)**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Exempt**	
Pay Grade of Position:	**145**	
Estimated Starting Step:	**1**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? Enter number of positions.	**Full Time:**	**3**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?		
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		

The ALTS Division is requesting 3 Community Support Specialists in the Children's Long Term Support (CLTS) Program for 2024 – 1 in the Second Quarter, 1 in the 3rd Quarter, and one in the 4th Quarter responding to the demand of the Program. These positions will help reduce the waitlist for services for those children who have a disability and need support. The Department of Health Services is supporting and directing Counties to have no child waiting for services. The CLTS Program allows for these positions to bill their Service Coordination time to the funding that is given for the Program, therefore these positions support themselves with little to no levy impact. **In 2022, the Outagamie County CLTS Program served 597 children with receiving 187 referrals throughout the year. This is compared to 488 childrenwith receiving 139 referrals throughout the year in 2021. Currently, the program has 75 children on the waitlist.** **The CLTS Program has grown at a fast and steady pace after the initiative started on no children waiting for services. Across the State, the enrollment for the CLTS Program went from 6114 in 2017 to 18,169 in 2022. There are timelines that Outagamie County must meet for enrollment such as: have contact with the family within 10 days of the referral, meet with the family to do the assessment within 45 days, and enroll within 60 days. With these short timelines, Outagamie County needs to keep on top of hiring so we can complete our tasks within the requirement. Community Support Specialists carry a 45 child caseload.**
Employee(s) Impacted By This Change (if no one in position - leave blank)
Fiscal Data

How will this position be funded (choose from drop-down list)?		**Non-Levy (Chgs for Service)**
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**182,793**
Fringe Benefits	$	**102,150**
Travel/Training	$	-
Supplies - IT	$	**978**
Supplies - Other	$	**3,876**
Purchased Services - IT	$	**8,595**
Purchased Services - Other	$	-
Capital Outlay	$	**7,026**
TOTAL EXPENDITURES	$	**305,418**
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
State and Federal CLTS Revenue	$	**(305,418)**
	$	-
TOTAL COST SAVINGS/REVENUES	$	**(305,418)**
NET COUNTY COST (Levy/Fund Bal)	$	-

Community Support Specialist (DHHS-ALTS)

Class Title
Community Support Specialist (DHHS-ALTS)
Class Code
6320-2
Salary
$53,248.00 - $64,958.00 Annually

- DEFINITION
- BENEFITS

Position Purpose

Reporting to the respective program supervisor, the Community Support Specialist serves as a point of contact for participants, customers, and/or clients performing related duties toward the objectives and goals of the division.

Key Responsibilities

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Obtain information from clients, family members, and other agencies to assess needs or degree of disability.
- Provide individuals and family members with information that best meet their needs, goals, and preferences, maintaining a person centered approach while being culturally sensitive.
- Maintain knowledge of vocational, housing, and other community resources.
- Make referrals to other agencies for additional services as requested or as appropriate.
- Maintain working relationships with other human services, medical, and social services agencies at various locations and levels of authority.
- Provide educational presentations to other agencies, organizations, and the general public. Participate in community events and outreach.
- Identify needs in the service delivery system and participate in program development initiatives.
- Attend Unit/Division Meetings, client/customer/participant collaboration meetings, and other meetings as required.
- Maintain clinical files and accurate records, as appropriate, and prepares reports as required for coordination of the case and in accordance with State and Medical Assistance guidelines.
- Perform timely documentation within 3 business days and maintain required productivity rates.
- Maintain regular and predictable attendance. Works overtime/extra hours as needed.
- Perform other duties as assigned.

Community Support Specialists assigned to Guardianships and Protective Placements will also perform the following:

- Receive and screen referrals for clients in need of protective services to include guardianship, conservatorship, POA's, protective placement and/or protective services.
- Determine through interviews, evaluations and consultations the range of services needed for an individual, explaining the results of diagnostic and evaluation to an individual, family and proposed guardians.
- Interview potential individuals for their ability and interest in serving as a guardian. Secure and interpret background and credit checks.
- Provide court related services including preparing of petitions, writing of court reports, court conditions, providing testimony and other related paperwork.
- Provide support, education, and technical services to assist individuals, guardians, and agencies (MCOs, ICAs, medical personnel and residential providers) in understanding protective services.
- Responsible for authorizing payment of corporate guardian fees.
- Maintain accurate records and prepare reports and documentation for court proceedings.
- Investigate and complete Review of Conduct of Guardian petitions as needed.
- Complete intercountry agreements as required.
- Participate in Order to Show Cause Hearings and follow up as directed by the court.
- Work closely with Corporation Counsel, Register in Probate, involved attorneys and Courts.
- Complete the Annual Protective Placement Reviews and other reports as required for individuals under guardianship and/or protective placement.
- Maintain working knowledge of the court rules, guardianship tutorials, providing input for updates as needed.
- Actively participate in supporting the guardians in completing their duties to include trainings, meetings and one to one support as needed.

Community Support Specialists assigned to ADRC will also perform the following:

- Provide information and assistance to older adults, people with disabilities, and their families, friends, caregivers and others who ask for assistance on their behalf.
- Assess needs and provide information in accordance with a person-centered approach.
- Determine functional eligibility for Long-term Care and assist with financial eligibility for Long-term Care. Perform an assessment and interpret results to determine eligibility for program.
- Provide solution based problem solving for clients who are in need to help live their best quality of life.
- Provide referrals or assistance in accessing public and private resources.

- Provide Enrollment and Disenrollment counseling to consumers seeking enrollment or disenrollment from Wisconsin's managed long-term care options: Family Care, Family Care Partnership, or IRIS).
- Evaluate the need for other ADRC services such as benefit counseling, health promotion, nutrition programing, and dementia related services.
- Provide follow up within 24 hours to customers, along with options counseling developed by DHS tailored to their specific needs and preferences.
- Provide caregiver supports and education resources.
- Complete intercountry agreements as required.
- Assist with the transition process for children with disabilities turning 18 years old.
- Certification as an adult Long Term Care Functional Screener is required and will be provided upon training and testing. Recertification is required every two years.

Community Support Specialists assigned to the Children's Long Term Support Program will also perform the following:

- Receive and screen referrals for children with disabilities.
- Perform an assessment and interpret results to determine eligibility for program.
- Provide ongoing case management and service coordination to families and children enrolled in the program.
- Assess needs and provide information and services to meet the needs using a person-centered approach.
- Provide support, education, and technical services to assist families, individuals, and agencies in caring for the disabled individual.
- Maintain accurate records and prepare reports and documentation for court proceedings.
- Certification as a Children's Long Term Care Functional Screener is required and will be achieved through training and examination.

Education/Certifications/Experience Requirements

- Bachelor of Arts or Science degree or a license to practice as a Registered Nurse. Certification as a Social Worker preferred.
- Two years of experience in a health or human services field, working with one or more of the populations serviced.

Required or Preferred Skills

- Knowledge of and demonstrated ability to conform to goals, policies, and procedures.
- Ability to operate a variety of office equipment including personal computer, photocopier, calculator, and telephone.
- Ability to transport oneself from location to location in an efficient and expedient manner.
- Ability to adhere to professional ethics and standards.

- Skill in organization including paperwork, time management and prioritization of crisis demands.
- Ability to add, subtract, multiply, divide, calculate decimals and percent's, and make use of the principles of descriptive statistics.
- Ability to comprehend and interpret a variety of documents including client records, medical, accident, and other reports; psychological evaluations and other assessment reports, school records, professional literature, policy and procedure manuals, diagnostic manuals, etc.
- Ability to prepare a variety of documents including client records, referrals, court reports, intake and assessment records, case notes, individual treatment plans, letters and other correspondence, etc.
- Ability to use and interpret medical, legal, and counseling terminology related to the specialty.
- Ability to work well in a team environment.
- Ability to communicate effectively with clients and family members, community agencies and service providers, psychiatrists, physicians, other medical professionals, attorneys, Human Services personnel, school personnel, and others verbally and in writing.
- Knowledge of the service delivery system.
- Knowledge of aging, disabilities, and/or mental illness, dependent on assignment, the effects on individuals and families, and the resources available.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

FUND: HEALTH & HUMAN SERVICES 206 COST CENTER NAME: HEALTH & HUMAN SERVICES

DEPARTMENT NAME: HEALTH & HUMAN SERVICES COST CENTER NUMBER: 2063060, 2063065, 2063090

POSITION COUNT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT
REGULAR POSITIONS:								
COST CENTER 2063065								
HOMEMAKER AIDE	11	0	11	0	11	0		
SUPERVISOR: SUPPORTIVE HOME CARE	1	0	1	0	1	0	1	
COST CENTER TOTALS	12	0	12	0	12	0	12	0
COST CENTER ~~2063090 & 2063595~~ 2063595								
COMMUNITY SUPPORT SPECIALIST ^^	6	0	7	0	7	0	10	0
COMMUNITY SUPPORT SPECIALIST ^^ - LEAD					1	0	1	0
~~MANAGER: AGING & LONG TERM SUPPORT~~	~~1~~	~~0~~	~~1~~	~~0~~	1	0	1	0
SUPERVISOR CLTS					1	0	1	0
COST CENTER TOTALS	6	0	7	0	10	0		

* ADRC Function cc2063100

^^ Two of these positions are based on FTE per Res. 171-2001-2002

Cost Center 2063LPC

Manager Aging & Long Term Support 1-0 1-0 1-0 1-0

Community Support Specialist (Mental Health Board) 2-0 2-0 2-0 2-0 3-0

Supervisor Gabrielson moved, seconded by Supervisor McCabe to approve Resolution Nos. 65, 66, 67, 68, 69, 70—2022-23.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NOS. 65, 66, 67, 68, 69, 70—2023-24 ARE ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 05:38:54 PM** OpenMeeting

November 6, 2023 County Board Meeting

Resolution No. 70—2023-24 – Legislative/Audit & Human Resources Committee. Amending the Health and Human Services Department Table of Organization, cost center 2063100, by creating one (1) full-time Case Manager position (sunset position) effective January 1, 2024, and the fiscal change has been included in the budget as well as attendant budget expenditures and revenues, as detailed in the attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 69—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24

Resolution Nos. 65, 66, 67, 68, 69, 70—2023-24 Table of Organization Changes for the 2024 Budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 05:38:54 PM** OpenMeeting

November 6, 2023 County Board Meeting

RESOLUTION NO.: 70—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The County Executive has requested the following Department of Health and Human Services Table of Organization change, and the same has been made a part of the 2024 County Executive Budget:

Create: One (1) Full-Time Case Manager Position (sunset position)

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby and herewith authorize and approve of amending the Table of Organization for the Department of Health and Human Services, cost center 2063100, by creating one (1) full-time Case Manager position (sunset position) effective January 1, 2024, as described in the attached Position Addition Form, Position Description, and Table of Organization, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the fiscal change has been included in the aforementioned budget as well as attendant budget expenditures and revenues as are detailed in the attached documents, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Health and Human Services Director, and the Outagamie County Finance Director.

Dated this 16th day of November 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 11-9-23 Vetoed: _____

Signed: _____
County Executive

POSITION ADDITION FORM		
Completion Checklist		
o A visual of your proposed Table of Organization o Job description/class specification for the position request below, highlighting any changes		
Request Details		
Effective Date of Requested Change:	**1/1/2024**	
Department:	**Health and Human Services**	
Department Head:	**John Rathman**	
Cost Center Number:	**2063100**	
Position Title:	**Case Manager (previously Community Support Specialist)**	
Sunset Position? (Yes or No)	**Yes**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Exempt**	
Pay Grade of Position:	**145**	
Estimated Starting Step:	**1**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	**Full Time:**	**1**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?		
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
Community Support Specialist (CSS): Community Living Specialist (VPI Contracted – bring internal) **The ALTS Division is requesting that this current contracted position be moved from Valley Packaging Contracted position to an Outagamie County position. This Community Living Specialist falls under the Community Support Specialist job description, but focuses on our Nursing Home population. This position will continue its focus but the essential functions of the job fall under the CSS job description. The ADRC Grant will fund this position internally.** **In 2022, the Community Living Specialist received 267 referrals for individuals wanting to leave the Nursing Home and wanting to return home with supports in place. This individual does an assessment and/or provides resources for the individual that they may need in order to return home. We receive these referrals directly through the Nursing Home. This work is extremely important to promote independence in the home and making sure individuals do not live out their life in a Nursing Home if that is not where they want to be.**		
Employee(s) Impacted By This Change (if no one in position - leave blank)		

Fiscal Data		
How will this position be funded (choose from drop-down list)?		**Grants**
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**60,931**
Fringe Benefits	$	**34,050**
Travel/Training	$	-
Supplies - IT	$	**318**
Supplies - Other		
Purchased Services - IT	$	**2,240**
Purchased Services - Other	$	-
Capital Outlay		
TOTAL EXPENDITURES	$	**97,539**
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
ADRC Grant	$	**(97,539)**
	$	-
TOTAL COST SAVINGS/REVENUES	$	**(97,539)**
NET COUNTY COST (Levy/Fund Bal)	$	-

Community Support Specialist (DHHS-ALTS)

Class Title
Community Support Specialist (DHHS-ALTS)
Class Code
6320-2
Salary
$53,248.00 - $64,958.00 Annually

- DEFINITION
- BENEFITS

Position Purpose

Reporting to the respective program supervisor, the Community Support Specialist serves as a point of contact for participants, customers, and/or clients performing related duties toward the objectives and goals of the division.

Key Responsibilities

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Obtain information from clients, family members, and other agencies to assess needs or degree of disability.
- Provide individuals and family members with information that best meet their needs, goals, and preferences, maintaining a person centered approach while being culturally sensitive.
- Maintain knowledge of vocational, housing, and other community resources.
- Make referrals to other agencies for additional services as requested or as appropriate.
- Maintain working relationships with other human services, medical, and social services agencies at various locations and levels of authority.
- Provide educational presentations to other agencies, organizations, and the general public. Participate in community events and outreach.
- Identify needs in the service delivery system and participate in program development initiatives.
- Attend Unit/Division Meetings, client/customer/participant collaboration meetings, and other meetings as required.
- Maintain clinical files and accurate records, as appropriate, and prepares reports as required for coordination of the case and in accordance with State and Medical Assistance guidelines.
- Perform timely documentation within 3 business days and maintain required productivity rates.
- Maintain regular and predictable attendance. Works overtime/extra hours as needed.
- Perform other duties as assigned.

Community Support Specialists assigned to Guardianships and Protective Placements will also perform the following:

- Receive and screen referrals for clients in need of protective services to include guardianship, conservatorship, POA's, protective placement and/or protective services.
- Determine through interviews, evaluations and consultations the range of services needed for an individual, explaining the results of diagnostic and evaluation to an individual, family and proposed guardians.
- Interview potential individuals for their ability and interest in serving as a guardian. Secure and interpret background and credit checks.
- Provide court related services including preparing of petitions, writing of court reports, court conditions, providing testimony and other related paperwork.
- Provide support, education, and technical services to assist individuals, guardians, and agencies (MCOs, ICAs, medical personnel and residential providers) in understanding protective services.
- Responsible for authorizing payment of corporate guardian fees.
- Maintain accurate records and prepare reports and documentation for court proceedings.
- Investigate and complete Review of Conduct of Guardian petitions as needed.
- Complete intercountry agreements as required.
- Participate in Order to Show Cause Hearings and follow up as directed by the court.
- Work closely with Corporation Counsel, Register in Probate, involved attorneys and Courts.
- Complete the Annual Protective Placement Reviews and other reports as required for individuals under guardianship and/or protective placement.
- Maintain working knowledge of the court rules, guardianship tutorials, providing input for updates as needed.
- Actively participate in supporting the guardians in completing their duties to include trainings, meetings and one to one support as needed.

Community Support Specialists assigned to ADRC will also perform the following:

- Provide information and assistance to older adults, people with disabilities, and their families, friends, caregivers and others who ask for assistance on their behalf.
- Assess needs and provide information in accordance with a person-centered approach.
- Determine functional eligibility for Long-term Care and assist with financial eligibility for Long-term Care. Perform an assessment and interpret results to determine eligibility for program.
- Provide solution based problem solving for clients who are in need to help live their best quality of life.
- Provide referrals or assistance in accessing public and private resources.

- Provide Enrollment and Disenrollment counseling to consumers seeking enrollment or disenrollment from Wisconsin's managed long-term care options: Family Care, Family Care Partnership, or IRIS).
- Evaluate the need for other ADRC services such as benefit counseling, health promotion, nutrition programing, and dementia related services.
- Provide follow up within 24 hours to customers, along with options counseling developed by DHS tailored to their specific needs and preferences.
- Provide caregiver supports and education resources.
- Complete intercountry agreements as required.
- Assist with the transition process for children with disabilities turning 18 years old.
- Certification as an adult Long Term Care Functional Screener is required and will be provided upon training and testing. Recertification is required every two years.

Community Support Specialists assigned to the Children's Long Term Support Program will also perform the following:

- Receive and screen referrals for children with disabilities.
- Perform an assessment and interpret results to determine eligibility for program.
- Provide ongoing case management and service coordination to families and children enrolled in the program.
- Assess needs and provide information and services to meet the needs using a person-centered approach.
- Provide support, education, and technical services to assist families, individuals, and agencies in caring for the disabled individual.
- Maintain accurate records and prepare reports and documentation for court proceedings.
- Certification as a Children's Long Term Care Functional Screener is required and will be achieved through training and examination.

Education/Certifications/Experience Requirements

- Bachelor of Arts or Science degree or a license to practice as a Registered Nurse. Certification as a Social Worker preferred.
- Two years of experience in a health or human services field, working with one or more of the populations serviced.

Required or Preferred Skills

- Knowledge of and demonstrated ability to conform to goals, policies, and procedures.
- Ability to operate a variety of office equipment including personal computer, photocopier, calculator, and telephone.
- Ability to transport oneself from location to location in an efficient and expedient manner.
- Ability to adhere to professional ethics and standards.

- Skill in organization including paperwork, time management and prioritization of crisis demands.
- Ability to add, subtract, multiply, divide, calculate decimals and percent's, and make use of the principles of descriptive statistics.
- Ability to comprehend and interpret a variety of documents including client records, medical, accident, and other reports; psychological evaluations and other assessment reports, school records, professional literature, policy and procedure manuals, diagnostic manuals, etc.
- Ability to prepare a variety of documents including client records, referrals, court reports, intake and assessment records, case notes, individual treatment plans, letters and other correspondence, etc.
- Ability to use and interpret medical, legal, and counseling terminology related to the specialty.
- Ability to work well in a team environment.
- Ability to communicate effectively with clients and family members, community agencies and service providers, psychiatrists, physicians, other medical professionals, attorneys, Human Services personnel, school personnel, and others verbally and in writing.
- Knowledge of the service delivery system.
- Knowledge of aging, disabilities, and/or mental illness, dependent on assignment, the effects on individuals and families, and the resources available.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

FUND: HEALTH & HUMAN SERVICES 206 COST CENTER NAME: HEALTH & HUMAN SERVICES

DEPARTMENT NAME: HEALTH & HUMAN SERVICES

POSITION COUNT REGULAR POSITIONS:	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT
AGING AND LONG TERM SUPPORT								
COST CENTER 2063005								
~~BENEFIT SPECIALIST *~~	2	0	2	0	2	0	2	0
SUPERVISOR: AGING SERVICES *	1	0	1	0	1	0	1	0
COST CENTER TOTALS	3	0	3	0	3	0	3	0
COST CENTER 2063100								
~~SENIOR SUPPORT SPECIALIST *~~	5	0	5	0	5	0	5	0
COST CENTER TOTALS	5	0	5	0	5	0	5	0
COST CENTER 2063050								
FOOD TRANSPORTER	0	6	0	6	0	6	0	6
HUMAN SERVICES SPECIALIST III	0	0	0	0	0	0	0	0
NUTRITION COORDINATOR	0	1	0	1	0	1	0	1
SITE MANAGER	0	6	0	6	0	6	0	6
~~SUPPORT SPECIALIST III~~	0	0	0	0	0	0	0	0
	0	13	0	13	0	13		
COST CENTER ~~2063060~~								
COMMUNITY SUPPORT SPECIALIST *	7	0	7	0	7	0	8	0
PSYCHIATRIC RN	1	0	1	0	1	0	0	0
SOCIAL WORK SPECIALIST I - V	1	0	0	0	0	0	0	0
SOCIAL WORK SPECIALIST I - V *	1	0	1	0	1	0	0	0
SUPERVISOR: AGING SERVICES UNIT	0	0	1	0	1	0	1	0
COST CENTER TOTALS	10	0	10	0	10	0	9	0

LOCK IN OF RESOLUTION NO. 71—2023-24.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 71—2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution 71--2023-24 Lock In

Resolution 71--2023-24 Lock In

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 11-6-23 County Board Meeting - November 6 2023 06:29:07 PM OpenMeeting

November 6, 2023 County Board Meeting

RECONSIDERATION OF RESOLUTION NO. 71—2023-24.

Supervisor Thiede moved, seconded by Supervisor Krueger, to reconsider Resolution No. 71—2023-24 for the purpose of lock in.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 71—2023-24 IS RECONSIDERED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution 71--2023-24 Reconsideration

Resolution 71--2023-24 Reconsideration

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 06:28:56 PM** OpenMeeting

November 6, 2023 County Board Meeting

Resolution No. 71—2023-24 – Finance Committee. Enabling Tax Levy Resolution for 2023, collected in 2024.

Supervisor Miller moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 71—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution 71--2023-24 Reconsideration

Resolution 71--2023-24 Reconsideration

Passed By Majority Vote

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 06:28:56 PM** OpenMeeting

November 6, 2023 County Board Meeting

RESOLUTION NO.: 71—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Outagamie County Executive has presented the 2024 Budget to the Outagamie County Board of Supervisors. The Outagamie County Board of Supervisors has completed its review, revisions and adoption of the 2024 Budget for Outagamie County.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the following be and is hereby declared the tax levy for 2023, collected in 2024:

1.	There is levied upon the taxable property of Outagamie County the sum of for State Tax (Forestry purposes).	N/A – 2024 Budget
2.	There is levied upon the taxable property of Outagamie County the sum of for debt service, all bonds, and notes legally required.	$9,528,739.00
3.	There is levied upon the taxable property of Outagamie County the sum of for libraries. The Cities of Appleton, Kaukauna, New London – 1st and 2nd Wards, and Seymour, and the Villages of Black Creek, Fox Crossing, Hortonville, Howard, Kimberly, Little Chute, Shiocton, and Wrightstown are not included.	$2,019,532.00
4.	There is levied upon the taxable property of Outagamie County the sum of for public health services. The City of Appleton is not included.	$1,807,565.00
5.	There is levied upon the taxable property of Outagamie County the sum of for County and Town Aid Bridges, excluding the Cities of Appleton, Kaukauna, New London – 1st and 2nd Wards, Seymour and the Villages of Howard, Fox Crossing Shiocton, and Wrightstown.	$250,000.00
6.	There is levied upon the taxable property of Outagamie County the sum of for all other services provided.	$53,981,219.00
	GRAND TOTAL OF ALL TAXES	$67,587,055.00

BE IT FURTHER RESOLVED, that this budget shall comply with all state rules and regulations and that should the final calculations create a noncompliant budget, it is therefore authorized that adjustments to the Reserve for Contingency be made to correct the unanticipated error, and

BE IT FINALLY RESOLVED, that the Outagamie County Executive and Outagamie County Clerk are hereby authorized to correct any apparent clerical errors, which may be discovered in the Budget in writing up the proceedings of the Board.

Dated this 16th day of November, 2023.

Respectfully Submitted,
FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11 9 23

Vetoed: _____

Signed: _____
County Executive

RESOLUTION No. XX - xx-xx
LEVY AS PROPOSED BY FINANCE COMMITTEE

Number	PURPOSE	AMOUNT	TOTAL AMOUNT
1	**STATE FORESTRY TAX**		0.00
	COUNTY TAX LEVY		
2	DEBT SERVICE	9,528,739.00	
3	LIBRARIES AID	2,019,532.00	
4	PUBLIC HEALTH	1,807,565.00	
5	TOWN AID BRIDGES	250,000.00	
6	OTHER SERVICES	53,981,219.00	
	TOTAL COUNTY TAXES	67,587,055.00	67,587,055.00
	GRAND TOTAL ALL TAXES		67,587,055.00

BUDGET YEAR	EQUALIZED VALUE	COUNTY TAX LEVY	RATE/ $1,000
2024	**23,246,440,000.00**	**67,587,055.00**	**2.9074153**
2023	**20,402,530,900.00**	**65,992,158.00**	**3.2345084**
CHANGE		**1,594,897.00**	**(0.3270931)**
% CHANGE		**2.42%**	**-10.11%**

IMPACT OF TAX LEVY ON AVERAGE HOMEOWNER

BUDGET YEAR	AVERAGE HOME VALUE	TAX RATE/$1,000	TAXES	% INCREASE
2024	**254,326**	**2.9074153**	**739.43**	
2023	**224,076**	**3.2345084**	**724.78**	
			14.65	**2.02%**

LOCK IN OF RESOLUTION. NO. Z-6—2023-24

Vote for lock in. ROLL CALL: 33 yes, 3 absent. RESOLUTION. NO. Z-6—2023-24 IS ADOPTED AND LOCKED IN.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution No. Z-6—2023-24 - Lock In

Lock in of Resolution No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

11-6-23 County Board Meeting - November 6 2023 06:38:56 PM

November 6, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION. NO. Z-6—2023-24

Supervisor Thiede moved, seconded by Supervisor Wegand, to reconsider the Resolution No. Z-6—2023-24, for the purpose of lock in.

Vote for reconsideration. ROLL CALL: 33 yes, 3 absent. RESOLUTION. NO. Z-6—2023-24 IS RECONSIDERED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution No. Z-6—2023-24 - Reconsideration

Reconsideration of Resolution No. Z-6--2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

11-6-23 County Board Meeting - November 6 2023 06:38:47 PM

November 6, 2023 County Board Meeting

OpenMeeting

Resolution No. Z-6—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Ione Immel, Ione Berg, Bergstrom Properties Inc., and Town of Grand Chute for parcels 102114800, 102114700, 102114600, 102114501, 102114500, 102114400, 102114300, 102114200, 102114100, 101078001, and part of 101078000, from the Single-Family Residential District and the Two-Family Residential District to the Local Commercial District in the Town of Grand Chute, as noted on the attachments.

Supervisor Lautenschlager moved, seconded by Supervisor Weinberg, for adoption.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. Z-6—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution No. Z-6—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for ... **Passed With Majority of Full Membership**
and Town of Grand Chute for parcels 102114800, 102114700, 102114600, 102114501, 102114500, 102114400, 102114300, 102114200, 102114100, 101078001, and part of 101078000, from the Single-Family Residential District and the Two-Family Residential District to the Local Commercial District in the Town of Gra...

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 06:37:38 PM** OpenMeeting
November 6, 2023 County Board Meeting

RESOLUTION NO.: Z-6—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Grand Chute has adopted a comprehensive Zoning Ordinance separate from that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that all zoning amendments made by the Town of Grand Chute be approved by Outagamie County before they are effective. The Outagamie County Planning Staff and Zoning Committee both recommend approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the proposed rezoning request for Ione Immel, Ione Berg, Bergstrom Properties Inc., and Town of Grand Chute. The proposed rezoning is for parcels 102114800, 102114700, 102114600, 102114501, 102114500, 102114400, 102114300, 102114200, 102114100, 101078001, and part of 101078000, from the Single-Family Residential District and the Two-Family Residential District to the Local Commercial District. The parcels are located south of West Capitol Drive in the Town of Grand Chute, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Zoning Administrator and the Town of Grand Chute Clerk, the Town of Grand Chute Community Development Director, and the Town of Grand Chute Community Development Administrative Assistant.

Dated this 6th day of November, 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11.9.23

Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
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MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **October 16, 2023**
RE: **PL202300473: Rezoning – Town, Review and Recommendation**

Application Details:

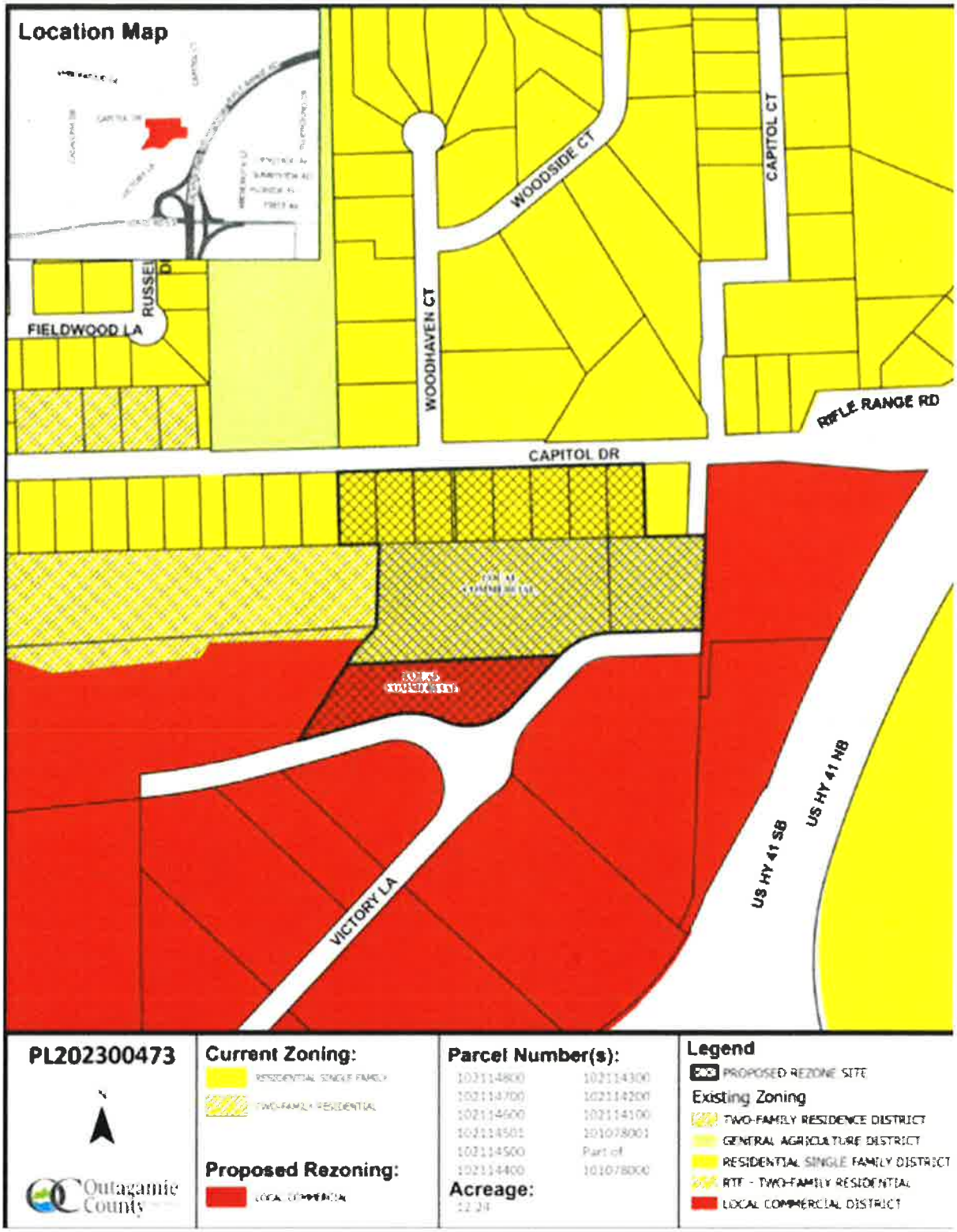
Applicant and Owner:	The Town of Grand Chute, Applicant on behalf of Ione Immel, Ione Berg, Bergstrom Properties Inc., and Town of Grand Chute (Owners)
Request:	Rezoning - Town
Parcels:	102114800, 102114700, 102114600, 102114501, 102114500, 102114400, 102114300, 102114200, 102114100, 101078001, and part of 101078000 [1]
Location:	South of W. Capitol TOWN OF GRAND CHUTE
Public Hearing:	September 19, 2023 at 6:00 PM held by the Town of Grand Chute

Background:
A Town Rezoning request was received from the Town of Grand Chute, as depicted on the attached Rezoning Map. The proposal would rezone a series of parcels totaling approximately 12.24 acres from the Single-Family Residential District and the Two-Family Residential District to the Local Commercial District. The rezoning would accommodate future development permitted in the Local Commercial District. More information is included in Town of Grand Chute staff memo.
The Town of Grand Chute exercises village powers and adopted General Town Zoning. The Town of Grand Chute is required to find this rezoning consistent with its Comprehensive Plan. They have identified the rezoning to be consistent with its Plan, which designates this area as "Urban."

[1] Note: There was a typo in Grand Chute materials listing parcel 101078000 as 1011078000 (a parcel that does not exist). As confirmed by Town and County staff, the full metes and bounds legal description provided in the materials was correct and was used to process the rezoning request at the Town and County level.

The Town Board voted to approve the rezoning request on October 3, 2023.

Staff Recommendation:
Based on County planning staff's review of this proposed Town Rezoning, Staff recommends to: approve the rezoning of parcels 102114800, 102114700, 102114600, 102114501, 102114500, 102114400, 102114300, 102114200, 102114100, 101078001, and part of 101078000 from the Single-Family Residential District and the Two-Family Residential District to the Local Commercial District.


Location Map
WOODSIDE CT
CAPITOL CT
WOODHAVEN CT
RIFLE RANGE RD
CAPITOL DR
FIELDWOOD LA
VICTORY LA
US HY 41 SB
US HY 41 NB
PL202300473
Outagamie County
Current Zoning:
Proposed Rezoning:
Parcel Number(s):
Acreage:
Legend
PROPOSED REZONE SITE
Existing Zoning
TWO-FAMILY RESIDENCE DISTRICT
GENERAL AGRICULTURE DISTRICT
RESIDENTIAL SINGLE FAMILY DISTRICT
RTF - TWO-FAMILY RESIDENTIAL
LOCAL COMMERCIAL DISTRICT

40/1.

Town of Grand Chute
Rezoning Request
Ione Immel-Berg, Bergstrom Properties, Inc., and the Town of Grand Chute

To: Plan Commission

From: Michael Patza, Community Development Director

Date: September 14, 2023

Address: Multiple Properties Located South of W. Capitol Drive — App. #: Z-06-2023
Tax Key Parcel Numbers: 102-114800, 102-114700, 102-114600, 102-114501, 102-114500, 102-114400, 102-114300, 102-114200, 102-114100, 101-078001, and part of 101-1078000

REQUEST
The applicant is requesting to rezone the referenced property from **RSF Single-Family Residential District and R-2 Two-Family Residence District to CL Local Commercial District,** to accommodate a future development

ANALYSIS
The request is to rezone approximately 12.24 acres of land located south of W. Capitol Drive and north of N. Victory Lane to CL Local Commercial District. The majority of the property requested for rezoning (10.63 acres) is owned by Ione Immel-Berg, 1.55 acres is owned by Bergstrom Properties, Inc., and 0.05 acres owned by the Town of Grand Chute, which is comprised of a vacated pedestrian way (vacation documentation attached and additional details provided below). As shown in the attached Environmental Conditions Map, a navigable stream runs through the north and west portions of the subject properties and has areas of floodplains and wetlands on both sides that will limit any future development of those areas. Additionally, areas within 75' on either side of the navigable stream (shown in blue crosshatch) are not able to be developed. Future development will be subject to the provisions included in the Town of Grand Chute Stormwater Ordinance and restrictions of the Shoreland Zoning District regulated by Outagamie County. Additionally, future development will require separate Site Plan approval and will be subject to the provisions in the Zoning Code that provide additional landscaping/screening requirements for development directly adjacent to residential properties.

The small portion of land owned by the Town of Grand Chute will need to be deeded back to the adjacent property owner to accommodate the Certified Survey Map that was submitted with the rezoning request to combine all of the subject properties. Public Works staff confirmed there is no need for this land for future utilities. Additionally, areas of existing right-of-way that would provide a future street connection to W. Capitol Drive are already in place to the east and west. A request to authorize a Quit Claim Deed will go before the Town Board for consideration.

The rezoning request is compatible with the zoning classifications of the adjacent commercial properties to the south. Rezoning of this property to CL Local Commercial District classification is consistent with the Urban designation for this district as identified in the Town of Grand Chute Comprehensive Plan

RECOMMENDATION
Staff has reviewed and supports a Plan Commission recommendation to rezone multiple properties located south of W. Capitol Drive from RSF Single-Family Residential District and R-2 Two-Family Residence District to CL Local Commercial District. (Ordinance No. O-12-2023)

Ordinance No. Z-7—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the Outagamie County Comprehensive Plan to adopt the Bicycle and Pedestrian Plan as Addendum 3 of Outagamie County's Comprehensive Plan, as noted on the ordinance and in the review of Exhibit 1.

Supervisor Koury moved, seconded by Supervisor VanderHeiden, for adoption.

ROLL CALL: 33 yes, 3 absent. ORDINANCE NO. Z-7—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 1 NO 0 ABSTAIN 3 ABSENT

Ordinance No. Z-7—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the Bicycle and Pedestrian Plan as Addendum 3 of Outagamie County's Comprehensive Plan, as noted on the ordinance and in the review of Exhibit 1. **Passed With Majority of Full Membership**

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	NO	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 06:39:39 PM**
November 6, 2023 County Board Meeting
OpenMeeting

ORDINANCE NO.: Z-7—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY COMPREHENSIVE PLAN. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 66.1001(4) of the Wisconsin State Statutes.

Outagamie County Planning Staff review recommends approval of proposed comprehensive plan amendment. The Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following ordinance.

BE IT ORDAINED that the Outagamie County Board of Supervisors does recommend the attached proposed amendment to the Outagamie County Comprehensive Plan to adopt the Bicycle and Pedestrian Plan as Addendum 3 of Outagamie County's Comprehensive Plan, as reflected in the review of Exhibit 1.

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in Outagamie County upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this Ordinance to the Outagamie County Department of Development and Land Services Director.

Dated this 6th day of November, 2023.

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11-9-23

Vetoed: _____

Signed: _____
County Executive

ZONING COMMITTEE RESOLUTION NO.: PL202300420

RECOMMENDING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR OUTAGAMIE COUNTY, WISCONSIN

WHEREAS, pursuant to 59.69(3) of the Wisconsin Statutes, Outagamie County is authorized to prepare and adopt a comprehensive plan as defined in Section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes, and

WHEREAS, Outagamie County has developed a process to allow for amendments to the Comprehensive Plan, and

WHEREAS, the State Comprehensive Planning Law requires that the County follow the same administrative procedures for adoption defined under Wisconsin Statutes, Section 66.1001(4), to amend the Comprehensive Plan, and

WHEREAS, Outagamie County has held at least one public hearing on this amendment, in compliance with requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW THEREFORE, BE IT RESOLVED, that the Outagamie County Zoning Committee hereby recommends to the County Board that the attached Comprehensive Plan Amendment be adopted pursuant to Wisconsin Statutes Section 66.1001(4).

Adopted this 24 day of October, 2023

Debra Vander Heiden, Committee Chair

Sarah Weinberg, Committee Secretary

Adopted: 5 - 0

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
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MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **September 12, 2023**
RE: **PL202300420: Proposed Outagamie County Comprehensive Plan Amendment**

The *Outagamie County Comprehensive Plan 2040: A Shared Path Forward* (Comprehensive Plan), was adopted in 2020. Occasionally, amendments to the Comprehensive Plan are needed to ensure the document remains up-to-date and relevant. This memorandum discusses a proposed amendment to adopt Outagamie County Bicycle and Pedestrian Plan as Addendum 3.

BACKGROUND:

The Outagamie County Bicycle and Pedestrian Plan (attached) was developed over the 2022-2023 planning period by Toole Design. The Plan contains planning analyses, recommendations, and implementation guidelines to increase walking and biking, to promote safety, and to promote equity.

Development of the Plan was informed by the public and stakeholders who provided input and feedback, by an interdepartmental project management team who provided planning support and technical guidance, and by the County's Greenway Implementation Committee who served as the project's advisory committee.

It is County planning staff's opinion that the proposed amendment to adopt the Bicycle and Pedestrian Plan is consistent with the County's Comprehensive Plan. In particular,

- Goal 1: Integrated land use and transportation system
    - Develop a County Bicycle & Pedestrian strategy, focusing on county policy & infrastructure (e.g. highway ROW and County Parks & Trail system); integrate with municipal plans/local road networks. Incorporate into the County Comprehensive Plan when completed.

The amendment is also consistent with Outagamie County's Comprehensive Outdoor Recreation Plan 2022-2026 (i.e., Addendum 1 of Outagamie County's Comprehensive Plan). In particular, it is consistent with recommendation 3.1.4:

- Develop and incorporate into the Comprehensive Plan an Outagamie County Bicycle and Pedestrian/Trail System Plan to guide County efforts in developing/linking with the regional trail network. Utilize existing regional and local plans in this effort.

STAFF RECOMMENDATION

Planning staff recommends adoption of the proposed County Comprehensive Plan amendment, to adopt the Outagamie County Bicycle and Pedestrian Plan as Addendum 3 of the County's Comprehensive Plan. To do this, the following action is required pursuant to Wis. Stats. 66.1001:

- Zoning Committee adopts a Resolution authorizing the amendments and advancing them to the County Board (Wis. Stats. 66.1001(4)(b)).
- County Board approves an Ordinance adopting the amendments (Wis. Stats. 66.1001(4)(c)).

ATTACHMENTS:

- Attachment 1: Outagamie County Bicycle and Pedestrian Plan



Outagamie County Est. 1851

PENDING ADOPTION
NOVEMBER 2023

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ACKNOWLEDGEMENTS

COUNTY PROJECT MANAGEMENT TEAM

Sadie DiNatale Burda (Project Manager), *Development and Land Services Department*
David DeGrood, *Public Health Division*
Loren Dieck, *Parks Department*
Kevin Englebert, *Development and Land Services Department*
Joe Zellmer, PE, *Highway Department*
Kara Homan, *previously Development and Land Services Department*

GREENWAY IMPLEMENTATION COMMITTEE

Joy Hagen (Chair)
Jason Brozek
John Cuff
Loren Dieck
Sadie DiNatale Burda
James Ecker
Tom Flick
Lee Hammen
Dave Horst
Chad Hoerth
Sue Kinde
James Merten
Kayla Rouse
Dean Steingraber

CONSULTANT TEAM

Sonia Haeckel (Project Manager)
Sarah Davis
Emily Lauderdale
Sara Schooley
Joanna Wang

TOOLE DESIGN

Information contained in this document is for planning purposes and should not be used for final design of any project. All results, recommendations, concept drawings, cost opinions, and commentary contained herein are based on limited data and information and on existing conditions as of July 2023 that are subject to change. Existing conditions have not been field-verified. Further analysis and engineering design are necessary prior to implementing any of the recommendations contained herein. Maps and geographic analysis presented herein are based on information collected at the time of preparation.

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Appendix A: Community Input A-1

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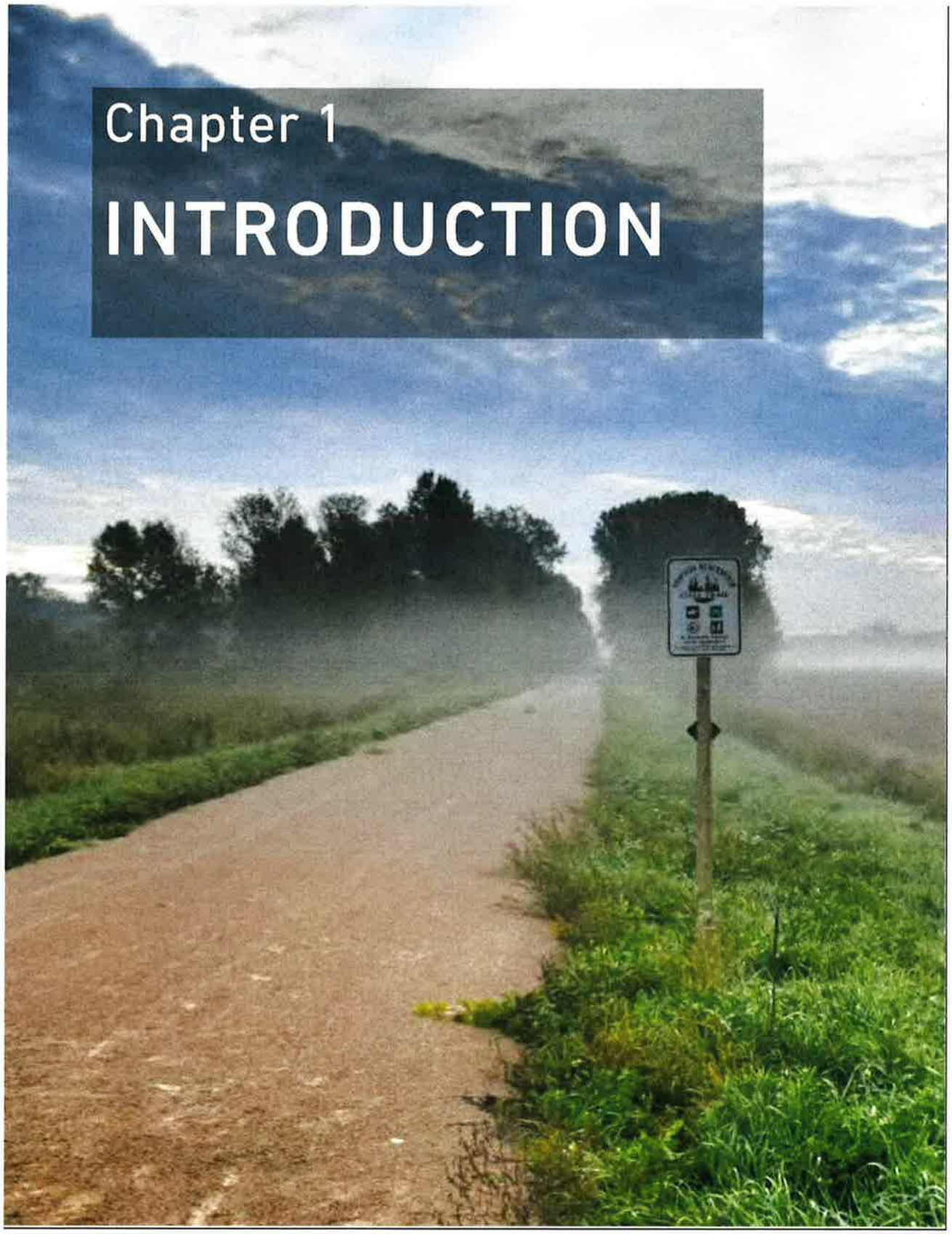

Chapter 1
INTRODUCTION



Figure 1. North Island Trail, Appleton

1. INTRODUCTION

1.1 WHY DOES OUTAGAMIE COUNTY NEED A BICYCLE AND PEDESTRIAN PLAN?

Outagamie County undertook this planning effort to expand and improve the County's bicycle and pedestrian network, as is recommended in the County's Comprehensive Plan and Comprehensive Outdoor Recreation Plan (CORP). This plan provides tools and resources for four areas of concern for the County: closing gaps between trails; making it easier and safer to walk and bike along county highways; updating policies to support pedestrians and cyclists; and identifying high-priority projects the County should actively pursue.

Close gaps between trails

Outagamie County and the Fox Valley benefit from a number of excellent trails: the Wiouwash State Trail, the Newton Blackmour State Trail, and the growing network of trails along the Fox River such as the North Island Trail shown in Figure 1. However, there are obvious gaps between these trails, and this plan recommends ways to connect them, such as:



- Connect the Wiouwash State Trail in Hortonville to the Newton Blackmour State Trail in the western part of the county.
- Identify east-west connections between the CB Trail by the Appleton International Airport, and the Newberry and North Island Trail by the Fox River.
- Add connections between the Fox River trails in Kimberly and Little Chute to the CE trail to the south.

Improve safety on county highways

County highways connect municipalities across the County in a wide variety of contexts. For example, College Ave/CTH CA serves regional employment areas and shopping areas by the Fox River Mall and the Appleton International Airport in Appleton; CTH E connects outlying rural areas and residential subdivisions next to the high

school and elementary school in Freedom; and CTH F goes through the tiny rural hamlet of Nichols. Many people in Outagamie County are already walking and biking on these highways to get to work, school, shopping, or for recreation, even if there are no sidewalks or bike lanes present. When county highways are due for resurfacing or repaving, the County has an opportunity to improve safety for people walking and biking on those highways. This Plan provides design guidance and policy recommendations that will help the Highway Department make decisions about what kinds of accommodations are best suited for each context.

Update policies and programs

Updating funding policies and programs and land use ordinances helps ensure the County has the right tools in place to take advantage of opportunities as they arise. When land is subdivided or when a county highway is repaved or reconstructed, having policies in place that require or facilitate the construction of trails or sidewalks helps promote better bicycle and pedestrian networks over the long term.

Identify high-priority projects

Some projects are so critical for safety or access to destinations that the County should undertake them even if there is not an opportunity to piggyback on another project. This Plan used an objective, data-driven prioritization process to identify high-priority projects for county staff to actively pursue through conversations with property owners; applications for federal, state, and foundation funding; and partnerships with other governments.

1.2 WHAT WILL THIS PLAN ACHIEVE?

This Plan was designed around a vision and three goals crafted based on input from public engagement and the County's Greenway Implementation Committee.

VISION:
Residents of Outagamie County can walk and bike safely and comfortably along a connected network of trails, bikeways, and sidewalks.



INCREASE WALKING AND BIKING

Increasing the number of people walking and bicycling has benefits for health and the environment. The County can achieve this goal by closing the gaps between trails and constructing sidewalks and bikeways where people are likely to use them.



PRIORITIZE SAFETY

No one should die or suffer from a serious injury as a result of walking or biking in Outagamie County. This Plan recommends infrastructure that will make it safer for people walking and biking, and prioritizes projects in areas where crashes have occurred.



PROMOTE EQUITY

Past decisions have resulted in highways without safe places to walk or bike traversing the low-income parts of the County. Residents with low incomes are more likely to depend on active transportation to get around, increasing their exposure to traffic. This Plan prioritizes investments in the areas where residents most need them.

1.3 BENEFITS OF BUILDING WALKING AND BIKING INFRASTRUCTURE

There is a monetary cost to building and maintaining walking and biking infrastructure and it can be politically challenging to build sidewalks or bikeways (due to land acquisition or potential neighborhood opposition). However, having a complete, safe, and comfortable walking and biking network brings many benefits to Outagamie County residents. Benefits include improved safety, more variety of and freedom in transportation choices, economic growth, improved public health outcomes, equitable access to transportation and recreation, and environmental sustainability.

SAFETY

The safety of pedestrians and bicyclists is of growing concern across the United States. Preliminary 2022 data show pedestrian fatalities have been outpacing all other traffic deaths. Pedestrian fatalities have continued to climb since the beginning of the COVID-19 pandemic: a 28 percent increase in pedestrian fatalities is reported from 2021 to 2022.[1] Bicycle and pedestrian infrastructure, including trails, sidewalks, bike lanes, and safety infrastructure at street crossings, can provide people with safer places to travel and recreate.

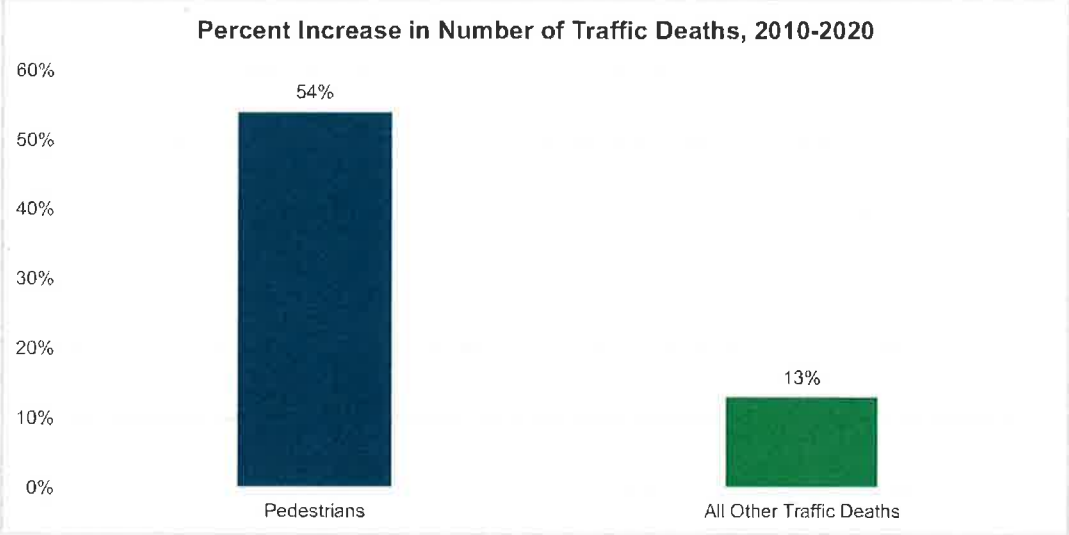


Figure 2: Pedestrian deaths in the United States have been increasing faster than all other traffic fatalities. (Source: Governors Highway Safety Association).

EQUITABLE ACCESS TO TRANSPORTATION AND RECREATION

Comfortable and accessible bicycling and walking facilities provide a host of quality-of-life benefits. They increase the number of travel options for everyone and can lead to a sense of independence for seniors, young people, and others who cannot or choose not to drive. Providing a high-quality active transportation network is important for Outagamie County residents who do not have full access to a vehicle. This includes people who are under 16 years old, unlicensed adults, suspended drivers, and people who live in households with more drivers than

[1] Governors Highway Safety Association. (2023). Pedestrian Traffic Fatalities by State: 2022 Preliminary Data. https://www.ghsa.org/sites/default/files/2023-02/GHSA%20Pedestrian%20Traffic%20Fatalities%20by%20State%2C%20January-June%202022%20Preliminary%20Data.pdf

vehicles. Trails also have the benefit of providing no- to low-cost recreation opportunities for families and low-income individuals.

ACCESS TO JOBS, SCHOOLS, AND OTHER DESTINATIONS

Improving infrastructure for walking and biking helps widen choice and access to jobs, healthcare, groceries, and other important destinations. Improved bicycle and pedestrian conditions give people more options, reduce reliance on vehicle ownership, and improve safety for people who do not have access to a personal vehicle. High-quality walking and biking facilities also provide a safe alternative to vehicle drop-offs for children traveling to and from school.

ATTRACTING TOURISTS AND RETAINING RESIDENTS

A robust bicycle and pedestrian network has the potential to provide economic gains for communities by attracting tourists and attracting and retaining residents, including employees and families. There is broad consensus across the country that investing in infrastructure for walking and biking produces a positive return on investment. This is especially true when it comes to trails, which serve as major regional attractions for recreationists. Trail-based tourism is an economic boon for many small communities, supporting local businesses, creating jobs, and increasing property values.[2] Local spending by active users (tourists and visitors alike) will provide economic benefits for businesses along the network as well as for retailers selling recreational products and services.[3]

8 PERCENT HIGHER:

The amount of increase in value for properties that are within a half mile of a pedestrian and bicycle facility.

-- 2022 ECWRPC Study on the impact of bicycling and walking facilities

PROPERTY VALUE IMPACTS

Bicycle and pedestrian infrastructure, especially trails, have been shown to increase the overall value of housing stock for their neighboring communities. The high demand for housing near recreational outdoor space results in higher sales values of homes as well as increased government revenues through increased property tax collections and greater transfer taxes at time of sale. A study of the impacts of bicycling and walking facilities in Outagamie, Calumet, Winnebago, and Fond du Lac counties conducted by East Central Wisconsin Planning Commission (ECWRPC) found that properties within a half-mile of a pedestrian and bicycle facility have an approximate eight percent premium on their property. This premium results in an additional $9.6 million in combined county property taxes across the four counties each year.[4]

PHYSICAL HEALTH

According to the U.S. Health and Human Services Department's (USHHSD) Physical Activity Guidelines for Americans, 150 minutes of moderate-intensity aerobic activity (for example, brisk walking) each week reduces the risk of many chronic diseases and other adverse health outcomes.[5] For young people ages 6-17 the USHHSD recommends participating in at least 60 minutes of physical activity every day. Engaging in physical activity beyond these amounts can impart additional health benefits.

---

[2] Rails-to-Trails Conservancy, *Investing in Trails Cost-Effective Improvements—for Everyone*, date unknown. https://www.railstotrails.org/resourcehandler.ashx?name=investing-in-trails-cost-effective-improvements-for-everyone&id=3629&fileName=Economic%20Impacts%20of%20Trails.pdf. Accessed 1 June 2023.

[3] East Central Wisconsin Planning Commission. *The Economic, Health, and Environmental Impact of Bicycling and Walking Facilities*, 2022. https://accessultsolutions.com/wp-content/uploads/2022/07/ECWRPC-Trails-Report_2022-07-12.pdf. Accessed 1 June 2023.

[4] East Central Wisconsin Planning Commission, 2022

[5] U.S. Department of Health and Human Services, *Physical Activity Guidelines for Americans, 2nd Edition*, 2018. https://health.gov/sites/default/files/2019-09/Physical_Activity_Guidelines_2nd_edition.pdf. Accessed 1 June 2023

Being overweight increases an individual's risk for many chronic diseases, including hypertension, diabetes, osteoarthritis, cardiovascular disease and stroke, gallbladder disease, arthritis, sleep disturbances, mental health issues, breathing problems, and certain cancers.[6] Increased opportunity for recreation and destination-oriented trips using active modes of travel are key to reducing obesity and, by extension, the risk for developing chronic diseases. A 20-year study of 5,115 people in four U.S. cities found that walking and biking to work are associated with greater physical fitness among both men and women. Active commuting is also associated with lower obesity rates and better cardiovascular health for men. The study called for strategies to enable and encourage active commuting interventions to reduce obesity and improve cardiovascular disease risk."[7]

The health benefits of trails have also been noted locally through the *Economic, Health, and Environmental Impact of Bicycling and Walking Facilities* study completed in 2022 by the ECWRPC. The study estimates significant health care cost savings and increased workplace productivity associated with more physical activity with the buildout of the region's trail network.[8]

Research has also found that the health benefits of bicycling instead of driving far outweigh the risks.[9] For example, one study found that on average, individuals who shifted from driving to bicycling gained an estimated three to 14 months of life expectancy, compared to five to nine days lost due to traffic crashes and inhaled air pollution.[10]

MENTAL HEALTH

Physical activity, including walking and biking, can help prevent or treat some mental health conditions. Physical activity reduces depression, can improve the quality of sleep, and has been shown to improve cognitive function for older adults.[11] Active transportation can also improve social conditions in communities, which contributes to positive mental well-being among residents. While there may be many reasons people feel socially isolated, land-use and transportation systems designed around the automobile can exacerbate these feelings. Car dependence reinforces solitary lifestyles and reduces opportunities for positive social interaction in public spaces,[12] particularly in rural areas.

ENVIRONMENTAL BENEFITS

Bicycle and pedestrian networks offer environmental benefits to the communities they serve by preserving the land along the network corridors. Many of these corridors may otherwise be at risk of development. Environmental benefits of trail corridors can include air and water quality improvement, flood mitigation, wildlife habitat conservation, and carbon sequestration and storage. The expansion of the bicycle and pedestrian network also has the potential to shift trips from driving to walking or biking. This shift can help to reduce the amount of motor vehicle travel, the need for added capacity, and associated carbon emissions. [13]

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[12] Centers for Disease Control and Prevention, Healthy Places, Mental Health https://www.cdc.gov/mentalhealth/. December 2012.

[13] East Central Wisconsin Planning Commission. (2022).

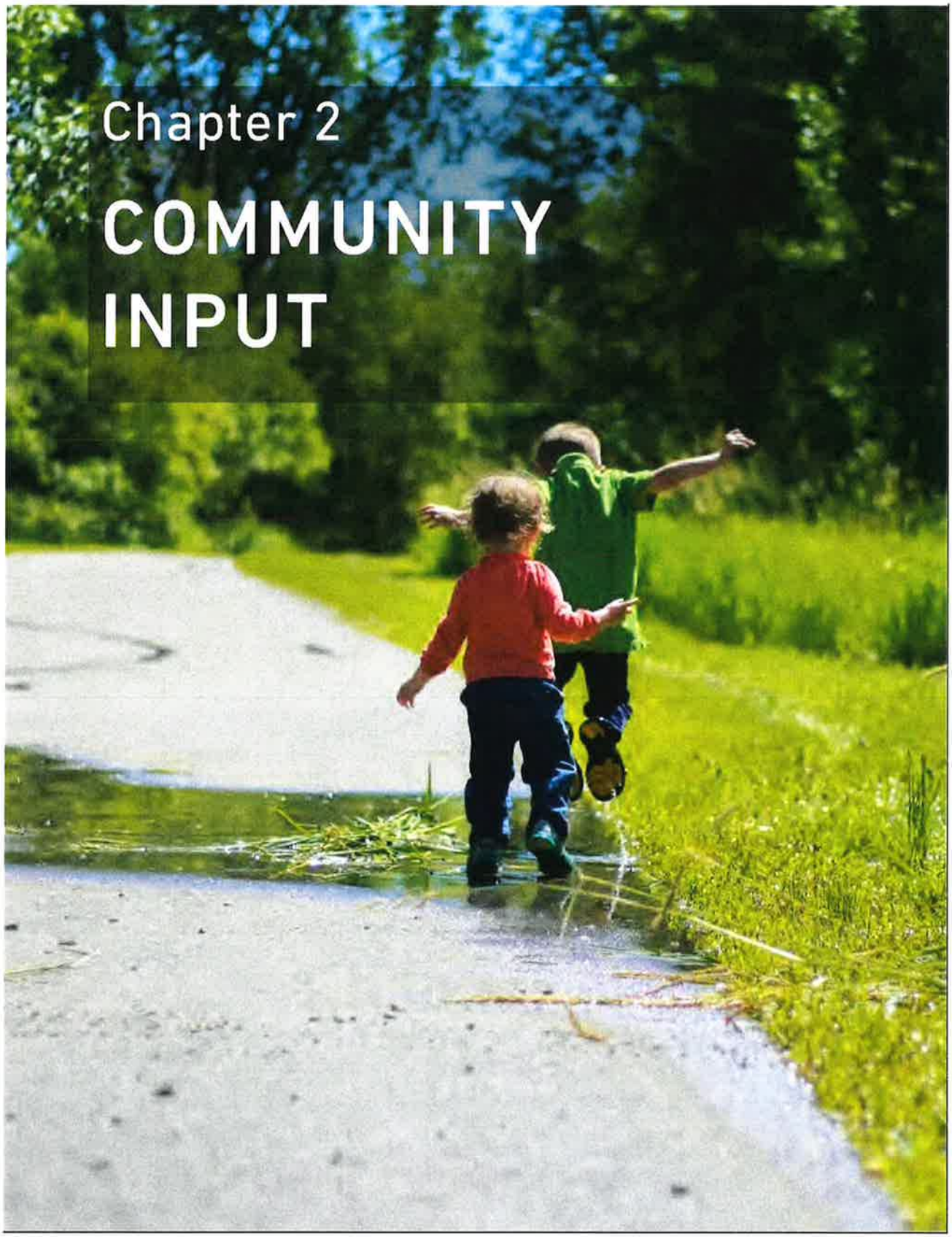

Chapter 2
COMMUNITY
INPUT

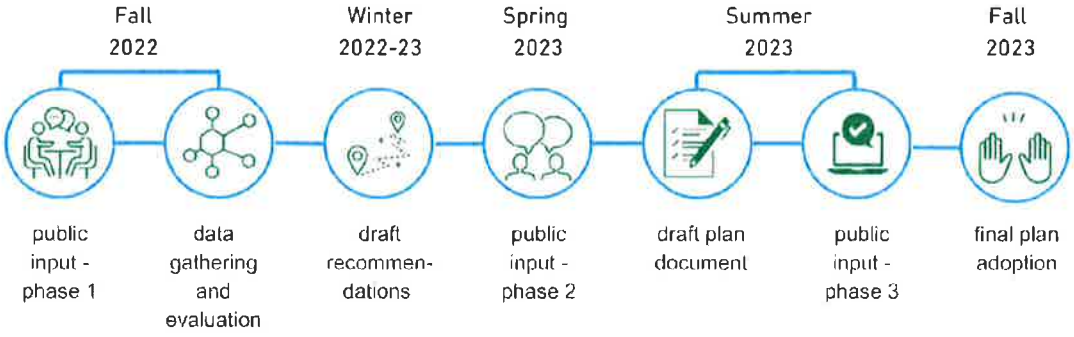


Figure 3. Curt Detjen, Ron Van De Hey, and Phil Ramlet at the ribbon cutting ceremony for the Kaukauna Locks Trail (Credit: Dave Horst)

2. COMMUNITY INPUT

2.1 LISTENING TO RESIDENTS AND STAKEHOLDERS

Community input was an essential part of the plan development process. Listening to the concerns and ideas of people in Outagamie County improves the quality of the Plan findings and builds trust in the recommendations. The planning process used several methods to gather input from residents and stakeholders during three phases of plan development: fall 2022 (phase 1), spring 2023 (phase 2), and summer 2023 (phase 3).



2.2 GREENWAY IMPLEMENTATION COMMITTEE

The Outagamie County Greenway Implementation Committee served as the advisory committee throughout the development of this Plan. The Greenway Implementation Committee (Committee) is a County-authorized committee composed of County supervisors and representatives from various organizations. The Committee typically oversees a matching grant program that annually distributes funds to local municipalities for trail projects in their communities. The Committee also serves as an informal advisory group regarding news and concerns related to trail development in their communities. During the development of this Plan, the Committee met five times. All meetings were a hybrid in-person/virtual format:

- Meeting 1: June 22, 2022. The Committee learned about the planning schedule and project purpose and reviewed the public engagement methods proposed for the planning process.
- Meeting 2: July 20, 2022. The Committee reviewed the I-41 crossing recommendations, further discussion of opportunities for engagement, and a demonstration of an interactive map.
- Meeting 3: October 12, 2022. The Committee reviewed the existing conditions report and an exercise to explore project vision and goals.
- Meeting 4: March 22, 2023. The Committee reviewed the draft vision, goals, and approach; the draft infrastructure recommendations; and the draft policy and program recommendations. The Committee also provided input on weights for prioritization criteria (also described later in this chapter).
- Meeting 5: June 21, 2023. The Committee reviewed the draft Plan and discussed next steps for Plan implementation.

2.3 PHASE 1 OF PUBLIC INPUT: IDENTIFYING ISSUES AND OPPORTUNITIES

The first phase of community input focused on existing conditions, the identification of existing active transportation issues, and the identification of opportunities for future connections.

ONLINE INTERACTIVE MAP

The project team created an online mapping tool that allowed participants to input point and line data related to walking and bicycling conditions and needs. The interactive webmap was open to the public from August 1, 2022, to September 15, 2022. The County and stakeholders advertised the webmap through a variety of channels. Over 300 individuals contributed responses to the webmap. Most of the participants (266) filled out the demographic survey, making it reliable in representing the demographics of the webmap respondents. All municipalities were represented with most participants living in Appleton, Greenville, and Grand Chute. The age range of the respondents were well-distributed between 25 to 74 years, with a plurality in the 45-54 age range. A detailed summary of interactive map comments is provided in Appendix A.

Respondents were asked to place points on the map to identify destinations for walking and bicycling and locations of potential safety concerns. They could also highlight routes and corridors on the map to show current or potential walking and biking routes.

- *Destinations for walking and biking.* Most of the destinations that people identified were trails or recreational destinations such as parks. Residential/neighborhood areas were also identified as destinations.
- *Safety concerns.* Most safety concerns were in the urban Fox Cities area and were about the difficulty of crossing major roads in the urban area. Locations with multiple safety concerns included:
    - W College Avenue (STH 125) between I-41 and N Richmond Street (STH 47)
    - E College Avenue (CTH CE) between S Walter Avenue and Haas Road
    - Northland Avenue (CTH OO) between CTH CB and STH 441

- W North Avenue (CTH OO) between N French Road and Freedom Road in Little Chute
- Eisenhower Drive between E College Avenue and Springfield Drive in Kimberly
- Crooks Avenue (STH 55) between E 12th Street and E College Avenue (CTH CE) in Kaukauna

- *Walking and biking routes with safety concerns.* Respondents expressed strong interest in more and better connections to parks, trails, and commercial areas. There was also interest in providing bikeways for students, especially high school students.

2.4 PHASE 2 OF PUBLIC INPUT: REVIEWING DRAFT GOALS AND RECOMMENDATIONS

The second phase of public engagement occurred in March and early April of 2023. The purpose of this phase of engagement was to gather feedback on the draft recommendations in the plan. Four methods of engagement were used during this phase:

- Online polls
- Presentations to various standing committees
- Presentations and discussion with the County's Greenway Committee
- Focus group discussions with individuals and agencies representing people of color and people with disabilities in Outagamie County

A summary of each is provided below, and described in more detail in Appendix A.

ONLINE POLLS

The County advertised two online public polls that were open from March 15, 2023, to April 19, 2023. There were 119 respondents, with most communities represented. Most respondents were from Appleton. The first poll asked respondents to review and comment on the draft infrastructure recommendations and to provide input on draft plan goals and prioritization factors. Over 85% of respondents to the first poll agreed that the three project goals (increase walking and biking, prioritize safety, and promote equity) made sense and should be used. The majority (73%) of respondents also agreed with the infrastructure recommendations.

The second poll asked for review and feedback on proposed highway cross-sections for future county highway resurfacing/reconstruction projects. Nearly 75% of respondents agreed or strongly agreed with the proposed cross sections. Respondents' concerns were focused on the desire to provide even more separation between people walking or biking and vehicles and reducing potential for user conflicts.

> "SAFETY IS #1
>
> *priority, but I also realize that cost is a huge factor and I appreciate that you take into consideration the amount of use and traffic speeds. I love that you guys are looking at ways to safely connect trails to one another when possible. I feel safest in a sidepath setting."*
>
> --Little Chute resident, responding to the proposed highway cross-sections

PRESENTATIONS TO COUNTY STANDING COMMITTEES

County staff presented on the plan progress to date and initial recommendations at four standing committees:

- Property, Airport, Recreation, and Economic Development Committee (February 14, 2023)
- Zoning Committee (February 28, 2023)
- Highway, Recycling, and Solid Waste Committee (February 28, 2023)
- Health and Human Services Committee (April 10, 2023)

Committee members asked questions and provided comments for consideration. Key topics that were brought up by committee members included:

- Funding feasibility and competition for scarce maintenance dollars.
- Concern about land acquisition and whether eminent domain would be used to acquire land for this plan.
- The need to balance diverse perspectives on transportation investments: since a smaller share of people bicycle and walk for transportation compared to driving.
- Need for more trail and bike wayfinding signage.

GREENWAY IMPLEMENTATION COMMITTEE

The project team presented the draft recommendations to the Greenway Implementation Committee on March 22, 2023. Committee members provided input on the draft recommendations and completed an exercise to help project management staff prioritize projects identified in the plan. The exercise resulted in the ranking of possible criteria for projects shown below in Figure 4 and informed the prioritization of projects in Chapter 5.

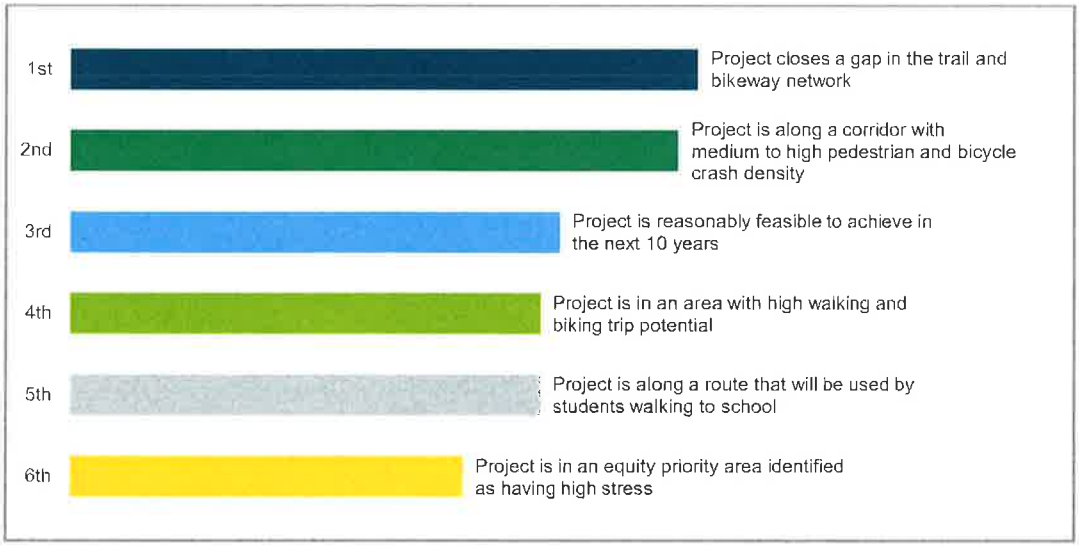


Figure 4. The results of a March 2023 exercise by Greenway Implementation Committee to help determine project ranking criteria. The final criteria are slightly different and are described in Chapter 5.

FOCUS GROUPS

The project team invited individuals from agencies and organizations serving or representing bicycle and pedestrian advocates, people of color, low-income people, and people with disabilities to attend three focus groups to discuss the draft recommendations. There were 14 attendees at the focus groups held in early April 2023. Participants were led through a discussion and provided input on the plan's draft vision and goals, project prioritization criteria, and highway cross-section one-pagers.

2.5 PHASE 3 OF PUBLIC INPUT: FEEDBACK ON THE DRAFT PLAN DOCUMENT

The third phase of public engagement took place in August of 2023. The purpose of this phase of engagement was to ensure that the draft Plan document was supported by the public and by municipal stakeholders. Two online polls were used during this phase:

- Online survey shared with the public, asking for input on the draft Plan
- Online survey shared via email with representatives of towns and municipalities in Outagamie County, asking for comments on the draft Plan, with special attention paid to the policy and programming recommendations and the top 10 priority corridors

Both online polls had limited responses, which is not unusual for surveys that ask respondents to read the full planning document for review. The project team reviewed the comments in detail and incorporated many comments into the final version of this Plan. Appendix A includes a full summary of the comments received and the team's response.

> *"I particularly appreciate the [Plan's] focus on closing gaps & improving connectivity, because in my experience, that's sorely lacking in the Fox Cities. If a County Plan can help communities cooperate and coordinate, then that's a huge benefit"*
>
> -- Online survey respondent




Chapter 3
PLANNING
APPROACH
Victoria
4140



Figure 5. RiverHeath Trail, Appleton

3. PLANNING APPROACH

3.1 PLAN, POLICY, AND PROGRAM REVIEW

The project team reviewed relevant plans, policies, and programs to gain an understanding of the goals, objectives, and planned infrastructure for biking and walking in Outagamie County. The following section summarizes the review and notes which items were reviewed. Appendix B provides the full review of relevant plans, policies, and programs.

EXISTING PLANS

The Outagamie County Bicycle and Pedestrian Plan builds upon existing work that identified potential trail development corridors and bikeways through the county and Fox Valley region. Plans reviewed were identified in partnership with Outagamie County staff. The project team looked for topics in each plan related to three major unifying themes: planned bicycle and pedestrian connections, fairness and equity, and funding and implementation. Table 1 lists the plans reviewed.

Table 1. Relevant Plans Reviewed

Plan	Plan Type/ Scope	Topics Reviewed		
		Bike/Ped Connections	Fairness & Equity	Funding & Implementation
Outagamie County Comprehensive Outdoor Recreation Plan 2022-2026 (Adopted 2020)	County	✓	✓	✓
Outagamie County Comprehensive Plan 2040: The Shared Path Forward (Adopted 2020)	County	✓		✓
Living Well in Outagamie County: Community Health Improvement Plan (2014)	County		✓	
"Loop the Locks" Fox River Greenway Initiative (2017)	Region			
Fox Cities Trail Summit (2020)	Region	✓	✓	✓
Appleton (Fox Cities) Transportation Management Area and Oshkosh Metropolitan Planning Organization Bicycle and Pedestrian Plan (Adopted 2021)	Region	✓	✓	✓
ECWPRC Safety Action Plan for Implementing Pedestrian Crossing Countermeasures (Adopted 2021)	Region		✓	✓
City of Appleton Trails Master Plan (2017)	Local	✓		
Town of Freedom Comprehensive Plan Recommended Plan (2020)	Local	✓		
Town of Grand Chute Pedestrian and Bicycle Strategy (2019)	Local	✓		
Village of Greenville Comprehensive Plan, Appendix H: Bicycle and Pedestrian Plan	Local	✓		
Village of Hortonville Comprehensive Plan Update (2013)	Local	✓		
City of Kaukauna Comprehensive Plan (2013)	Local	✓		
Village of Little Chute Pedestrian & Bicycle Facilities Recommendations (2016)	Local	✓		
Village of Wrightstown Pedestrian and Bicycle Plan (2021)	Local	✓		
City of New London Comprehensive Outdoor Recreation Plan (2020)	Local	✓		
WisDOT Wis 15 Highway Expansion and Hortonville Bypass (ongoing)	Sub-Area	✓		
STH 125 Corridor Report (2019)	Sub-Area	✓		

KEY POLICIES

Two policies were considered key to how Outagamie County would be able to build and support construction of bicycle and pedestrian facilities. Each were reviewed and flagged for potential updates.

Outagamie County Administrative Rule 2010-02

Outagamie County maintains a substantial network of county highways within the Appleton/Fox Cities urbanized area, through the other cities and villages in the northern part of the County, and through the county's unincorporated townships. Due to resource constraints, Outagamie County adopted Administrative Rule (AR) 2010-02 to limit the County's financial risk for the capital and maintenance costs of bicycle and pedestrian infrastructure. In summary, unless state or federal project agreements require bicycle or pedestrian infrastructure as a condition of funding award, the local municipality is required to pay for 100 percent of both construction and

maintenance costs of any bikeways, sidewalks, or paths adjacent County highways or located on County-owned right-of-way.

While this policy has achieved its goal of limiting financial risk, it has had unintended consequences resulting in a disjointed bicycle and pedestrian network throughout the County, and—in some cases—dangerous situations for people needing to walk or bike along county highways to get to schools, parks, jobs, groceries, medical appointments, or other destinations. A separate Technical Assistance report prepared for ECWRPC reviewed how several other Wisconsin and Minnesota counties share the costs of these kinds of facilities. Chapter 4 of this Plan includes a recommendation to update AR 2010-02.

Outagamie County Code

The Outagamie County Development and Land Services department is responsible for the administration of the County Subdivisions and Platting ordinance (Chapter 52), which regulates and controls the division of land within unincorporated areas of the county. It also grants the County objecting plat authority in incorporated areas. As land is subdivided or developed, it can provide opportunities for sidewalks or easements for future trails or bikeways. Chapter 4 of this Plan includes a recommendation to update these requirements.

RELEVANT PROGRAMS AND STAFFING

To consider the feasibility of implementing different programs and/or adding new trails for Outagamie County to build and maintain, the project team also reviewed the County's current operating environment. The County has limited ability to add an extensive trail network, primarily due to several factors:

- Wisconsin state law currently allows municipalities and counties to increase their levy over the prior year by the percentage increase in value from "net new construction." The County approved budget increased its levy by exactly that amount and is at the state-mandated levy "cap," leaving no room for new programs or staffing without reducing existing programs or staffing in another department.
- The County's current Capital Improvement Program (CIP) plans to only dedicate between $30,000 to $40,000 annually through 2027 from property tax levy and sales tax for greenway implementation. That said, it has in the past dedicated funding for trail expansions, such as the CE trail.
- The Outagamie County Parks System maintains over 40 miles of trail and multiple county parks but has limited staff. Adding new trails would stretch the capacities of Park Department staff to perform maintenance such as brush clearing and mowing along trails.
- The Highway Department may have the most room in its budget for constructing trails and bikeways on county highways, since it has a large capital budget and is able to leverage more state and federal aids for highway construction.

Greenways Implementation Committee

The Greenways Implementation Committee oversaw the development of this Plan and oversees the distribution of the greenway implementation funding dedicated by the County. However, their input into other county programs has been limited. Chapter 4 of this Plan includes a recommendation to expand their purview.

Non-Profit Programs

Several other privately managed programs and organizations were also considered for potential partnerships to achieve Plan goals:

- Fox Cities Greenways is a non-profit organization that works with local municipalities, partner organizations, and residents to develop and expand the bicycle and pedestrian network through trails, bicycle facilities, and water trails. They offer small funding grants relevant for trail-related projects.
- The Community Foundation has been playing a critical role in planning and advocating for a trail connection between the Fox Cities and High Cliff State Park. They manage several grant programs which can contribute grants both large and small towards greenway and trail development.

3.2 EXISTING WALKING AND BIKING CONDITIONS

The project team conducted several geospatial analyses of walking and biking conditions in Outagamie County. These analyses inform the recommendations in this plan. The existing conditions review is summarized into the following topics:

- Existing and planned bikeways and trails
- Important recreational destinations for people biking
- Trip potential highlighting areas where people are most likely to walk and bike
- Fatal and serious bicyclist and pedestrian injury crashes and high-crash segments on federal, state, and county highways
- Equity priority areas where there are higher densities of people experiencing a variety of stress factors, such as having a low income, not having a household vehicle, or being a person of color

EXISTING TRAIL AND BIKEWAY NETWORK

The existing bikeways and trails network in Outagamie County and the area south of the county line is shown in Figure 6 and Figure 7. The urban area in the Fox Cities contains many on-street bikeways and paved shared-use paths, although the biking network has gaps throughout. In the rural parts of the County, the Newton Blackmour State Trail and the Wiouwash State Trail stand out; otherwise, there are limited connections.



Figure 6. Existing Trails and Bikeways in Outagamie County

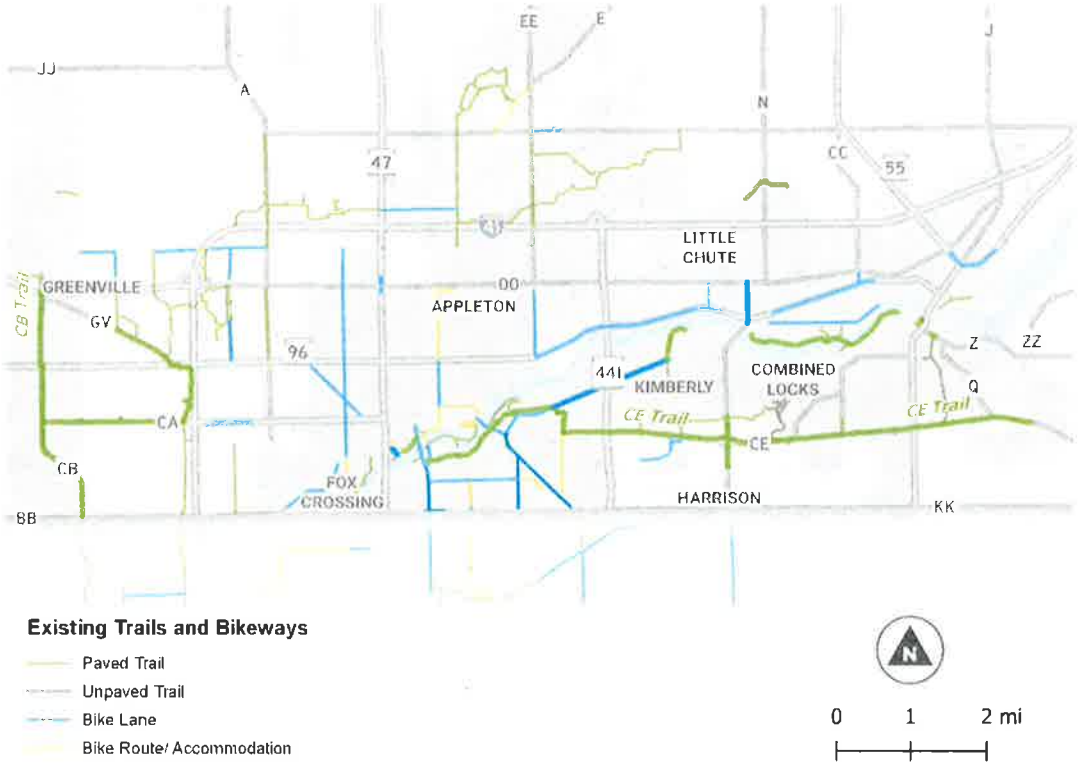


Figure 7. Existing Trails and Bikeways, Inset of the Fox Cities Area

PREVIOUSLY PROPOSED TRAIL AND BIKEWAY NETWORK

The project team mapped previously planned bicycle, pedestrian, and trail connections from the plans listed in Table 1. The resulting map of existing and previously proposed bikeways and trails from local, county, and regional plans is shown Figure 8 and Figure 9. Several themes can be summarized from looking at the planned connections:

- In the suburban parts of the County, there is a preference for building paved trails as the road network is extended and new areas are built. In the already-built urban area in Appleton, bikeway connections can be made along quiet residential streets in the grid street network.
- There are many planned connections along the Fox River, both between Fox Cities communities and towards Green Bay.
- There are planned connections to other existing trails, such as proposed trails between Appleton and the Newton Blackmour State Trail, or the CB trail to the CE Trail.

The dense network of previously proposed connections in the Fox Cities area is too fine-grained for a county network. Nevertheless, the data was useful during the network and infrastructure planning phase. Project staff referred to the connections proposed in these previous planning efforts while creating a draft trail and bikeway network for high-priority routes spanning multiple municipalities, such as what was accomplished with the Loop the Locks initiative.

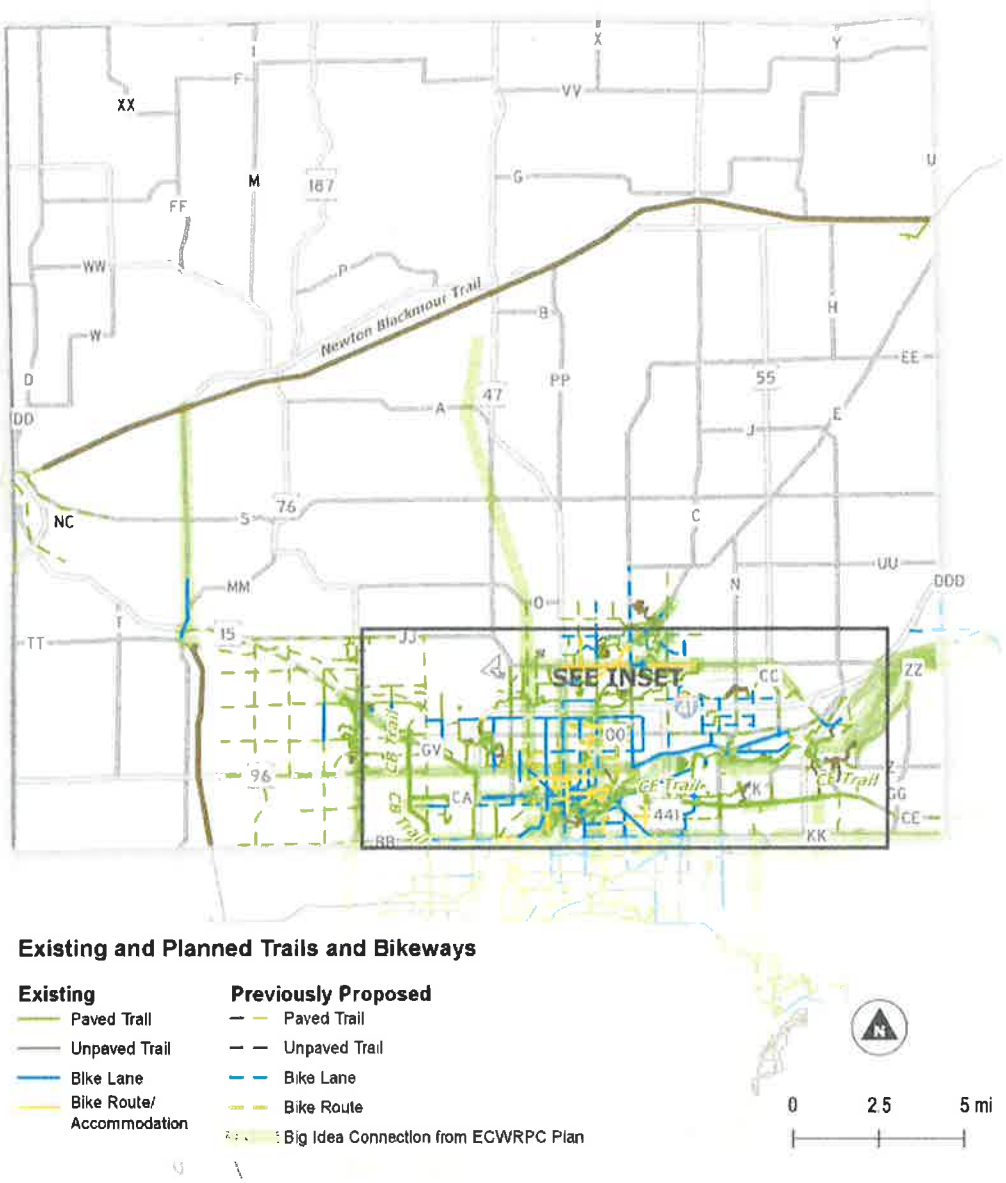


Figure 8. Existing and Previously Proposed Trails and Bikeways in Outagamie County

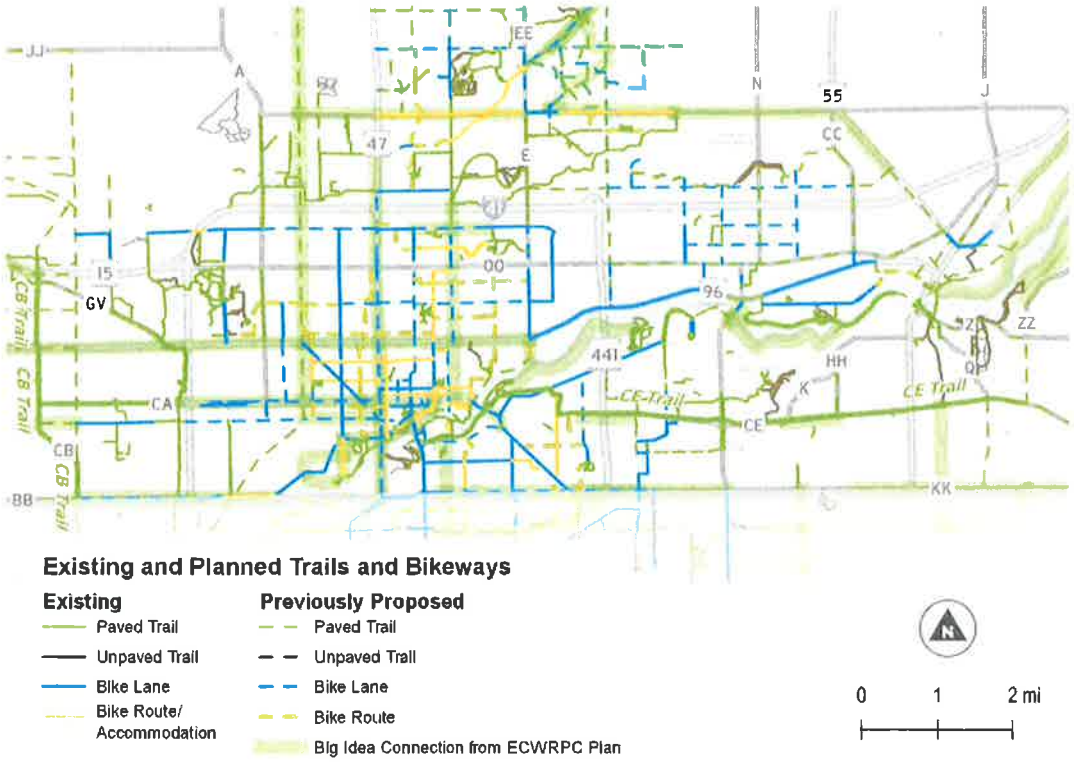


Figure 9: Existing and Previously Proposed Trails and Bikeways in Outagamie County, Inset of the Fox Cities

REGIONALLY SIGNIFICANT TRAILS AND PARKS

One theme that emerged from public input was a desire for more bicycle connections to regionally significant trails and parks, both within and outside the county limits. Figure 10 identifies some of these critical recreation destinations that should be considered during the development of the proposed bikeway and trail network, including High Cliff State Park and Calumet County Park, the Fox River State Trail, and the Mountain Bay State Trail in Brown County.



Figure 10. Regional Recreation Destinations for People Biking

TRIP POTENTIAL ANALYSIS

The project team performed a trip potential analysis to determine where people are most likely to walk and bike in Outagamie County. The results of this analysis highlight areas where enhanced pedestrian and bicycle infrastructure may potentially serve more users. This analysis may also assist Outagamie County and partner agencies when prioritizing projects by identifying locations that have the greatest potential for increased walking and biking. The project team used the following variables:

- Intersection Density (number of intersections per square mile)
- Population Density (population per square mile)
- Low-Income Family Density (families with household income below 200% of federal poverty level per square mile)
- Employment Density (jobs per square mile)
- Priority Destination Density (parks, community centers, healthcare, educational, and grocery destinations per square mile).

Figure 11 illustrates the results of this analysis where walking and biking trips are most likely to occur. Areas with denser street grids, higher population densities, lower-income families, denser employment, and greater priority destination density tend to have higher trip potential scores due to their development patterns that support pedestrian and bicycle travel. Central areas of Appleton, Little Chute, and Kaukauna have high trip potentials. Areas with medium walk and bike trip potentials include the peripheries of Appleton, Little Chute, and Kaukauna, as well as most of Kimberly and Combined Locks. The southern parts of Grand Chute, Dale at the crossing of CTH T and STH 96, central parts of Hortonville, parts of Seymour, central parts of Black Creek, and Freedom (around the crossing of CTH E, STH 55, and CTH S) also have medium walk and bike trip potentials. Some jurisdictions with low trip potentials are Bear Creek, Shiocton, and Nichols.

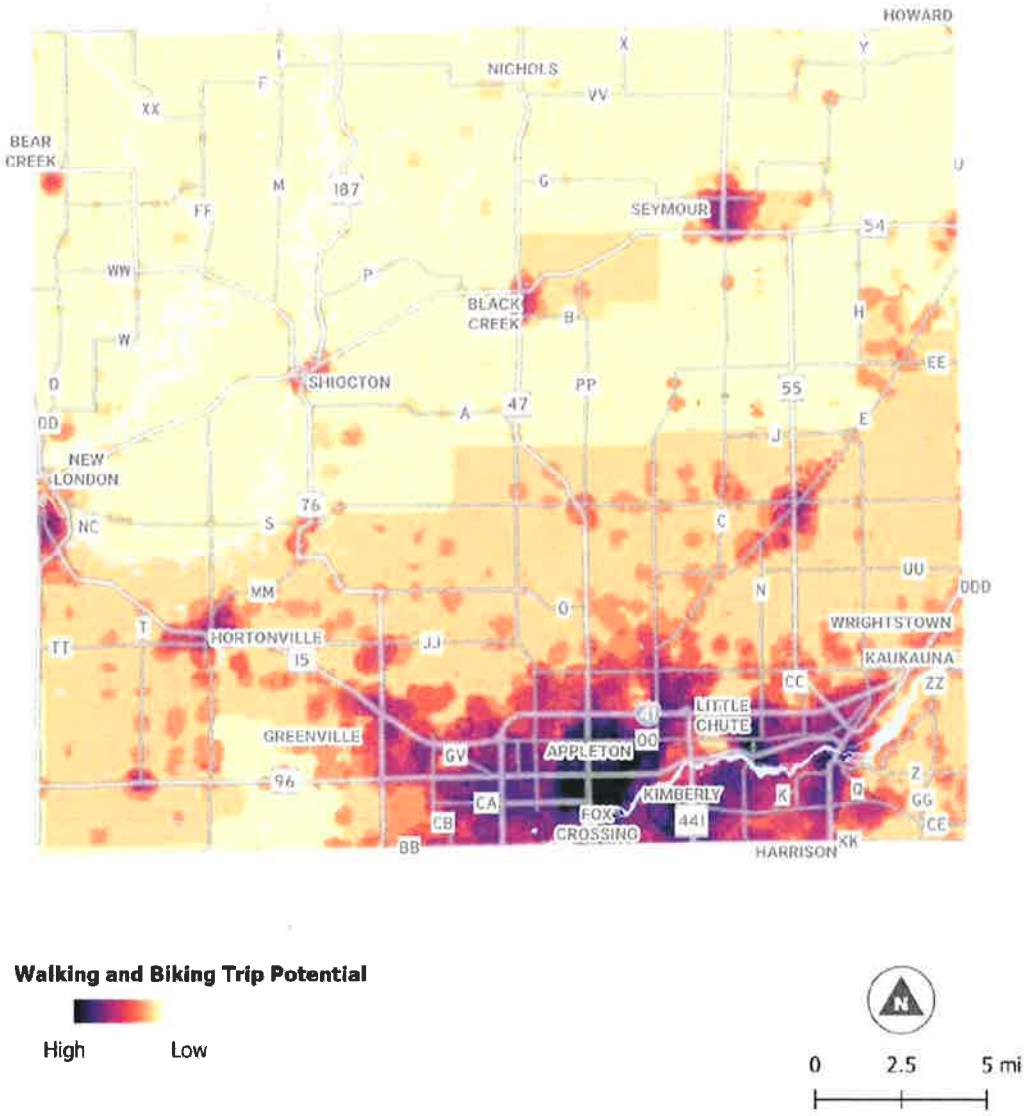


Figure 11. Walking and Biking Trip Potential in Outagamie County

BICYCLE AND PEDESTRIAN CRASHES

Crash Locations

The locations of bicycle and pedestrian crashes in Outagamie County between 2017 and 2021 are illustrated in Figure 12 and Figure 13. In this time, a total of 265 bicycle and pedestrian crashes occurred, with 156 of them involving bicyclists (59%) and 109 involving pedestrians (41%). Of the 265 crashes, 44 resulted in fatalities or serious injuries (17%) and 221 resulted in minor or no injuries (83%).

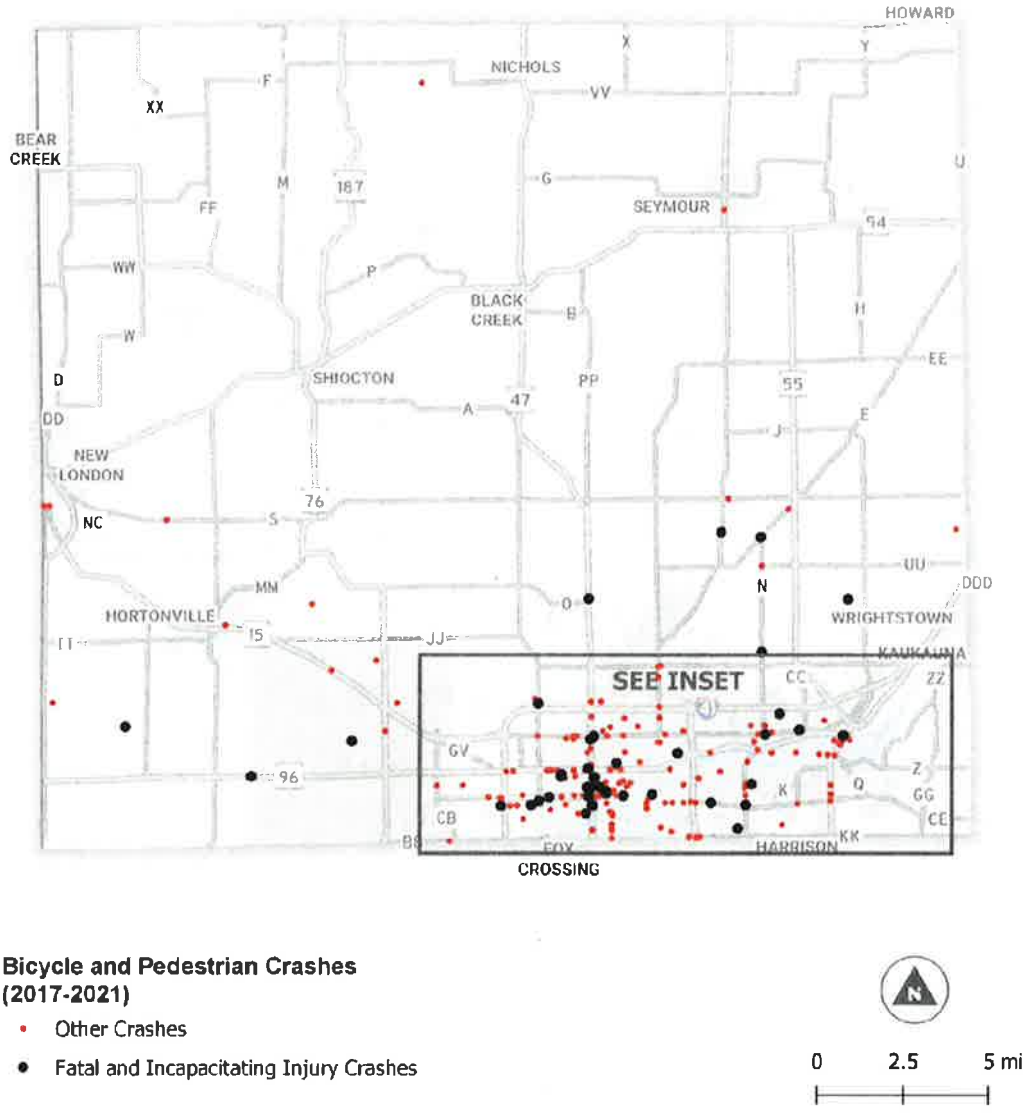


Figure 12. Bicycle and Pedestrian Crashes by Severity

The crash data in Figures 12 and 13 are derived from police reports, which are usually only filed when a vehicle is involved in a crash and an insurance claim will be filed or a ticket is issued. For that reason, the data do not include minor crashes that may not lead to injury, or bike crashes due to road hazard or loose gravel. All the 265 crashes in Outagamie County shown on the maps involved a motor vehicle.

Most of the pedestrian and bicycle crashes happened in the urban area, where they are equally distributed between local roads and county or state highways. In more rural areas, fatal and severe injury bike and pedestrian crashes tend to happen more frequently along county and state highways than on local roads.

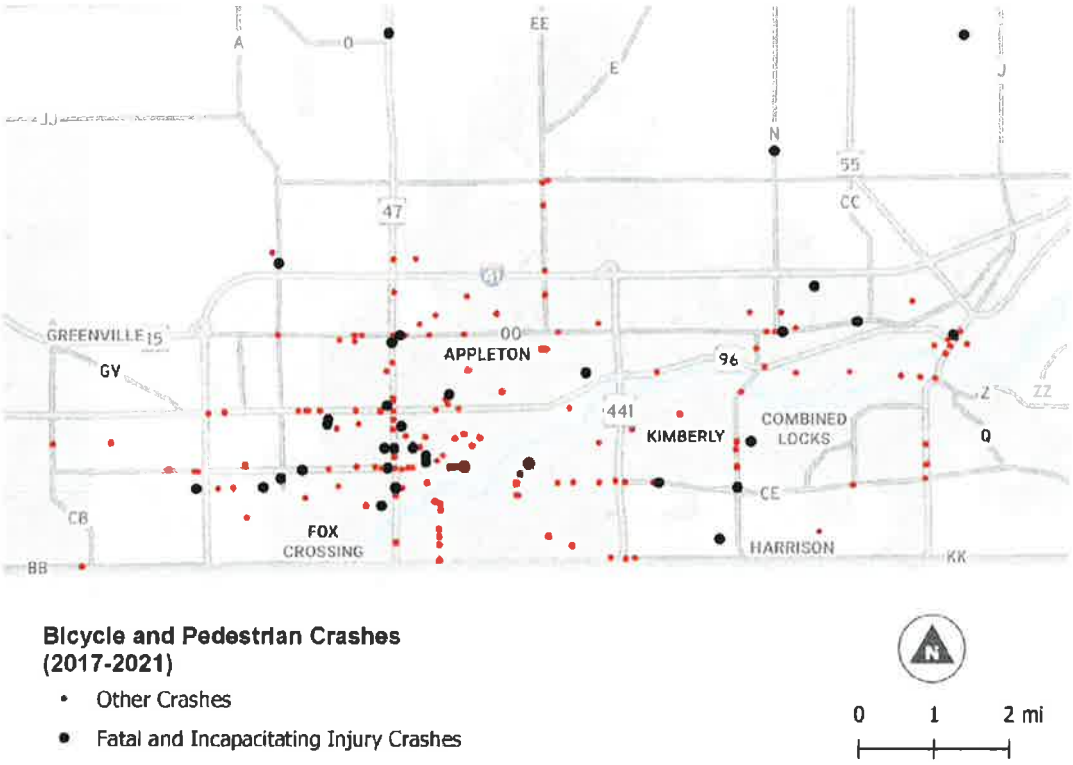


Figure 13. Bicycle and Pedestrian Crashes by Severity, Inset of the Fox Cities

Crash Density on County, State, and US Highways

As this is a county-level plan, it's useful to focus on crashes on county highways or other highways that pass through multiple jurisdictions. A sliding windows analysis calculated which county, state, and US highway segments have historically had the most fatal and serious crashes for people walking and biking. The analysis is done by determining the number and severity of crashes in a one mile "window" on a roadway and shifting that window along the roadway 1/10 mile at a time. Figure 14 shows the results from the sliding window analysis. Segments with thicker and darker lines represent highway segments that have a higher concentration of overall and serious crashes.

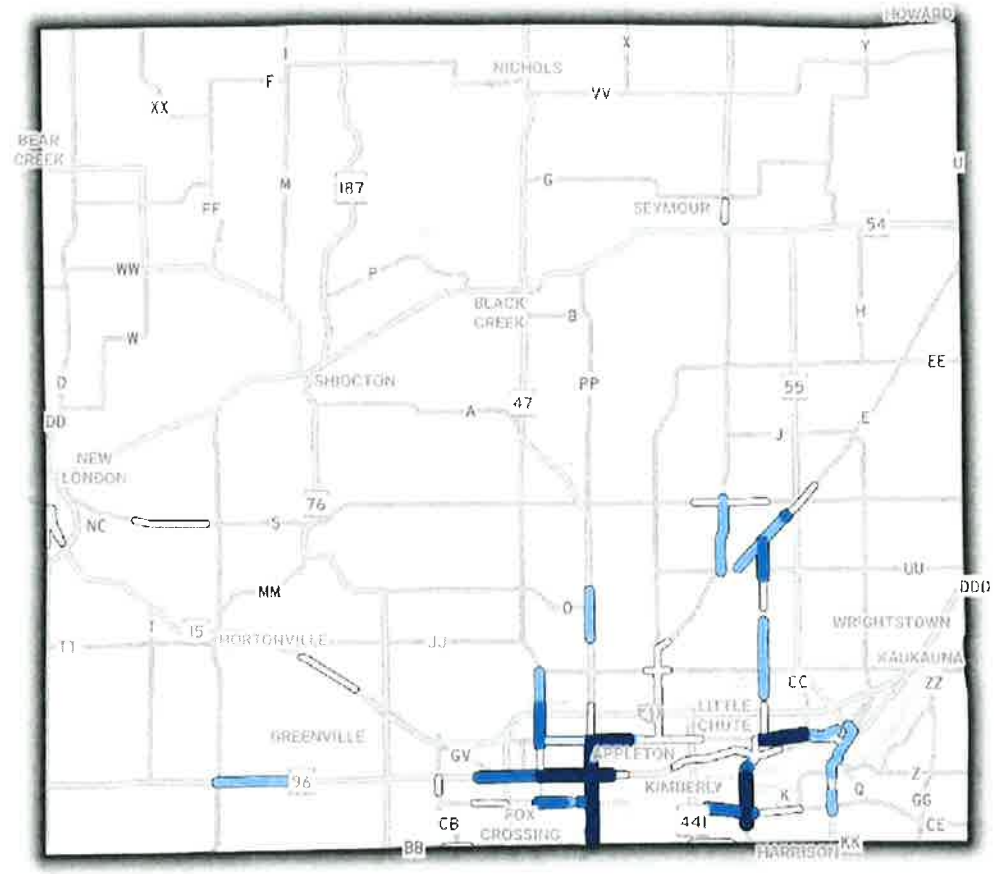
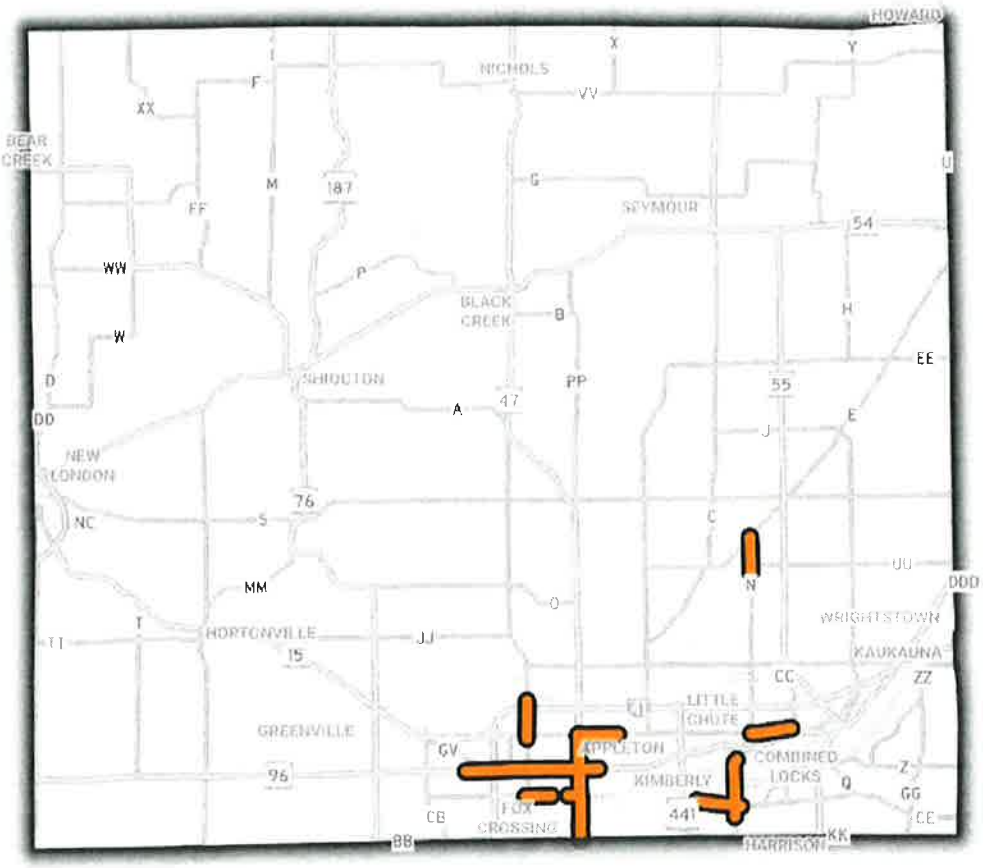


Figure 14. Crash Density on County, State, and US Highways from the Sliding Window Analysis

High Injury Corridors

High injury corridors for bicycle and pedestrian crashes were defined using the top two tiers ("Highest" and "Medium-High") of the sliding windows crash density analysis. Figure 15 shows the high injury corridors: Wisconsin Avenue (STH 96), Richmond Street (STH 47), Northland Avenue (CTH OO), Freedom Road and Washington Street (CTH N), W College Avenue (STH 125), and E College Avenue (CTH CE) are identified.



High Injury County, State, and US Highway Segments for Pedestrians and Bicyclists

High Injury Corridors

DRAFT

0 2.5 5 mi

Figure 15. High Injury Corridors on County, State, and US Highways

EQUITY PRIORITY AREAS

ECWRPC shared their community stress index analysis with the project team to measure the areas in greatest need of promoting equity. The community stress index compares each census tract against the Wisconsin average for poverty rate, households without access to a vehicle, households without access to internet, limited English ability, and dependent population (youth or seniors). The index values for all the census tracts in Outagamie County are displayed in Figure 16. Some areas of Appleton, Little Chute, and Kimberly have the greatest stress. The census tract representing the Oneida Nation also has higher-than-average stress, while the areas in the county with newer suburban style development have the least stress.

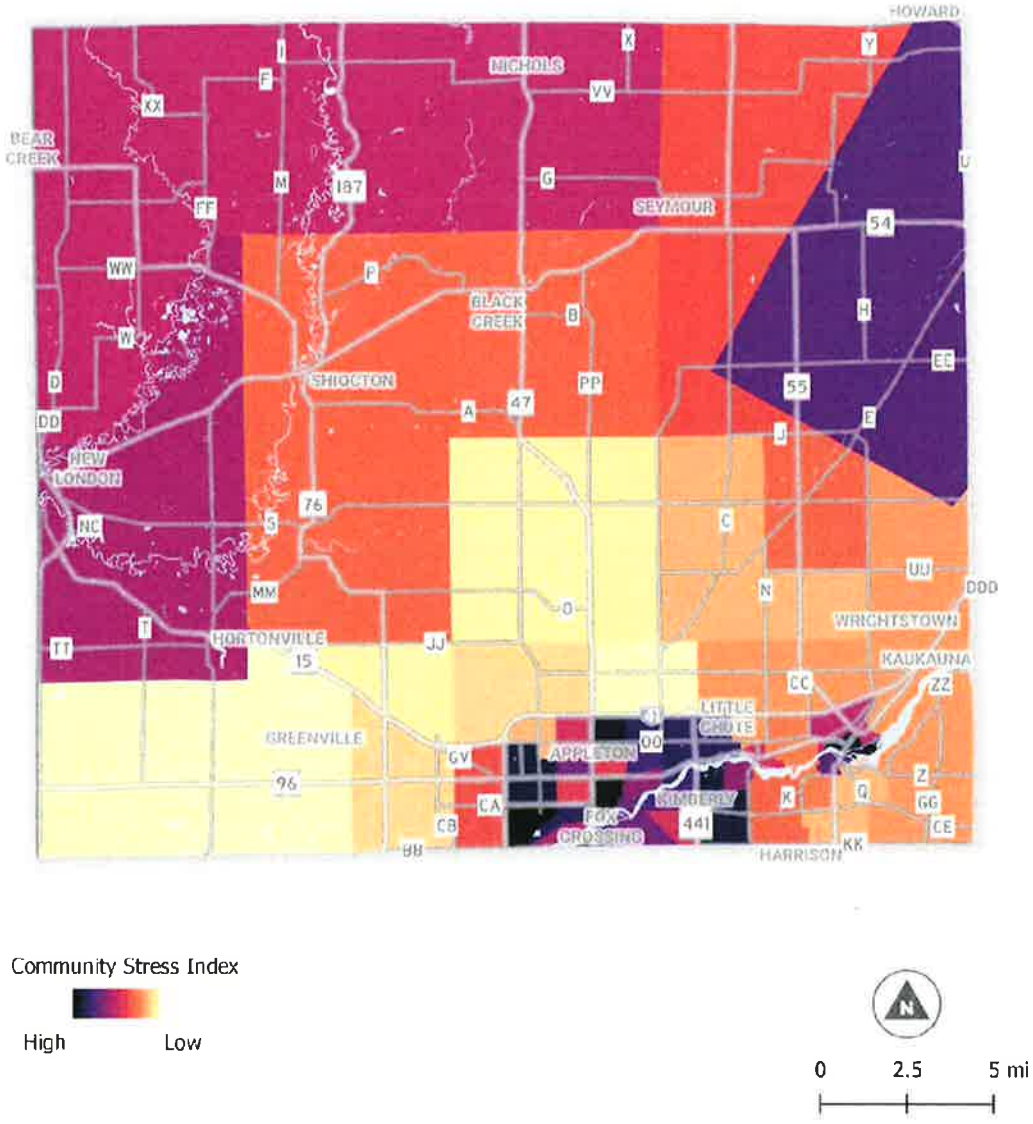
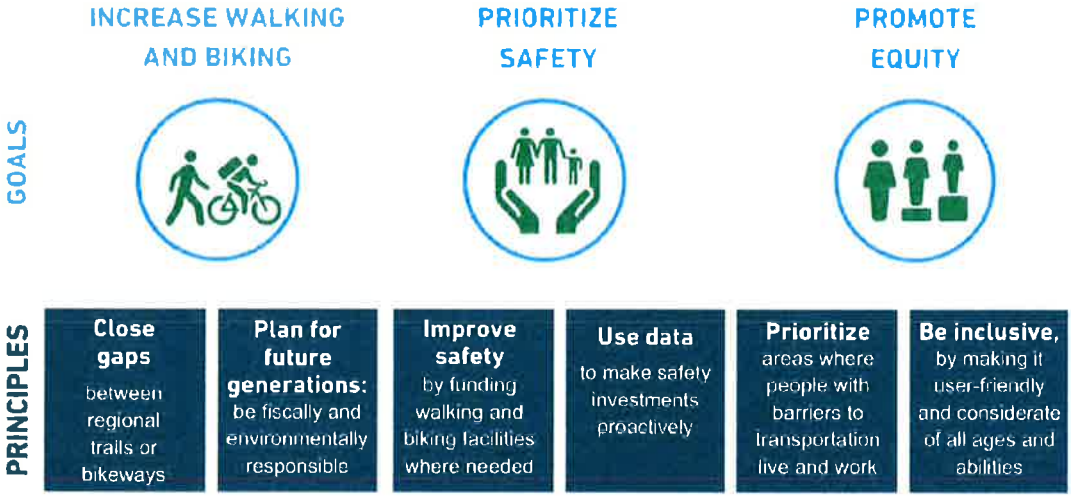


Figure 16. Community Stress Index (*Source: ECWRPC*)

3.3 PLANNING APPROACH AND PRINCIPLES

In conjunction with the development of the plan vision and goals, the project team established principles to help steer recommendations towards the plan goals. The following principles were identified based on public input and a strategic planning session with the Greenway Implementation Committee.



The project team referred to the goals and principles while developing the recommendations of and tools in this Plan. These recommendations and tools include the following:

- *Design Users and Facility Selection.* This describes the approach that the project team used to select bikeway and trail recommendations in the priority trail and bikeway network, and the way design users should be considered for facility selection in HSPAs (in this Chapter, below).
- *Recommended Trail and Bikeway Network.* These are specific bikeway and trail recommendations for bicycle infrastructure that will close critical gaps in the County's trail and bikeway network (Chapter 4).
- *Highway Safety Priority Areas (HSPAs).* HSPAs are areas where the County should take extra steps to ensure that walking and biking facilities are provided (Chapter 4).
- *Typical County Highway Cross Sections in HSPAs.* One-page diagrams and guidance the County should follow when repaving or reconstructing highways in HSPAs (Chapter 4).
- *Policy and Program Recommendations.* Non-infrastructure actions and programs that different county agencies should adopt to move forward on the vision, goals, and approach (Chapter 4).
- *Priority Corridors.* Critically important connections where the County should actively work to close gaps in trails or build bicycle and pedestrian infrastructure along and across major highways (Chapter 5).

Table 2 illustrates how each recommendation or tool intersects with the six approaches.

Table 2. Intersection between recommendations, tools, and approaches

Recommendation/Tool	Close Gaps	Plan for Future Generations	Improve Safety	Use Data	Prioritize Equity Areas	Be Inclusive
Design Users and Facility Selection	✓	✓	✓		✓	✓
Trail and Bikeway Network	✓	✓	✓		✓	✓
Highway Safety Priority Areas (HSPAs)		✓	✓	✓	✓	✓
Typical County Highway Cross Sections in HSPAs		✓	✓	✓		✓
Policy and Program Recommendations	✓	✓	✓	✓	✓	✓
Priority Corridors	✓		✓	✓	✓	✓

3.4 DESIGN USERS AND FACILITY SELECTION

There are several factors to consider when selecting the right type of facility along and across county highways. The County aims to close the gaps in the priority trail network between the regional trails in the county—and, where trails are not feasible, provide low-stress bikeway connections to those priority trails. Along those priority trail connections, the project team considered that children, families, and other inexperienced bicyclists may be using the bikeway. In small towns where county highways often serve as main streets, the County will also need to consider how to improve safety and inclusivity for people walking and biking to businesses and destinations along the street.

The Federal Highway Administration (FHWA) Bikeway Selection Guide and Small Town and Rural Multimodal Networks provide guidance that emphasizes the importance of designing bicycle and pedestrian networks for safety, comfort, and connectivity.

BIKEWAY FACILITY SELECTION

It is important to design low-stress bikeway networks that serve the needs of the "interested but concerned" bicyclist, who represents most potential bicyclists. Figure 17 demonstrates the bicyclist design user profiles and their approximate share of the population.

A low-stress bicycle network, also referred to as an "all ages and abilities network" or a "high comfort network," is one that is designed to be safe and comfortable for all users. Low stress networks rely on separating bicyclists from traffic using separated bike lanes and shared-use paths. Low-speed and low-volume streets with the operating characteristics of bicycle boulevards also support these networks if safe crossings of busy roads are provided.



Comfort Typology of Bicyclists

Design User Profile	Non-Bicyclist	Interested but Concerned	Somewhat Confident	Highly Confident
Bicycling Preferences	Uncomfortable bicycling in any condition, have no interest in bicycling, or are physically unable to bicycle.	Often not comfortable with bike lanes, may bike on sidewalks even if bike lanes are provided; prefer off-street or separate bicycle facilities or quiet or traffic-calmed residential roads. May not bike at all if bicycle facilities do not meet needs for perceived comfort.	Generally prefer more separated facilities, but are comfortable riding in bicycle lanes or on paved shoulders if need be.	Comfortable riding with traffic, will use roads without bike lanes.
Percent of General Public	31-37%	51-56%	5-9%	4-7%

Figure 17. Bicyclist Design User Profiles and Traffic Stress Tolerance (adapted from FHWA Bikeway Selection Guide)

PEDESTRIAN FACILITY SELECTION

Designing facilities for people walking needs to consider that they have different needs than people biking. Pedestrians usually take short trips to nearby destinations such as a school or business. Some are simply walking a pet or walking for exercise. Most rural small towns provide a compact center well-suited for walking and biking trips. Pedestrians can be accommodated by a variety of facility types, the most common being sidewalks and shared-use paths. Both of these facilities must be designed to meet standards in the US Access Board's proposed *Public Rights-of-Way Accessibility Guidelines* (PROWAG). For selecting which safety treatments to use at pedestrian crossings, the FHWAs *Safe Transportation for Every Pedestrian* (STEP) program's *STEP Studio Guide* provides several helpful tables to aid in countermeasure selection, including one shown in Figure 18 below.

Figure 18: Countermeasures for Pedestrian Crossing Locations According to Roadway Features

Roadway Configuration	Posted Speed Limit and AADT								
	Vehicle AADT <9,000			Vehicle AADT 9,000–15,000			Vehicle AADT >15,000		
	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph
2 lanes (1 lane in each direction)	● 2 4 5 6 7	● 5 6 7 9	○ 5 6 ● 9	● 4 5 6	● 5 6 7 9	○ 5 6 ● 9	● 4 5 6 7	○ 5 6 7 9	○ 5 6 ● 9
3 lanes with raised median (1 lane in each direction)	● 2 3 4 5 7	● ● 5 7 9	○ ● 5 ● 9	○ 3 4 5 7 9	○ ● 5 ● 9	○ ● 5 ● 9	○ 4 5 7 9	○ ● 5 ● 9	○ ● 5 ● 9
3 lanes w/o raised median (1 lane in each direction with a two-way left-turn lane)	● 2 3 4 5 6 7 9	● ● 5 6 7 9	○ ● 5 6 ● 9	○ 3 4 5 6 7 9	○ ● 5 6 ● 9	○ ● 5 6 ● 9	○ 4 5 6 7 9	○ ● 5 6 ● 9	○ ● 5 6 ● 9
4+ lanes with raised median (2 or more lanes in each direction)	● ● 5 7 8 9	● ● 5 7 8 9	○ ● 5 8 ●	○ ● 5 7 8 9	○ ● 5 ● 8 9	○ ● 5 8 ● 9	○ ● 5 ● 8 9	○ ● 5 8 ● 9	○ ● 5 8 ● 9
4+ lanes w/o raised median (2 or more lanes in each direction)	● ● 5 6 7 8 9	○ ● 5 ● 7 8 9	○ ● 5 ● 8 ●	○ ● 5 ● 7 8 9	○ ● 5 ● 8 9	○ ● 5 ● 8 9	○ ● 5 ● 8 9	○ ● 5 ● 8 9	○ ● 5 ● 8 9

Given the set of conditions in a cell,

\# Signifies that the countermeasure is a candidate treatment at a marked uncontrolled crossing location.

● Signifies that the countermeasure should always be considered, but not mandated or required, based upon engineering judgment at a marked uncontrolled crossing location.

○ Signifies that crosswalk visibility enhancements should always occur in conjunction with other identified countermeasures.*

The absence of a number signifies that the countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgment.

1 High-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs
2 Raised crosswalk
3 Advance Yield Here To (Stop Here For) Pedestrians sign and yield (stop) line
4 In-Street Pedestrian Crossing sign
5 Curb extension
6 Pedestrian refuge island
7 Rectangular Rapid-Flashing Beacon (RRFB)**
8 Road Diet
9 Pedestrian Hybrid Beacon (PHB)**

Refer to Chapter 4 of the Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations for more information about using multiple countermeasures

**It should be noted that the PHB and RRFB are not both installed at the same crossing location.

This table was developed using information from: Zegeer, C.V., J.R. Stewart, H.H. Huang, P.A. Lagerwey, J. Feaganes, and B.J. Campbell. (2005). Safety effects of marked versus unmarked crosswalks at uncontrolled locations: Final report and recommended guidelines. FHWA, No. FHWA-HRT-04-100. Washington, D.C., FHWA. Manual on Uniform Traffic Control Devices, 2009 Edition (revised 2012). Chapter 4F, Pedestrian Hybrid Beacons. FHWA, Washington, D.C.; FHWA. Crash Modification Factors (CMF) Clearinghouse. http://www.cmfclearinghouse.org/; FHWA. Pedestrian Safety Guide and Countermeasure Selection System (PEDSAFE). http://www.pedbikesafe.org/PEDSAFE/. Zegeer, C., R. Srinivasan, B. Lan, D. Carter, S. Smith, C. Sundstrom, N.J. Thirsk, J. Zegeer, C. Lyon, E. Ferguson, and R. Van Houten. (2017). NCHRP Report 841: Development of Crash Modification Factors for Uncontrolled Pedestrian Crossing Treatments. Transportation Research Board, Washington, D.C.; Thomas, Thirsk, and Zegeer. (2016). NCHRP Synthesis 498: Application of Pedestrian Crossing Treatments for Streets and Highways. Transportation Research Board, Washington, D.C., and personal interviews with selected pedestrian safety practitioners.

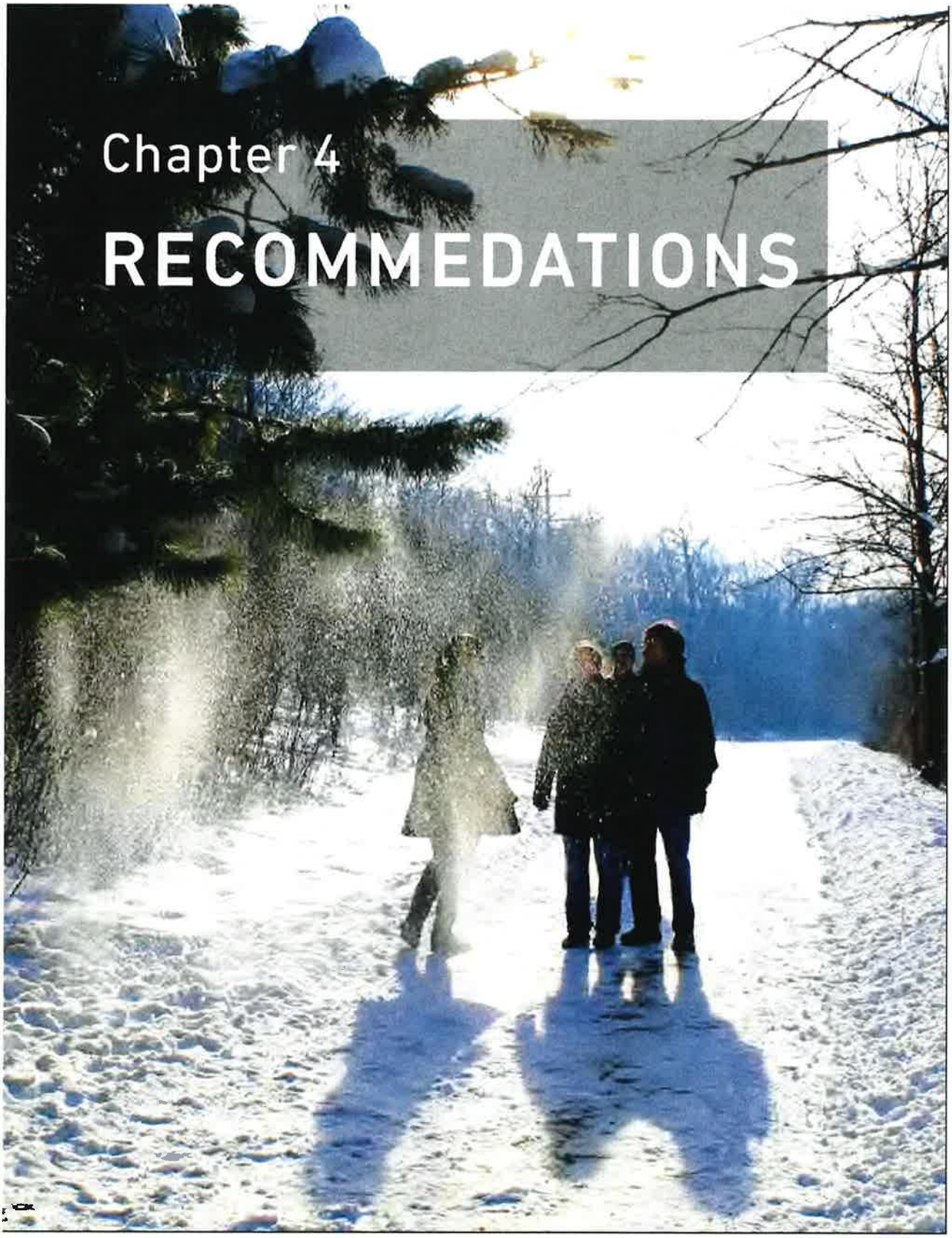

Chapter 4
RECOMMEDATIONS



Figure 19. Wiouwash State Trail, near Medina

4. RECOMMENDATIONS

The development of recommendations for Outagamie County followed the planning approach and adhered to the principles described in the previous chapter. This chapter presents the following elements and resources that the County can use for building out walking and biking infrastructure:

- *Toolbox of Trail and Bikeway Facilities.* This table explains the different types of bicycle and pedestrian facilities that are included in the Recommended Trail and Bikeway Network or displayed in the Typical Highway Cross Sections.
- *Recommended Trail and Bikeway Network.* These are specific bikeway and trail recommendations for bicycle infrastructure that will close critical gaps in the County's trail and bikeway network.
- *Highway Safety Priority Areas (HSPAs).* HSPAs are areas where the County should take extra steps to ensure that walking and biking facilities are provided along highways and at intersections and crossings.
- *Typical County Highway Cross Sections in HSPAs.* One-page diagrams and guidance the County should follow when repaving or reconstructing highways in HSPAs.
- *Policy and Program Recommendations.* Non-infrastructure actions and programs that different Outagamie County departments should adopt or prioritize to allow the creation of the recommended trail and bikeway network and improve walking and bicycling conditions across the County.

4.1 TOOLBOX OF TRAIL AND BIKEWAY FACILITIES

To design for people who are "interested but concerned" about biking (as described in Figure 17), this Plan primarily recommends off-street trail connections outside the urban area. Within the Fox Cities urbanized area, the priority trail connections will primarily need to use both on-street paths and separated facilities. The trails and bikeways in the priority trail connections section of this Plan include those shown in Table 3.

Table 3. Recommended bicycle facility types

Facility Type	Example Image	Description
Paved Trail / Shared Use Path (in own corridor)		• Fully separated from a street or road • Typically 11-12 feet wide • Sometimes installed along rail or utility corridors or next to rivers • Low-stress experience for many types of users (bicyclists, pedestrians, joggers)
Unpaved Trail / Shared Use Path (in own corridor)		• Fully separated from a street or road • Can be used for snowmobiling (or skiing) during winter months if not plowed • May also allow equestrian users • Typically less expensive to build and maintain than paved trails, but annually they cost more due to potential need for grading. • Low-stress experience for many types of users (bicyclists, pedestrians, joggers)
Rail with Trail		• Shared use path parallel to an active railroad • Usually has barrier separation between the path and the railroad • Working with railroads requires early communication and open dialogue • Guidance on developing Rails with Trails can be found in an FHWA report: *Rails with Trails: Best Practices and Lessons Learned*[14]
Paved Sidepath / Wide Sidewalk (next to street)		• Typically used on medium and high-volume streets with few intersections or driveways to minimize conflicts • Fully separated from a street or road • Typically paved and 11-12 feet wide • Next to and parallel to a roadway • Can be a low-stress experience for many types of users (bicyclists, pedestrians, joggers)

[14] https://railroads.dot.gov/elibrary/rails-trails-best-practices-and-lessons-learned-0

Facility Type	Example Image	Description
Bicycle Boulevard		• Typically installed on neighborhood streets that have lower volumes and speeds • Can include curb extensions, speed humps, neighborhood traffic circles, and pedestrian islands for traffic calming • Can be low-stress experience for bicyclists if traffic volumes and speeds are low enough
Marked Bike Route		• Help bicyclists navigate existing low traffic, low-stress streets • Quick and affordable expansion of the bicycle network using existing low traffic streets • Alert drivers that bicyclists may be present through signs • May include destination, distance, and direction on signs • Not a dedicated bicycle facility
Bike Lanes		• Designated space for bicyclists on medium volume streets with markings and signs • Bicyclists ride in the same direction as motor vehicle traffic • Usually 5 to 6 feet wide; may be enhanced with a buffer of 12-18 inches • Can be added by reconfiguring an existing shoulder, removing on-street parking, or reducing the number or width of travel lanes
Paved Shoulders		• Provide space for bicyclists and pedestrians (although they do not meet accessibility requirements for pedestrians) on rural roads • Reduce pavement edge deterioration, accommodate oversize vehicles, and provide refuge for public safety and maintenance vehicles • Shoulder width to accommodate bicyclists varies depending on traffic volume (see guidance on page 48
Separated Bike Lane		• Typically used on streets with high bicycle volumes and high motor vehicle volumes • Planters, concrete medians, parked cars, or other barriers provide physical separation and improve comfort and safety • Buffers should be at least three feet wide • A one-directional bike lane should be a minimum of 4.5 feet wide; a two-directional bike lane should be a minimum of 10 feet wide

4.2 RECOMMENDED TRAIL AND BIKEWAY NETWORK

The recommended trail and bikeway network consists of low-stress bikeway facility recommendations to fill critical gaps in the County's trail network. "Backbone" routes along rural county highways were also recommended to improve safety and increase options for more confident recreational bicyclists.

PLANNING APPROACH

To look for ways to provide low-stress connections between the gaps in the existing trail network, the project team began by considering trail connections that were recommended in the County's Comprehensive Outdoor Recreation Plan (CORP) or are already in development, including:

- Newton Blackmour State Trail extension into New London's Pfeifer Park.
- Proposed connection between Wiouwash State Trail and Newton Blackmour State Trail.
- Sidepath along State Highway 15 through Greenville to Hortonville.
- The trails that make up the current and in-development "Loop the Locks" route along the Fox River in Combined Locks, Kaukauna, Kimberly, and Little Chute.
- Connection between CB Trail and CE Trail along E College Avenue (CTH CE).

Starting with these five gaps, the project team looked for roads, corridors, and public right-of-way that would provide realistic opportunities to connect them via safe and low-stress bikeways. Additional trail and bikeway recommendations were added following public input and after considering the goals of this Plan. These additional connections included:

- Trails along county highways near schools and parks where children may be present, such as Edgewood Drive (CTH JJ) near Fox Valley Lutheran High School and Plamann Park, and CTH E in Freedom (near Freedom High School and Elementary School).
- Trails along county highways with safety concerns in the urban area and with many destinations contributing to strong demand for biking and walking trips, such as Northland Avenue (CTH OO) and Washington Street (CTH N).

After presenting the draft recommended network to the public and the Greenway Implementation Committee for review and comment, the project team also decided to identify a "backbone" of rural county highways that should be built with wider paved shoulders which would provide a safe travel lane for recreational cyclists exploring the northern part of the County.

Figure 20 and Figure 21 show the recommended trail and bikeway network for the entire County and an inset of the Fox Cities area.

"I AM NOT A HUGE FAN OF BIKE TRAILS ALONG BUSY HIGHWAYS,

but it sounds like the goal of this project is to create a connected trail network and safer infrastructure for walking and biking on county highways. If that is accurate, then the goal has been accomplished by this plan!"

--Appleton resident, commenting on the draft recommendations

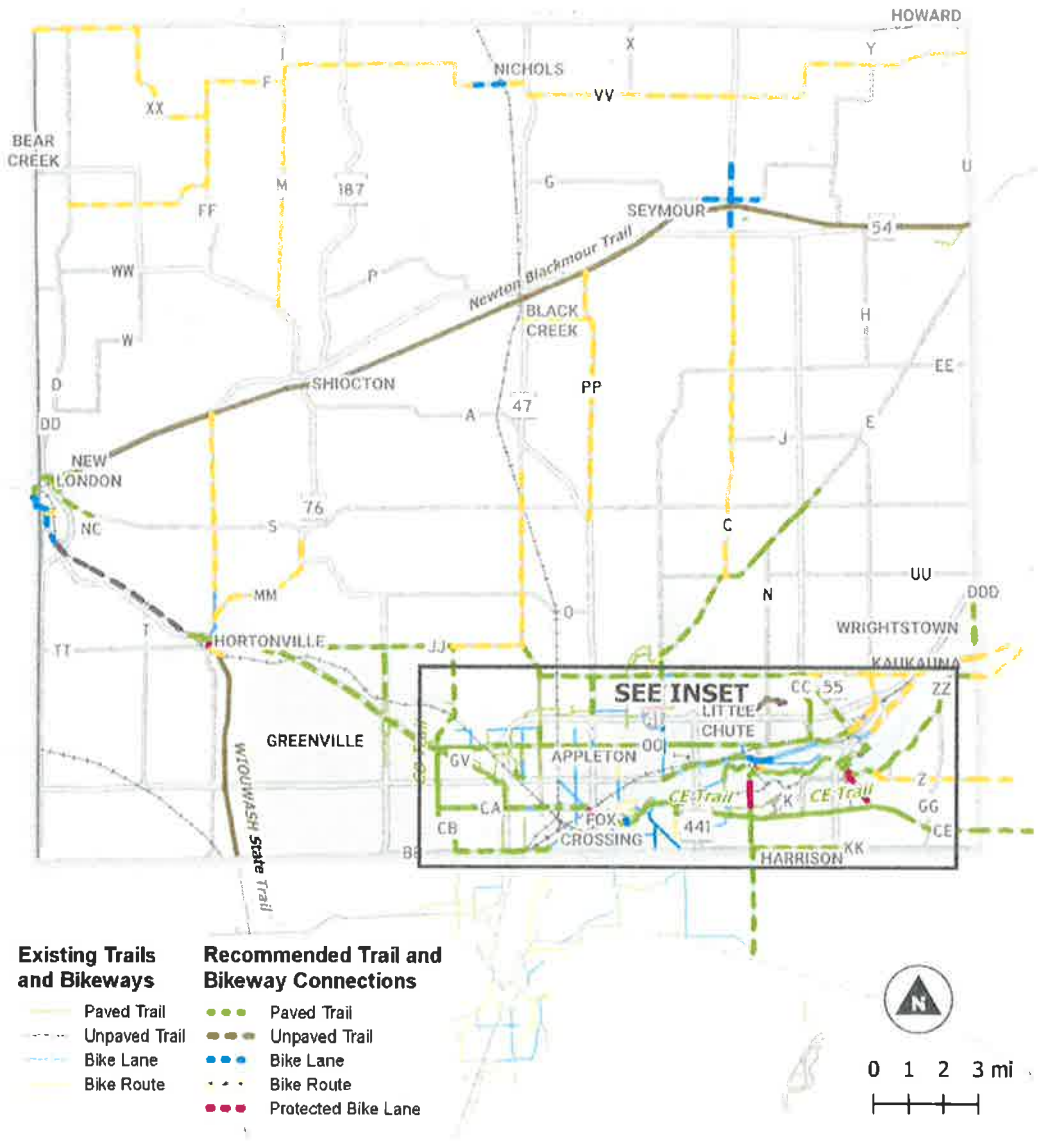


Figure 20. Recommended Trail and Bikeway Network

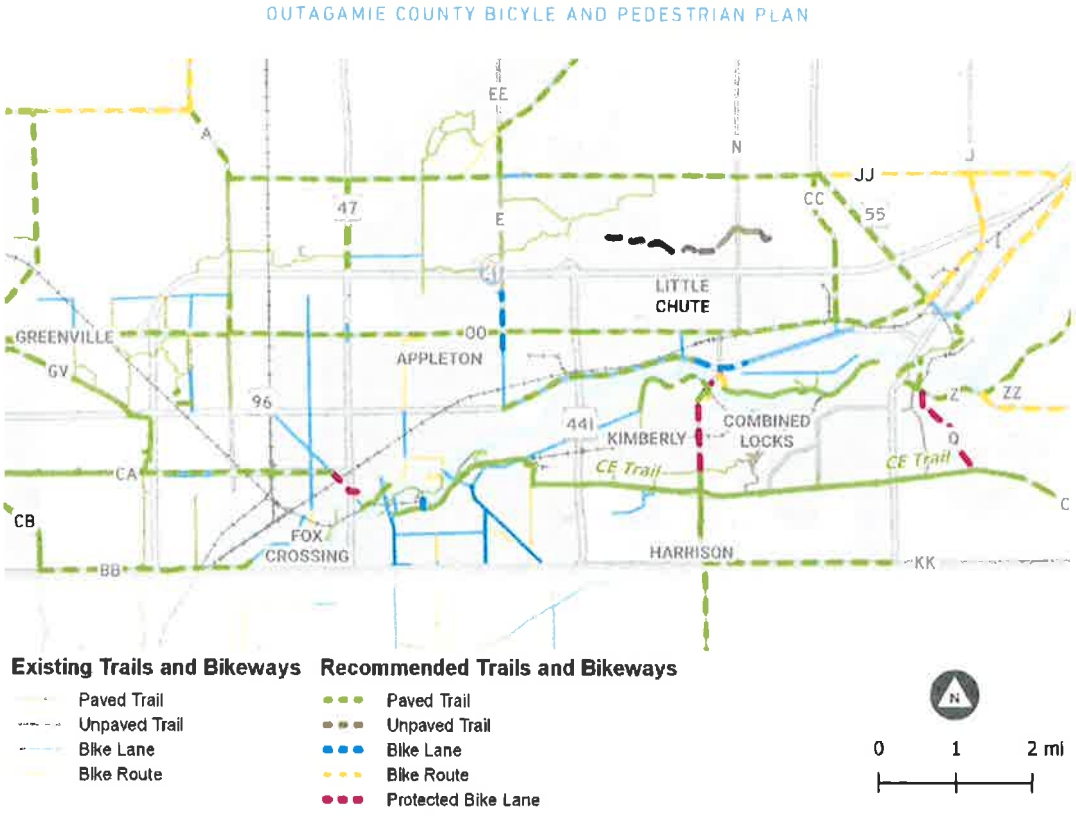


Figure 21. Recommended Trails and Bikeways, Inset of the Fox Cities area

4.3 HIGHWAY SAFETY PRIORITY AREAS

Highway Safety Priority Areas (HSPAs) are locations where the County should prioritize pedestrian and bicycle infrastructure and ensure that walking and biking facilities are provided. Locations selected as HSPAs will need follow-up studies that consider vehicle speeds, traffic volumes, available right-of-way, and expected users to determine the best facility type or facility improvements for the location.

In HSPAs, the County should use the typical cross sections shown in the next section when planning for and designing repaving and reconstruction projects along county highways. The recommended HSPAs for Outagamie County are shown in Figure 22 and Figure 23.

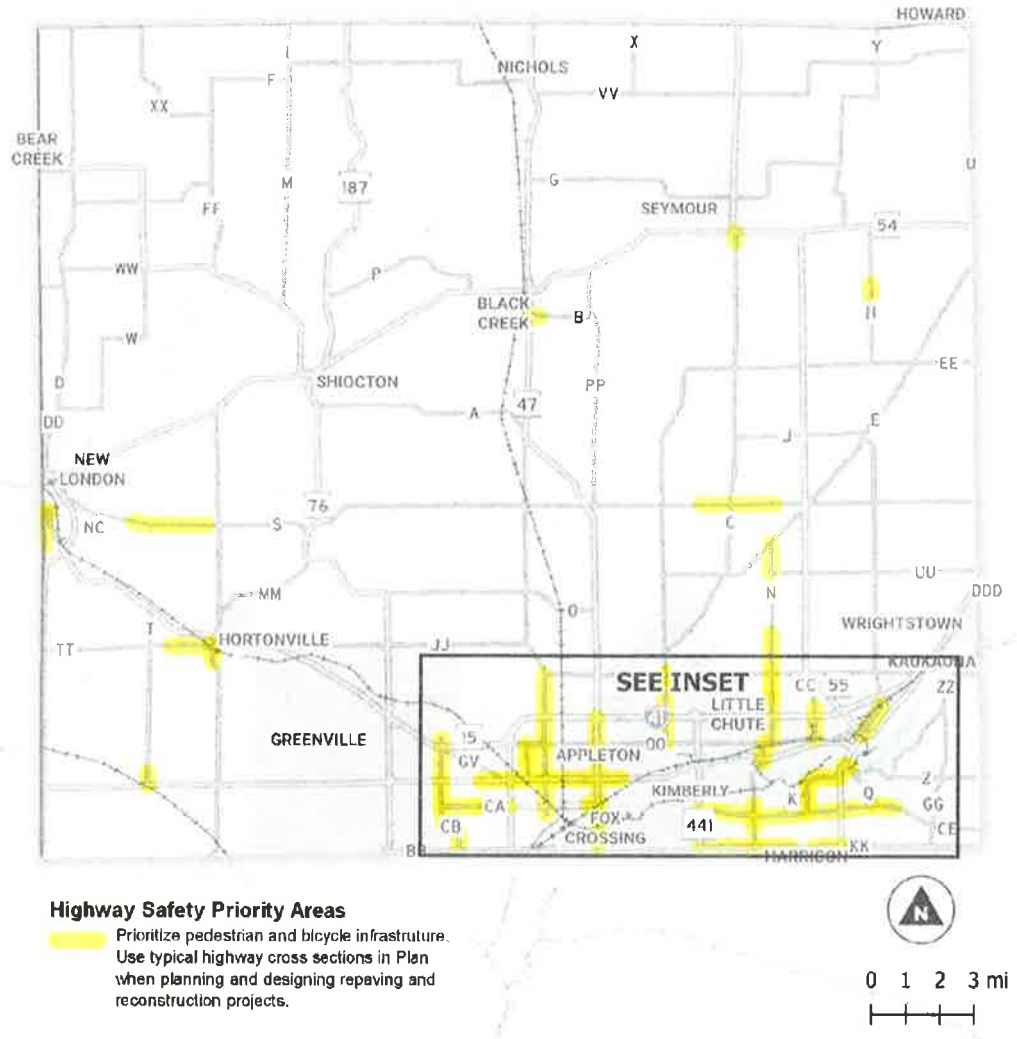


Figure 22. Recommended Highway Safety Priority Areas in Outagamie County

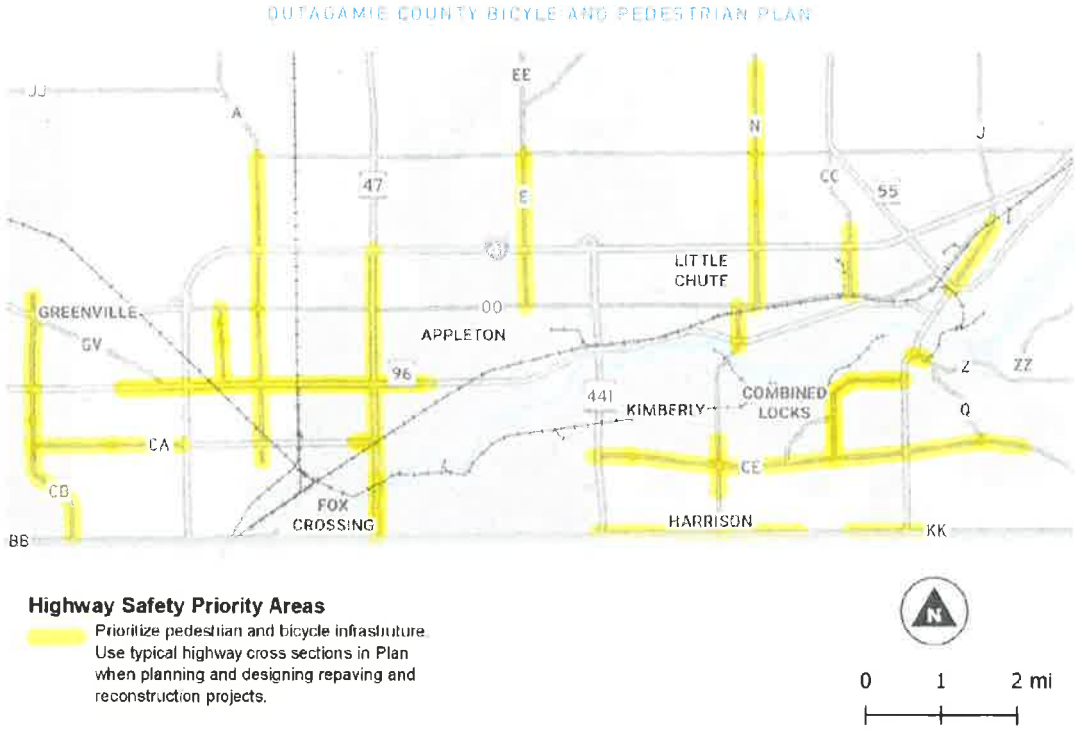


Figure 23. Recommended Highway Safety Priority Areas, Inset of the Fox Cities area

Areas were designated as HSPAs if they had either of the following factors present:

- **The highway segment had at least one bicycle or pedestrian crash between 2017 and 2021.** Segments were measured up to one mile in each direction from a crash. If the crash occurred at an intersection with another US, state, or county highway, the segment extended one mile in both directions.
- **The segment is in an area with "medium-to-high" bicycling and walking trip potential.**

Once these two factors were applied, the project team manually adjusted them to create logical project corridors. If a highway passed through areas with both medium trip potential and low trip potential, the entire segment was determined to be a HSPA instead of leaving gaps.

In addition to the county highways, the following three state highways were identified as highway safety priority areas because they have high rates of bicycle and pedestrian crashes in addition to high walking and biking trip potential: STH 47/Richmond Street, STH 96/Wisconsin Avenue, and STH 125/W College Avenue. The County does not have jurisdiction over these highways but should work with WisDOT to pursue grants and other initiatives to improve safety for bicyclists and pedestrians on those corridors.

4.4 TYPICAL HIGHWAY CROSS SECTIONS FOR HIGHWAY SAFETY PRIORITY AREAS

The American Association of State Highway and Transportation Officials (AASHTO) *Policy on Geometric Design of Highways and Streets*—commonly referred to as the "Green Book"—is considered to be the foremost guide to highway and street design. The 2018 edition of the AASHTO Green Book established five context classes for geometric design - three for urban areas and two for rural areas. The selection tools and cross sections in this chapter are aligned with these context classes:

- Urban areas, including Urban Core, Urban, and Suburban contexts
- Rural areas, including Rural Town and Rural contexts

The following section includes overviews of different county highway configurations for both urban and rural contexts. The cross-section diagrams and guidance are meant for Outagamie County staff to use as a quick reference when planning for and designing repaving and reconstruction projects along county highways. They are also meant to provide the County with the tools to communicate alternatives with the public in the early stages of planning, estimating, and scoping for future highway projects.



Figure 24. Main Street in Little Chute is a connecting state highway (STH 96) that is designed to slow motor vehicle traffic and make walking safe and enjoyable.

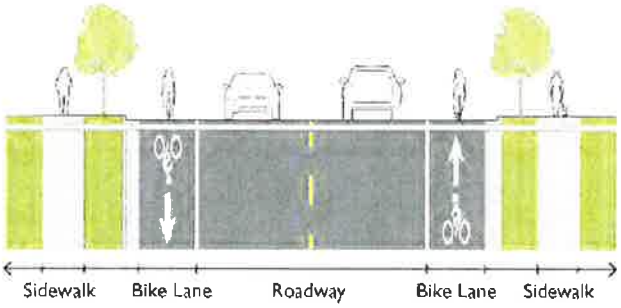
County Highways in Urban Context (including Urban Cores, Small Cities and Villages)

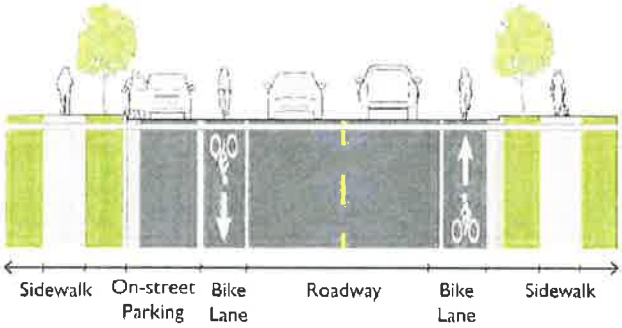
Motor vehicle speeds and volumes:

- Speeds of 25 mph or less
- Average Daily Traffic (ADT) is under 15,000 vehicles

Facilities for people walking:
Sidewalks provide a dedicated place for people walking. Sidewalks are recommended on all urban streets, including streets in small cities and villages.

Facilities for people biking:
Bike lanes provide a dedicated space for people biking on streets with low-to-moderate traffic speeds and volumes.





Design considerations	**Sidewalks:** Sidewalks along downtown main streets should be at least 6 ft wide (8-10 ft preferred). **Bike Lanes:** Visually narrowing traffic lanes by adding bike lanes can improve safety for all road users by encouraging drivers to slow down. *FHWA's Small Town and Rural Multimodal Networks* guide provides detailed guidance on designing and marking bike lanes.
Acceptable modifications	A painted buffer of 1-2 feet between the bike lane and the motor vehicle traffic lane is preferred where speeds are over 25 mph or ADT is over 6,000 ADT.
Implementation	Where speed limits on the existing highway are higher than 25 mph, reduce speed limits and use design to lower traffic speeds such as lane narrowing, curb extensions, or median islands. It may be possible to implement bike lanes through roadway reconfigurations ("road diets"). Road diets that reduce streets four-to-three motor vehicle lanes should be considered for roadways with less than 20,000 ADT and, in some cases, up to 25,000 ADT. Road diets have been proven to increase safety by reducing vehicle speeds and rear-end crashes. If a road diet is not possible, it may be possible to implement bike lanes by removing on-street parking from one or both sides of the roadway and reducing lane widths. Motor vehicle travel lanes can be 10 to 11 ft, depending on the types of vehicles using the road. If on-street parking is to be removed, the County will strive to remove it from only one side.
Potentially suitable routes	• Nash Street (CTH M) in Hortonville • Mill Street (CTH T) in New London

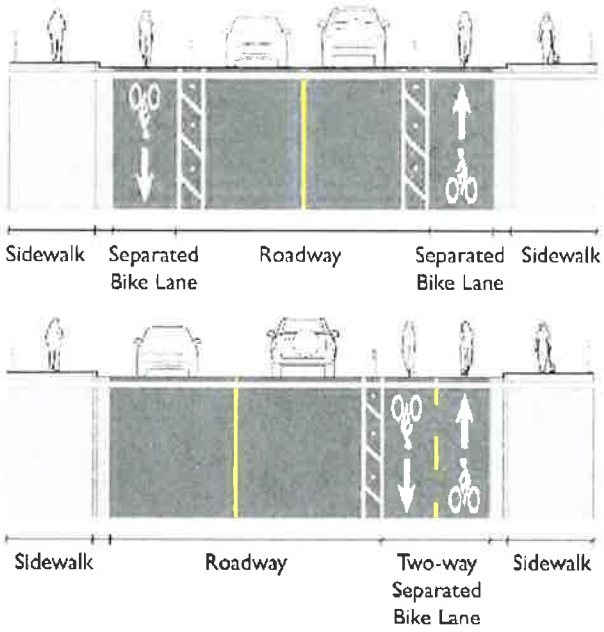
County Highways along Gaps in Priority Trail Network

Motor vehicle speeds and volumes:

- Speeds of 35 mph or less
- Average Daily Traffic (ADT) is over 5,000 vehicles

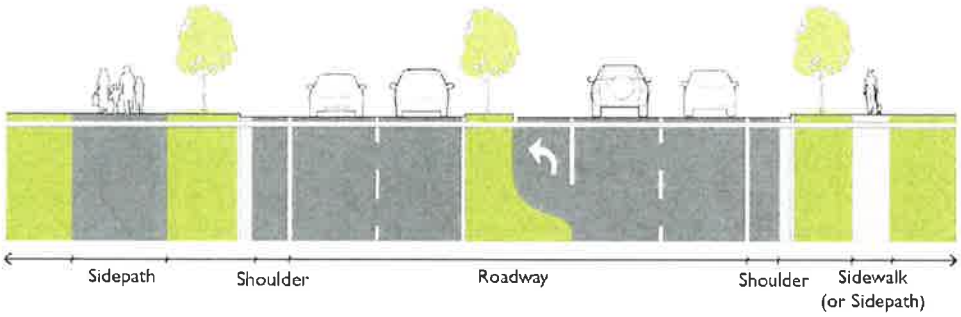
Facilities for people walking:
Sidewalks provide a dedicated place for people walking. Sidewalks are recommended on all urban streets.

Facilities for people biking:
Not all county highways in urban cores need separated bike lanes. That said, some county highways in urban cores provide a critical connection between priority trails. For these areas, county highways can be re-built to provide a low-stress bikeway connection. Separated bike lanes are recommended in these locations.



Design considerations	**Sidewalks:** Sidewalks along downtown main streets should be at least 6 ft wide (8-10 ft preferred). **Separated Bike Lanes**: FHWA's *Separated Bike Lane Planning and Design Guide* offers detailed planning and design guidance. Consider protected intersections for separated bike lanes. Providing a two-way separated bike lane or side path on one side of a street introduces a counterflow movement for bicyclists, which can be challenging to accommodate. Safety countermeasures are needed to manage conflicts at intersections and driveways, and special signals and signal phasing treatments will be required.
Acceptable modifications	Bike lanes or buffered bike lanes may also be preferable to standard bike lanes in locations that do not fill gaps between priority trails.
Implementation	It is preferable to implement bike lanes through roadway reconfigurations ("road diets"). Road diets that reduce streets four-to-three motor vehicle lanes should be considered for roadways with less than 20,000 ADT and, in some cases, up to 25,000 ADT. Road diets have been proven to increase safety by reducing vehicle speeds and rear-end crashes. If a road diet is not possible, it may be possible to implement bike lanes by removing on-street parking from one or both sides of the roadway and narrowing lane widths. Motor vehicle travel lane widths can be 10 to 11 ft, depending on the types of vehicles using the road. If on-street parking is to be removed, the County will strive to remove it from only one side.
Potentially suitable routes	• Washington Street (CTH N) from the Fox River to E College Ave (CTH CE) • Hillcrest Drive (CTH Q) from Cleveland Avenue to CE Trail

County Highways in Suburban Context



Motor vehicle speeds and volumes:

- Speeds of 35 mph or more
- Average Daily Traffic (ADT) is over 6,000 vehicles

Facilities for people walking:

Pedestrians should be expected and accommodated on both sides of urban streets--including suburban throughfares--with either sidewalks or sidepaths.

Facilities for people biking:

Sidepaths are recommended on urban and suburban streets with high traffic speeds and volumes over 6,000 ADT.

Design considerations	Sidepaths require ample right-of-way to provide for separation and pathway area outside of the adjacent roadway. Preferred minimum separation width is 6.5 ft, although a physical barrier between the path and the roadway will allow for a narrower separation distance. Operational and safety concerns exist where sidepaths cross driveways and intersections. Combine driveways and access points to reduce the number of turning conflicts with sidepath users. At road crossings along higher-speed, higher-volume roadways, sidepaths may need to shift as far as 16-24 ft from the adjacent street. See FHWAs *Small Town and Rural Multimodal Networks* and the AASHTO *Bike Guide* for design strategies. If a sidepath is provided on only one side of a roadway, special attention needs to be provided for safe bicycle crossing infrastructure.
Implementation	It may be possible to gain space for sidewalks and sidepaths through roadway reconfiguration ("road diet"). Suburban multi-lane arterial corridors have high crash rates for all users due to high vehicle speeds. The County should rethink how these types of roads are designed, focusing on supporting both the transportation needs and adjacent land uses. ITEs *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach* explains how land use planning can support corridor plans and provides detailed design parameters for suburban urban corridors. Certain types of federal funding may be appropriate for planning and designing pedestrian and bicycle infrastructure on corridors with high crash rates. More information about federal funds is in the Chapter 5.
Potentially suitable routes	• CTH N from E College Avenue (CTH CE) to Calumet Street (CTH KK) • W Edgewood Drive (CTH JJ) from Lynndale Drive (CTH A) to STH 47 • W College Avenue (CTH CA and STH 125) from the airport to Badger Avenue

County Highways in Rural Villages and Town Centers with Low Traffic and Low Speeds

Motor vehicle speeds and volumes:

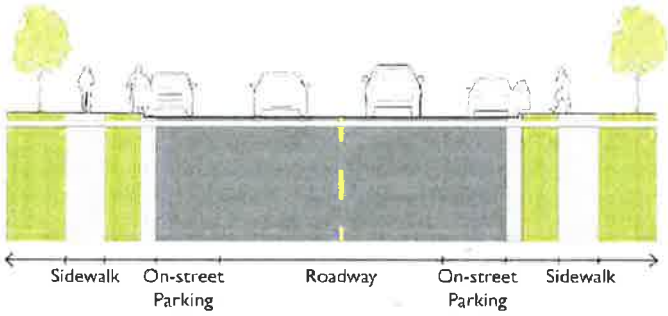
- Speeds of 25 mph or less
- Average Daily Traffic (ADT) is under 3,000 vehicles

Facilities for people walking:

Sidewalks provide a dedicated place for people walking. Sidewalks are recommended on all streets in built-up areas, including rural town community centers.

Facilities for people biking:

Dedicated bicycle facilities are not needed on streets with low traffic volumes and low speeds, but shared lane markings and Bikes May Use Full Lane signs can be used to let drivers know to expect bicyclists.



Design considerations	To encourage drivers to reduce their speeds as they enter rural villages, the County should consider graduated speed decreases, and installing gateway treatments or other traffic calming tools such as lane narrowing through curb extensions or median islands, roundabouts, or driver speed feedback signs.
Acceptable modifications	Sidewalks should support land uses along the street and, as such, may only be necessary on one side of the street if destinations are only on one side of the street. In a situation like this, special attention needs to be provided for safe pedestrian crossing infrastructure. On-street parking may not be necessary on one or both sides of the street due to adjacent land uses or low demand.
Implementation	Add sidewalks in Highway Safety Priority Areas when highways are reconstructed or pursue federal funding for high-priority locations. Encourage or require sidewalks along county highways as part of subdivision regulations. Depending on available right-of-way, property may have to be purchased or easements granted to build sidewalks.
Potentially suitable routes	• CTH F in Nichols • CTH T in Dale • CTH M in Medina

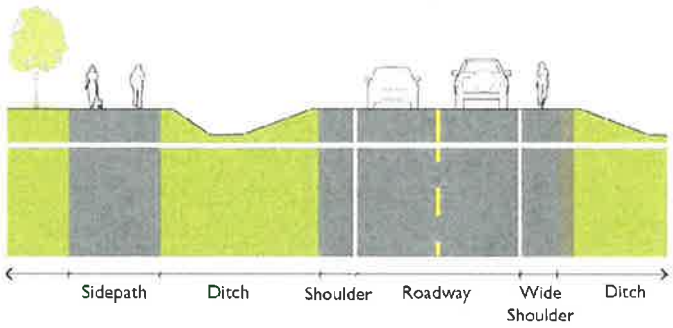
County Highways in Rural Town Centers with Higher Speeds near Schools and Parks

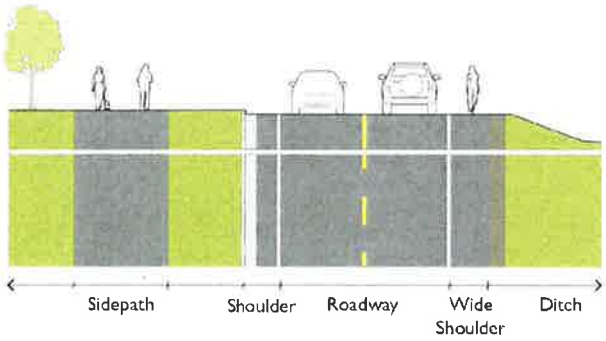
Motor vehicle speeds and other characteristics:

- Speeds of 35 mph to 55 mph
- No curb and gutter on existing road
- Where children may be present (routes to schools and parks)

Facilities for people walking and biking:

In newer residential areas in towns where the county highway has higher speeds and lacks curb and gutter, a sidepath can maintain rural character and is more appropriate for children than a paved shoulder. Wide shoulders can provide dedicated space for more confident bicyclists.



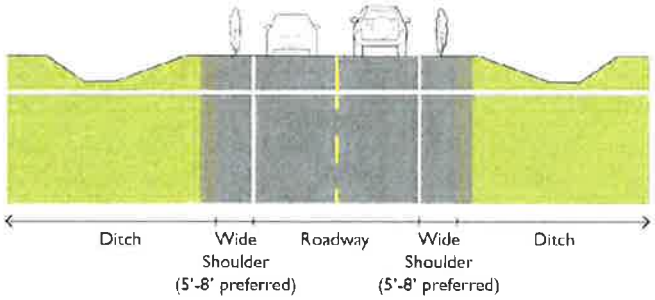


Design considerations	A sidepath on a rural highway requires a wide roadside environment (typically at least 30 feet from the edge of the traveled way) to allow for a 10 ft pathway outside the ditch. Adding curb and gutter may be necessary to fit the sidepath within the public right-of-way. If curb and gutter infrastructure will be installed as part of highway reconstruction, a smaller roadside environment is required. It is recommended to have provide a pedestrian facility on both sides of the road (sidewalks and/or sidepath). *FHWA's Small Town and Rural Multimodal Networks* guide provides additional guidance on designing sidepaths, with attention to intersection treatments that increase safety.
Acceptable modifications	Sidewalks should support land uses along the street. As such, sidewalks may only be necessary on one side of the street if destinations only exist on one side of the street. In a situation like this, special attention needs to be provided for safe pedestrian crossing infrastructure.
Implementation	Add sidewalks in Highway Safety Priority Areas when highways are reconstructed or pursue federal funding for high-priority locations. Encourage or require sidewalks along county highways as part of subdivision regulations. Depending on available right-of-way, property may have to be purchased or easements granted to build sidepaths.
Potentially suitable routes	• CTH E in Freedom between STH 55 and Freedom Elementary school • Edgewood Drive (CTH JJ) between Lightning Drive and N Cherryvale Avenue

Rural Highway where Bicyclists Expected (Bike Routes)

Motor vehicle speeds and other characteristics:

- Speeds of 45 mph to 55 mph
- Average Daily Traffic (ADT) is between 1,000-8,500 vehicles
- Outside built-up areas where no pedestrians are expected
- Where confident bicyclists are expected



Facilities for people biking:

- Along popular bike routes, paved shoulders provide a dedicated space for confident bicyclists. Bicyclists need a **minimum** of 4 ft of usable or effective paved shoulder width (not including rumble strips) when traffic volumes exceed 1,000 ADT.
- **Preferred** paved shoulder widths on bicycling routes (exclusive of rumble strips) are wider than the 4 ft minimum, and increase as traffic volume increases:
  - Where ADT is 1,000-2,000: preferred paved shoulder width 5 ft
  - Where ADT is 2,000-3,000: preferred paved shoulder width is 6.5 ft
  - Where ADT is 3,000-6,000: preferred paved shoulder width is 7 ft
  - Where ADT is 6,000 to 8,500: preferred paved shoulder width is 8 ft

Design considerations	*FHWA's Small Town and Rural Multimodal Networks* guide provides detailed guidance on designing paved shoulders for people biking. It may be appropriate to install rumble strips near the edge lines along rural high-speed highways. Refer to WisDOT's *Facilities Design Manual* section 11-15.8.1.2.2 for detailed guidance on when rumble strips are appropriate. With a 5-foot or more paved shoulder, the Type 1 shoulder rumble strips in the FDM's Standard Detail Drawing will provide the minimum 4 ft of usable space for bicyclists.
Acceptable modifications	In constrained locations where pavement width is limited, consider providing a wider shoulder on only one side of uphill roadway sections to give slow-moving bicyclists additional maneuvering space, reducing conflicts with faster motor vehicle traffic.
Implementation	Add paved shoulders when highways are reconstructed. Retrofitting highways with paved shoulders during highway repaving may also be possible in some locations.
Potentially suitable routes	• CTH MM between Hortonville and Stephensville • CTH Z east of Kaukauna

4.5 POLICY AND PROGRAM RECOMMENDATIONS

Outagamie County policies and programs are key ingredients to creating a place where walking and bicycling are connected, safe, and convenient. Policies institutionalize and standardize the construction of infrastructure and inform how this Plan will be implemented. The following are a set of policy and program recommendations that can help Outagamie County implement the Plan's vision and goals.

The policy and program recommendations are divided into six categories for organizational purposes. With that said, as policies and programs are implemented, overlap between categories is anticipated.

- Highway Department
- Development and Land Services
- Parks
- Health and Human Services
- Sheriff
- Evaluation

HIGHWAY DEPARTMENT

The Outagamie County Highway Department constructs and maintains the county trunk highway system. They provide roadway maintenance and construction services to the State of Wisconsin and local municipalities for state highways and local road systems. They also plan, program, and implement necessary county trunk highway improvements to efficiently accommodate traffic demand. Historically, most of the Highway Department's efforts have focused on creating safe and efficient roads for moving vehicular traffic.

The following recommendations are intended to help the Highway Department standardize their approach to designing multimodal facilities for people bicycling and walking. They are also intended to identify where these accommodations are most needed. Priority recommendations are identified with a star: ★

Highway Recommendation	Description
★ Refer to HSPAs, the priority trail connections, and the typical cross section guidance in the Plan during highway reconstruction and repaving projects.	This Plan identifies Highway Safety Priority Areas (HSPAs) that are County highway segments which are more likely to be used by people walking and biking. The Plan also identifies priority trail connections along some County highways. As HSPAs are repaved, rehabilitated, or reconstructed, the County should consider the typical cross sections and guidance to communicate with the public and elected officials about possible multimodal alternatives. Where a low-stress bikeway or trail is recommended for a priority trail connection along a county highway, the County should attempt to build bikeways that are comfortable for all ages and abilities.
★ Update Administrative Rule 10-02 (AR10-02).	AR10-02 was created in 2010 to limit the County's financial risk for the capital and maintenance costs of urban highway improvements within County highway right-of-way and related construction projects. This policy has resulted in many pedestrian and bicycle projects getting implemented with a local, instead of regional, focus, resulting in a disjointed network. AR10-02 should be updated to allow more flexibility to fund priorities identified in this Plan while still limiting the County's financial obligations for funding and maintaining projects that benefit individual municipalities.[15] This change will increase the cost of highway reconstruction and repaving projects to the County as the cost of multimodal elements will now be shared instead of borne entirely by the municipality.

[15] More information and specific recommended language for updating AR10-02 can be found in a 2022 memo written as part of the ECWRPC Technical Assistance program available for request from Development and Land Services

Highway Recommendation	Description
★ Apply for a Safe Streets and Roads for All (SS4A) Implementation Grants.	Safe Streets and Roads for All (SS4A) is a new federal funding progam to address roadway safety issues. As of July 2023, ECWRPC is in the process of developing a safety action plan for the Appleton (Fox Cities) urbanized area which will allow Outagamie County to apply for implementation grants under this program: there is substantial funding available through 2028. Some county highways in the urbanized area that have high crash rates and lack sidewalks, bicycle facilities or safe crossing infrastructure may be good candidates for SS4A implementation grants.
★ Pursue grant funding sources for pedestrian and bicycle facilities.	Identify and coordinate funding for pedestrian and bicycle facilities across departments as appropriate. Federal and state transportation grants for bicycle and pedestrian facilities typically require the County to pay a 20% local match. Pursue federal, state, and regional grants, such as those identified in Chapter 5.
Support communities in building Safe Routes to School (SRTS) infrastructure on County highways.	Many schools are located along county highways in Outagamie County, which means that students and families need to travel on or across these roads to get to and from school. Many schools in the County have worked with ECWRPC to create SRTS infrastructure plans with focused project lists. Outagamie County should support planning and implementation of SRTS projects along county highways or within the county right-of-way.[16]
Implement safety infrastructure consistent with current design guidance and standards.	Design guidance provides direction and detailed specifications for building comfortable pedestrian and bicycle facilities, as well as other street design treatments intended to improve safety and accessibility. The County should ensure that it is following best practices and utilizing current design guidance available, including: • **FHWA *Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations*** provides specific crosswalk safety treatments for different road contexts (see Figure 2). • **FHWA *Proven Safety Countermeasures initiative* (PSCi)** is a collection of 28 recommended countermeasures and strategies that research has found reduce roadway fatalities and serious injuries. There are eight measures specific to bicyclists and pedestrians. • **FHWA *Small Town and Rural Multimodal Networks*** guide is a design resource to help small towns and rural communities support walking and biking. **National Association of City Transportation Officials (NACTO)** design guidance offer insights and direction on topics specific to urban streets such as bikeways, intersection geometry, pedestrians, transit, and stormwater.[17]

[16] A list of the ECWRPC SRTS plans can be found at https://eastcentralsrts.org/local-programs

[17] https://nacto.org/program/design-guidance/

DEVELOPMENT AND LAND SERVICES

Land use policies and community and economic development efforts can help guide the planning and construction of bikeways and sidewalks, both through new development, and through planning and coordination with other agencies. The following recommendations focus on ways to institutionalize walking and biking into Outagamie County's development policies and programs.

Development and Land Services Recommendations	Description
★ Pursue grant funding sources for pedestrian and bicycle facilities.	Identify and coordinate funding for pedestrian and bicycle facilities across departments as appropriate. Federal and state transportation grants for bicycle and pedestrian facilities typically require the County to pay a 20% local match. Federal and state recreation grants for trails typically require a 50% match. Pursue federal, state, and regional grants, such as those identified in Chapter 5.
★ Adopt this Plan as an addendum to the Comprehensive Plan.	The Comprehensive Plan 2040[18] sets forth a vision, goals, recommendations, data, graphics, and maps related to housing, transportation, economic development, and natural resources (among others), which guide public land use, development, and infrastructure policy. The Comprehensive Plan identifies a suite of transportation projects that include pedestrian and bicycle components throughout the County. Adopting this Plan as an addendum to the Comprehensive Plan would allow these two efforts to be formally connected and ensure that the recommendations provided in this Plan apply to planning decisions made.
Review and update County subdivision regulations to better support connectivity and mobility for people walking and biking.	County subdivision regulations should be reviewed and, if needed, updated to improve outcomes for people walking and biking. Potential updates may pertain to the following, among other topics: • Street connectivity requirements and language that discourages cul-de-sacs. • Requiring sidewalks on both sides of collectors and arterials, and on at least one side of local streets. • Minimum widths for sidewalks and paths (consider 5' minimum width for sidewalk and 11' minimum width for paths). • Requiring commercial developments to have internal pedestrian walkways and connections to adjacent sites.
Explore the need for, or interest in, establishing Complete Streets policy guidance (e.g., best practices) for the County or local municipalities to use if they choose.	Complete Streets policies help guide design decisions to ensure that new streets and street reconstructions provide people walking and biking with safe, comfortable, and connected, facilities. Having an Outagamie County-specific Complete Streets guidance document would show stakeholders that the County is committed to improving its roadways for people walking and biking. It would help to ensure that future improvements are built in a way that supports active transportation use.[19]

[18] https://www.outagamie.org/government/departments-a-e/development-and-land-services/comprehensive-plan

[19] An inventory of city, county, and regional Complete Streets policies can be found at https://wisconsinbikefed.org/what-we-do/advocacy/milwaukee-complete-streets-for-all/#:~:text=In%202009%20the%20Wisconsin%20state,marked%20or%20unmarked%20bike%20lanes.

Development and Land Services Recommendations	Description
Increase areas of focus and scope for the Greenway Implementation Committee.	The Greenway Implementation Committee has provided oversight and guidance for the development of this Plan and oversees the selection of grants awarded under the Outagamie County Greenway Implementation Fund. Consider involving the Committee in the following areas: • Provide input on projects in the Capital Improvement Program, including county highway reconstruction projects. • Review county grant applications related to bicycle or pedestrian facilities (prior to County Board approval).
Review and Evaluate Greenway Fund evaluation matrix and policies.	The Outagamie County Greenway Fund provides annual matching grants to help local units of government develop greenway networks that are regional in nature. The County, in collaboration with its Greenway Implementation Committee, should review and evaluate the current grant evaluation matrix and existing policy guidelines to determine if potential changes are needed to align with this Plan. At a minimum, the policy guidelines for the Greenway Fund should be updated to ensure that the County is only funding projects that are recommended in this Plan (or that have a strong nexus with projects listed in this Plan). Scoring criteria could also be updated, so that they align with the three goals of this Plan: • *Increase Walking and Biking.* Projects located in or near areas with high population would be given more points. • *Prioritize Safety.* Projects addressing safety concerns on or near roads with high speeds or traffic volumes would be given more points. • *Promote Equity.* Projects located in areas with in the top 30% of the ECWPRC community stress index would be given more points.
Partner with the Fox Cities Convention & Visitors Bureau and other municipalities to routinely update the printed map of trails in the area.	Providing printed maps of the trail network is one way to increase walking and biking by making the trail and bikeway system user-friendly, accessible, and easy to navigate. The Trails of the Fox Cities maps and brochures that are available in bike shops and in the Development and Land Services office are out of date, and do not reflect the many miles of trails and bikeways that have been constructed in recent years.
Continue internal staff coordination to provide interdepartmental feedback on upcoming infrastructure and policy projects.	The Outagamie County Bicycle and Pedestrian Plan recommendations, project list, and actions need to be kept alive and continually referenced as Outagamie County staff go about their day-to-day work. A regular meeting and cross-department group should be established to check in on plan progress, communicate about upcoming opportunities to implement pieces of the plan, and maintain momentum on plan actions.

PARKS

The Outagamie County Parks Department maintains several trails in Outagamie County, amounting to 40 miles of trail, including the CE Trail, the Newton Blackmour State Trail, and Wiouwash State Trail.

Maintenance such as brush clearing and mowing of these trails is mostly performed by Parks staff. The County has a snow-removal agreement with some local municipalities for the CE Trail. No other paths are plowed. The Parks department also oversees the acquisition of new land for conservation and recreation throughout the County.

Parks Recommendation	Description
Begin a cross-agency discussion about land acquisition strategies that may be needed to create a complete pedestrian and bicycle network in Outagamie County.	Wisconsin State Statute 32.015 prohibits using eminent domain for bicycle and pedestrian ways, although public agencies can still negotiate land purchases from willing property owners. Outagamie County should convene a group of internal staff and external stakeholders, including the Community Foundation of Fox Valley and Fox Valley Greenways to begin a discussion on this topic, identify opportunities and constraints, and start to create a consistent path forward when situations present themselves or when property acquisition is needed. More details and resources for these discussions can be found in the Implementation Chapter and in the Rail-to-Trails Conservancy's TrailNation Playbook.[20]
★ Develop a strategy and structure for assigning maintenance responsibilities for recreational trails in rural areas.	Different organizations are best suited for certain types of maintenance, and efficiencies can be gained by having the most appropriate and experienced group(s) do an agreed upon scope of work to maintain pedestrian and bicycle facilities. The spotlight on the following page shows an example of how maintenance responsibilities could be assigned by location and by maintenance type. Outagamie County could request assistance from ECWRPC in conducting a study and developing a strategy.
★ Pursue grant funding sources for pedestrian and bicycle facilities.	• Identify and coordinate funding for pedestrian and bicycle facilities across departments as appropriate. Federal and state recreation grants for trails typically require the County to pay a 50% local match. • Pursue federal, state, and regional grants, such as those identified in Chapter 5.

[20] https://www.railstotrails.org/our-work/trailnation/playbook/investment-strategy/

Recommendation Spotlight: Assigning Maintenance Responsibilities

Different organizations are best suited to certain types of maintenance. Major maintenance (such as pavement patching, crack sealing, or bridge/culvert repairs) are best left to agencies such as the County's Highway Department and municipal public works departments. Tasks such as mowing and snow removal along paths can be performed by groups that typically perform similar work in parks or other public properties. Day-to-day maintenance such as litter removal and general upkeep can be assigned to volunteer organizations, such as a "Friends" groups, scouts, service organizations, and other non-specialized labor.

The table below shows an example of how maintenance responsibilities could be assigned by location and maintenance type.

	Major maintenance Patching, crack sealing, striping, sign replacement on an as-needed basis. All paths should be inspected biannually for maintenance needs and to ensure ADA compliance.	**Intermediate maintenance** Mowing on a biweekly or monthly basis, tree trimming as needed to maintain clearances, snow plowing of priority paths within 48 hours of snowfall.	**Day-to-day maintenance** Daily or weekly volunteer patrols with ongoing litter removal. Groups should report pavement, signage, and vegetation maintenance needs to appropriate agencies.
Paths along county/state highways	Highway department*	Parks division*	Volunteer groups
Paths along municipal roadways	Municipality	Municipality	Volunteer groups
Paths in independent alignments (e.g., former railroad)	Parks division*	Parks division*	Volunteer groups

HEALTH AND HUMAN SERVICES

County health departments are skilled in creating coalitions that work collaboratively across private and public agencies to promote healthy living. The County's Health and Human Services Department staff can focus on efforts to promote walking and biking, especially as part of efforts to improve residents' mental health.

Health and Human Services Recommendation	Description
Partner with ECWRPC and local hospitals or healthcare organizations to add wayfinding signage on trails and bikeways.	Providing wayfinding signage on bikeways is one way to increase walking and biking by making the trail and bikeway system user-friendly, accessible, and easy to navigate. ECWRPC and the Winnebago County Health Department successfully implemented wayfinding signage on their trails with funds from Affinity Health Systems.
Support walk and bike safety education for children.	Coordinate with ECWRPC and school districts throughout Outagamie County to support programs that educate children on how to walk and bike safely, such as "bike rodeos" or education programs in school.
Encourage local healthcare organizations to promote walking and biking.	The Outagamie County Health Department could consider convening a coalition or initiative to highlight the health benefits of walking and biking—both for fitness and mental health. One way to promote walking and biking could be to organize regular events (such as "Walk with a Doc").

SHERIFF

Enforcement can play a role in both *educating* road users of all types about how to legally use the road network and *enforcing* rules and regulations. The following recommendations highlight a few ways that the County Sheriff can support people walking and biking in Outagamie County.

Sheriff Recommendation	Description
Enforce posted speed limits.	The Outagamie County Sheriff should continue to enforce speed limits throughout the County, particularly in school zones, near trail crossings, and in areas where pedestrians are expected.
Enforce crosswalk yield laws.	The Outagamie County Sheriff should consider crosswalk enforcement to educate motorists about pedestrian right of way at key trail crossings and crosswalks.
Publicize enforcement efforts.	The Outagamie County Sheriff should work with local news agencies to publicize traffic enforcement efforts before the enforcement to raise awareness of traffic safety and compliance with traffic laws.

EVALUATION

As Outagamie County builds new trails and installs sidewalks and bikeways, it will be essential to track its successes and, potentially, failures to ensure that progress is moving in the desired direction. The recommendations below focus on evaluation program tasks that will help the County measure the impact of newly built projects, assess current roadway safety, and allow residents to report their own experiences to the County.

	Evaluation Recommendation	Description
	Conduct pre- and post-implementation studies of pedestrian and bicycle projects.	As new pedestrian and bicycle facilities are built, the County should work with ECWRPC to conduct pre- and post-implementation studies of new projects to gauge use, safety benefits, and other measures of effectiveness.
★	Track miles of trail connections.	The County can keep track of the implementation of this Plan by tracking the number of miles of "priority trail connections" that have been built to date.
	Track trail user counts.	The County can keep track of whether usage is increasing on trails by working with ECWRPC to implement a trail user count program for both new and existing trails in the County.
★	Track bicycle and pedestrian crash data.	Use the state crash database to annually review crashes flagged as "bicycle" or "pedestrian" in the County and take a multi-disciplinary approach to addressing intersection concerns or problem areas as appropriate. Identify if any crash locations align with planned bicycle or pedestrian projects to help support project prioritization. Consider combining this effort with overall safety studies on county highways, which are already being completed.
	Track projects in equity areas.	Work with ECWRPC to identify areas of the County that are in the top 30% of community stress index and track the number of completed projects in these areas (relative to other areas).
★	Provide a tool to allow people to report issues with the walking and biking network.	People walking and bicycling in Outagamie County are best positioned to notice maintenance needs or issues on sidewalks, trails, and bikeways. The County or ECWRPC should consider providing a tool, such as a simple online form or a dedicated email address, to allow people to report issues and have them forwarded to the correct maintenance agency. The County should promptly address reported issues, as possible and practical.

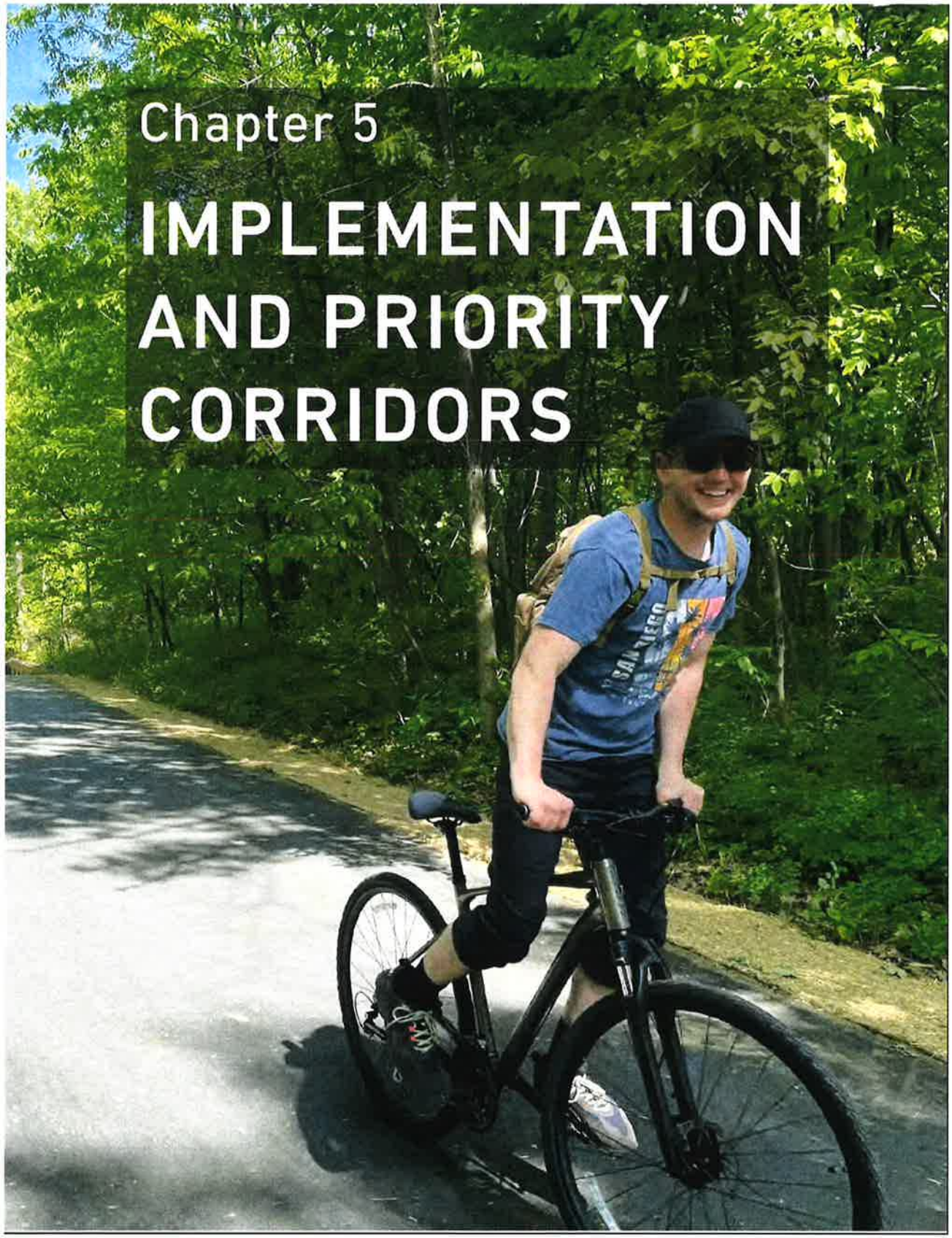

Chapter 5
IMPLEMENTATION AND PRIORITY CORRIDORS



Figure 25. A teenager crosses CTH N (Madison Street) in Little Chute.

5. IMPLEMENTATION AND PRIORITY CORRIDORS

5.1 BUILDING OUT THE FUTURE TRAIL AND BIKEWAY NETWORK

The future trail and bikeway network recommended in this Plan assumes implementation over a long-term timeframe of about 20-30 years. Parts of the network may be implemented through an opportunistic approach where trail and bikeway construction occur because the County's policies trigger construction. Any time the following actions take place, the County and local municipalities should refer to infrastructure recommendations in Chapter 4 and determine whether the recommendations can be implemented as part of the project:

- Private property on a recommended trail or bikeway is subdivided or redeveloped.
- A highway or road is repaved or reconstructed.
- A bridge is replaced or rehabilitated.
- Stormwater projects are designed and built.
- Utility corridors are purchased or upgraded by non-County entities.

The County and local municipalities may also choose to implement parts of the network by dedicating funding to "incremental" improvements that are low-cost and relatively easy to implement.

Priority connections may warrant a more focused, targeted approach to implementation. For these trails and bikeways, County staff may choose to develop project-specific implementation plans that identify more specific strategies for project planning, design, and construction. Targeted implementation for priority corridors will benefit from collaboration with partners, such as local municipalities and the Community Foundation of the Fox Valley, to acquire properties and develop a strategy to fund construction.

Implementation Spotlight: Strategies for Overcoming Eminent Domain Barriers

Wisconsin State Statute 32.015 prohibits using eminent domain for new bicycle and pedestrian ways, which include sidewalks, trails, and bike lanes. A Wisconsin Appeals Court recently affirmed that sidewalks are considered "pedestrian ways" and therefore governments are prohibited from using eminent domain to condemn property for sidewalks; this case is now being appealed to the Wisconsin Supreme Court as of September 2023.

Despite the restrictions on using eminent domain, communities across Wisconsin have continued to successfully build new trails and bikeways using the following strategies.

- **Play the long game**: If your trail, sidepath, or sidewalk is in an area that may eventually be developed or redeveloped as infill, wait, and make it happen as part of the redevelopment proposal.
- **Get the public on your side**. Having early and robust public engagement to gain support for the project is important. It can be helpful to have a non-profit group (such as the Fox Cities Greenways) publicly champion the project during the early stages.
- **Talk to property owners about their concerns**. The County can still purchase property from willing sellers. Sometimes property owners are reluctant to have sidewalks, trails, or bikeways near them because of addressable concerns. Preempt concerns and turn property owners into willing sellers by scheduling one-on-one meetings with them to discuss the sidewalk, bikeway, or trail and explore possible solutions. The budget for the project can include elements like plantings and fencing.
- **Partner with a local foundation on land acquisition**: Local foundations may contact property owners and negotiate easements or sales that might be above the price that a public agency is able to pay.
- **Be persistent**: A property owner may not be on board with a bicycle or pedestrian way at first but may be later. For example, a business might state at first that they are opposed to the idea of the sale, but if the leadership of the business or other staff changes, they may feel differently after a few years.
- **Be creative**. If your approach isn't working, you may need to find new ways forward. In the case of the connection of the Glacial Drumlin State Trail from Cottage Grove to Madison, the City of Madison had to throw out their entire approach, step back from the project, and let other agencies take over.
- **Hire a real estate acquisition expert.** A real estate lawyer or expert in real estate acquisition can help negotiate unusual or alternative methods to acquire the corridor such as easements, land leases, and options to buy.

5.2 OPINIONS OF PROBABLE COST

CONSTRUCTION COSTS

The planning-level cost opinions used for the priority connections later in this chapter are based on typical per-mile cost opinions in Table 4. They are intended to provide an order of magnitude of the cost for specific facilities; more detailed cost estimates should be developed when budgeting for specific project implementation. Outagamie County can also refer to the Indiana DOT's Trails Cost Calculator, which allows users to change variables such as trail surface material, length, funding source, and terrain to develop a project-specific cost calculation.

The opinions of probable cost for most items in Table 4 were developed by identifying major pay items and establishing rough quantities to determine a rough order of magnitude cost. Additional pay items were assigned approximate lump sum prices based on a percentage of the anticipated construction cost. Planning-level cost

opinions include a 25 percent contingency to cover items that are undefined or are typically unknown early in the planning phase of a project. Unless otherwise noted, unit costs are based on 2022 dollars and were assigned based on historical cost data from WisDOT. Cost opinions do not include easement and right-of-way acquisition, installation of curb and gutter, permitting, inspection, or construction management, engineering, surveying, geotechnical investigation, environmental documentation, special site remediation, escalation, or the cost for ongoing maintenance. A cost range has been assigned to certain general categories such as utility relocations; however, these costs can vary widely depending on the exact details and nature of the work. The overall cost opinions are intended to be general and used only for planning purposes. Toole Design Group, LLC makes no guarantees or warranties regarding the cost opinion herein. Construction costs will vary based on the ultimate project scope, actual site conditions and constraints, schedule, and economic conditions at the time of construction.

The costs in Table 4 are presented in two formats:

- Stand-Alone project costs are for installing the designated facility as a standalone project, without other street construction occurring.
- Coordinated project costs are for installing the designated facility as part of a larger street project. Because certain construction activities will occur as part of a street resurfacing or reconstruction regardless of the implementation of pedestrian or bikeway facilities, those costs are removed from the costs presented below. Coordinated costs for trails were calculated based on historical data provided by Outagamie County.

Table 4. Bikeway and Trail Cost Estimates

Trail or Bikeway Type	Action	Stand-Alone Cost/Mile	Coordinated Cost/Mile
Signed Bike Route	Install new bike route signs	$6,000	$6,000
Bike Lanes	Add striping/marking	$24,000	$23,000
	Road diet	$57,000	$36,000
	Lane diet	$31,000	$23,000
	Widen roadway (5' each side)	$850,000	$436,000
Buffered Bike Lanes	Add striping/marking	$33,000	$31,000
	Road diet	$66,000	$54,000
	Lane diet	$48,000	$37,000
	Widen roadway (5' each side)	$920,000	$530,000
Protected Bike Lanes	Delineator-separated, add striping/marking	$54,000	$51,000
	Construct new, curb-separated (3' additional, each side)	$844,000	$812,000
	Intersection and signal modifications (each intersection)	$150,000	$125,000
Paved Shoulders	Build shoulders (6' each side/ add route signs)	$372,000	$243,000
Sidewalks	Construct new with curb ramps (5' width each side)	$254,000	$245,000
Trails (Shared Use Paths)	Construct new (12')		In past County projects, constructing a trail when reconstructing a highway with curb and gutter added 2-3% to the total cost.
	Urban, high complexity	$2,096,000	
	Urban, low complexity	$1,455,000	
	Rural, high complexity	$1,397,000	
	Rural, low complexity	$970,000	
	Rural, gravel	$479,000	

5.3 CORRIDOR PRIORITIZATION

Most of the infrastructure recommendations in Chapter 4 are intended to be achieved over the course of the next 20-30 years on an incremental, opportunistic basis. They are planning-level routes and concepts, meant to show a high level "educated guess" where connections are likely feasible, along with the likely bicycle facility or trail that could be provided. These recommendations are not necessarily constrained by the challenges that would become apparent in a more detailed review.

Outagamie County has a limited amount of funding with which to build new infrastructure, and limited staff time to pursue grant funding. Because of this, it is important to decide which corridors or projects should be prioritized for further project planning (which would provide a more detailed, closer review of existing conditions), design, coordination, grant applications, and county funding for construction. A data-driven prioritization process uses GIS data to score and rank projects based on objective criteria.

Throughout the development of the Plan, the project team used the three goals (Increase Walking and Biking, Prioritize Safety, and Promote Equity) to guide the recommendations and the design of the recommended trail and bikeway network. These three goals also influenced the criteria used to prioritize corridors. The criteria and scoring process are shown in Table 5.

Table 5. Corridor Prioritization Criteria

Broad Factor	Goals to Which Factor is Aligned	How this Factor is Scored	Weight
Corridor is in an area with high walking and biking trip potential.	Increase Walking and Biking Prioritize Safety	Average the trip potential score (see analysis in Chapter 3) along the corridor, then convert to points between 0-10 based on what percentile the score is in. Multiply by weight for the final prioritization score.	20%
Corridor closes a gap in the existing trail and bikeway network.	Increase Walking and Biking	The project team manually assigned trail or bikeway segments as gaps if they were between two existing trail segments. Particular attention was paid to trail gaps identified in the CORP and through public input. Projects that closed gaps received 10 points, while other projects received 0 points. These were multiplied by weight for the sum prioritization score.	35%
Corridor is along a corridor with medium to high pedestrian and bicycle crash density.	Prioritize Safety	Average the crash density score (see analysis in Chapter 3) along the corridor, then convert to points between 0 to 10 based on what percentile the score is in. Multiply by weight in final prioritization score.	30%
Corridor is in an equity priority area identified as having high stress.	Promote Equity	Average the community stress index score (see analysis in Chapter 3) along the corridor, then convert to points between 0-10 based on what percentile the score is in. Multiply by weight for the final prioritization score.	15%

5.4 TOP TEN PRIORITY CORRIDORS

After the project team reviewed the computerized scores generated through the prioritization methodology, the team consolidated the highest-scoring segments into corridors, adjusted them slightly, and ranked them in order of importance based on input from both the Greenways Implementation Committee and County staff. The resulting top ten priority corridors and projects for Outagamie County to implement are shown in the map below. They are described in more detail on the following pages.

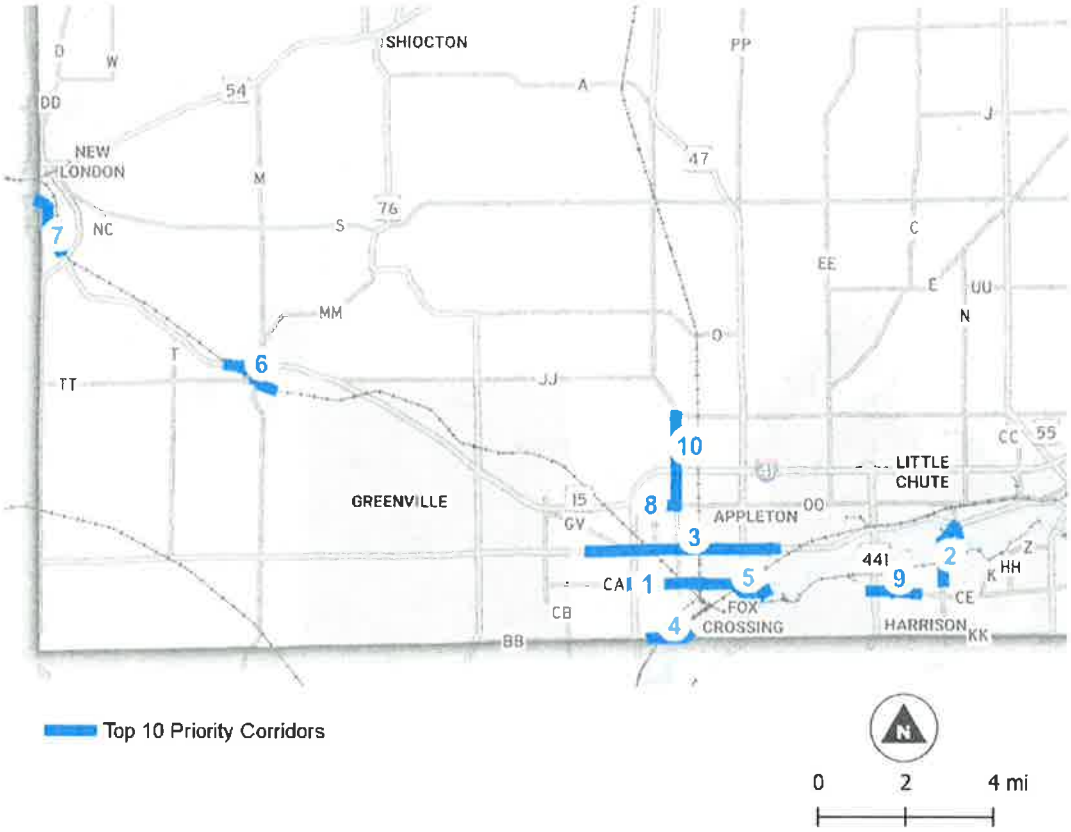


Figure 26. Top Ten Priority Corridors for Outagamie County Bicycle and Pedestrian Plan

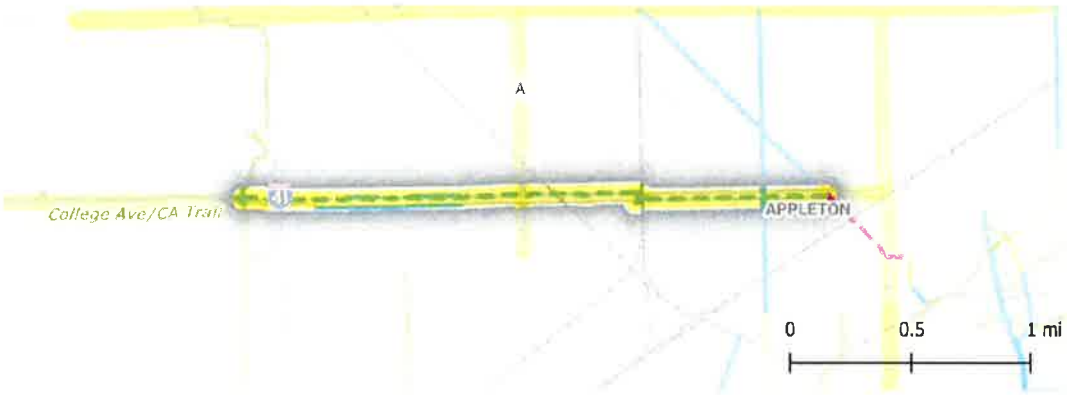
Corridor 1: W College Avenue (STH 125) from Mall Drive to Badger Avenue

Description:

W. College Avenue is identified as a Highway Safety Priority Area and should undergo a comprehensive corridor study to determine the safety concerns for bicyclists and pedestrians, and the other infrastructure needs, land uses, and opportunities along the highway. At a minimum, a sidepath should also be constructed connecting the existing paths at Mall Drive to downtown Appleton.

Recommended Actions:

STH 125 is a very short state highway and does not continue beyond the extents shown in the map below. Therefore, WisDOT may not be interested in keeping it in the state highway network. The County, the Town of Grand Chute, and the City of Appleton should discuss the possibility of a jurisdictional transfer with WisDOT. Discussion should include the possibility that WisDOT would build the recommended bicycle and pedestrian infrastructure before transferring the highway to the County, Grand Chute, and Appleton. A comprehensive corridor study would provide an opportunity for the various agencies to convene and discuss the land use contexts and infrastructure needs along the corridor and develop a report with recommendations to carry forward on future design efforts.



Corridor 1
Length: 2.52 miles

Existing Trails and Bikeways
- Paved Trail
- Unpaved Trail
- Bike Lane
- Bike Route

Recommended Trails and Bikeways
- Paved Trail
- Unpaved Trail
- Bike Lane
- Bike Route
- Protected Bike Lane

Highway Safety Priority Areas
Prioritize pedestrian and bicycle infrastructure.

Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Comprehensive Corridor Study	*WisDOT convenes corridor study to determine infrastructure needs*	Not calculated	2.5 miles	Not calculated
Shared Use Path	*Construct new (12') Urban, high complexity*	$2,096,000	2.5 miles	$5,280,000

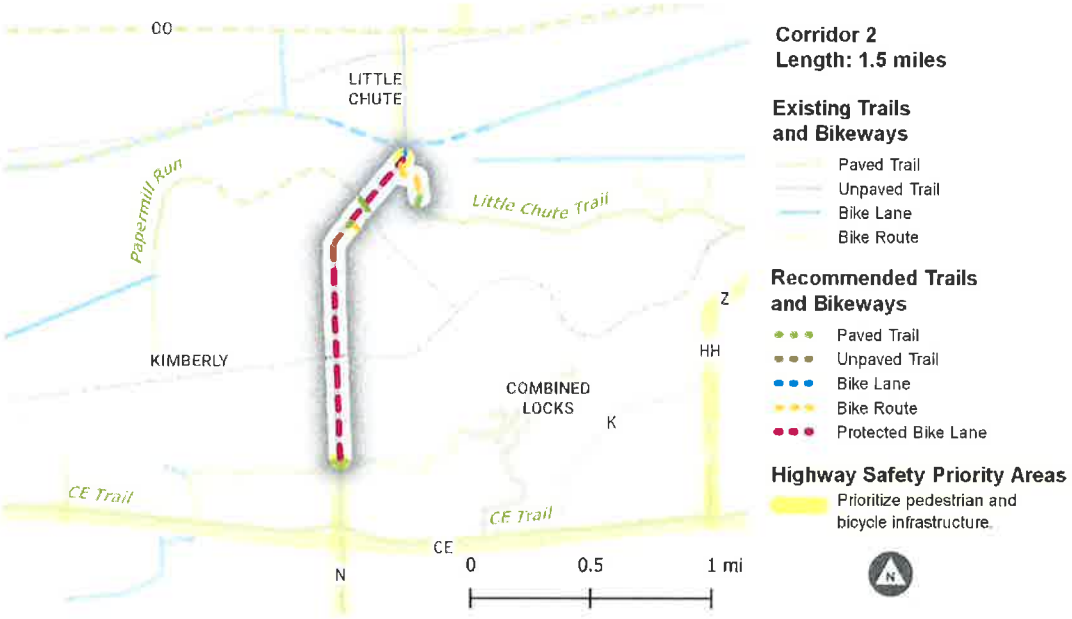
Corridor 2: Washington Street from Little Chute Trail to Kimberly High School

Description:

The project is envisioned to provide low-stress connections to two priority trails. First, it would connect the existing Little Chute Trail on the north side of the Fox River to the Paper Mill Run Trail in Kimberly on the south side of the Fox River via protected bike lanes on the Washington Street bridge. Secondly, it would provide a low stress bikeway connection that would close the gap between the trails on the Fox River and the CE Trail to the south.

Recommended Actions:

The County could evaluate whether protected bike lanes can be implemented on the Washington Street bridge by reducing the number of vehicle lanes from four to two. Because the trails in both Little Chute and Kimberly will connect to Washington Street on the east side of the bridge, a two-way protected bike lane may be a preferred solution so that trail users do not have to cross the highway twice to continue along the Fox River. For the section of Washington Street (CTH N) south of Maes Avenue, the protected bike lanes could be implemented through removal of on-street parking in some areas, and lane narrowing or lane reallocation in other areas. On-street parking near the florist at the Lamers Road intersection could be preserved by shifting the curb and gutter several feet and narrowing the terrace in that section.



Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Protected Bike Lanes	*Delineator-separated, add striping/marking*	$54,000	0.3 miles	$20,000
	Construct new, curb-separated (3' additional, each side)	$844,000	0.9 miles	$760,000
	Intersection and signal modifications (each intersection)	$150,000	6 intersections	$900,000
Shared Use Path	*Construct new (12') Urban, high complexity*	$2,096,000	0.1 miles	$270,000
			TOTAL	**$1,950,000**

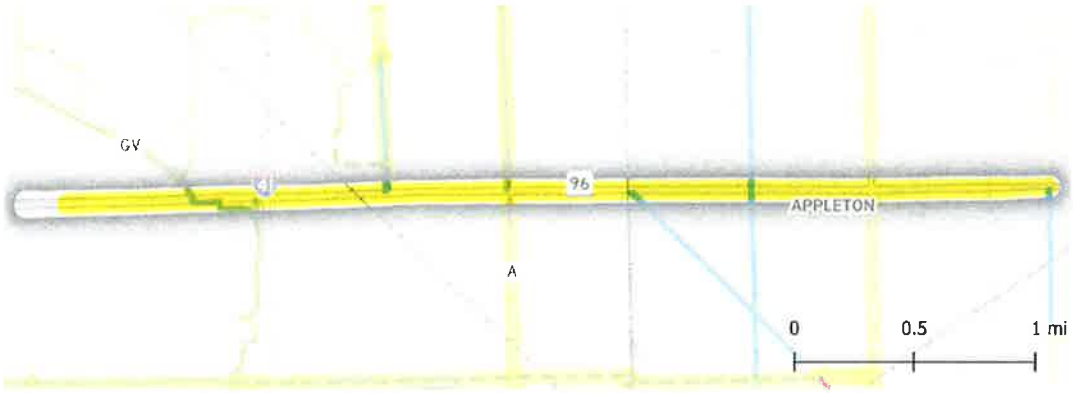
Corridor 3: Wisconsin Avenue (STH 96) from McCarthy Road to N Drew Street

Description:

The corridor is a Highway Safety Priority Area. This corridor should undergo a comprehensive corridor study to determine the safety concerns for bicyclists and pedestrians, and the other infrastructure needs, land uses, and opportunities along the highway.

Recommended Actions:

Wisconsin Avenue (STH 96) is a state highway; therefore, the County has limited authority over design decisions. The County, the City of Appleton, and the Town of Grand Chute should collaborate with WisDOT on land use and transportation planning for the corridor. A comprehensive corridor study would provide an opportunity for the various agencies to convene and discuss the land use contexts and infrastructure needs along the corridor and develop a report with recommendations to carry forward on future design efforts. This project may be eligible for Safe Streets and Roads for All (SS4A) implementation funding due to the high number of bicycle and pedestrian crashes on this section.



Corridor 3
Length: 8.33 miles

Existing Trails and Bikeways
- Paved Trail
- Unpaved Trail
- Bike Lane
- Bike Route

Recommended Trails and Bikeways
- Paved Trail
- Unpaved Trail
- Bike Lane
- Bike Route
- Protected Bike Lane

Highway Safety Priority Areas
- Prioritize pedestrian and bicycle infrastructure

Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Comprehensive Corridor Study	*WisDOT convenes corridor study to determine infrastructure needs*	Not calculated	8.3 miles	Not calculated

Corridor 4: W Prospect Avenue (CTH BB) from Northern Road to Seminole Road

Description:

The project is envisioned to provide a sidepath between Northern Road (at Butte des Morts Country Club) and the existing bike lanes in the City of Appleton.

Recommended Actions:

This section of road has poor pavement quality and is due for repaving in the next five years. The County should therefore include this project in the County Capital Improvement Program. In addition, the County, the Town of Grand Chute, and the City of Appleton, and the Village of Fox Crossing should discuss the possibility of a jurisdictional transfer from the County to the municipalities, including the possibility that the County would build the recommended infrastructure before transferring the highway. It will be necessary to install curb and gutter along the entirety of this section to accommodate the sidepath. A sidewalk should be provided on the opposite sides as shown in the *Typical County Highway in Urban Context* cross-section in Chapter 4.



Corridor 4
Length: 1.04 miles

Existing Trails and Bikeways
- Paved Trail
- Unpaved Trail
- Bike Lane
- Bike Route

Recommended Trails and Bikeways
- Paved Trail
- Unpaved Trail
- Bike Lane
- Bike Route
- Protected Bike Lane

Highway Safety Priority Areas
Prioritize pedestrian and bicycle infrastructure.

Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Shared Use Path	*Construct new (12') Urban, low complexity*	$1,455,000	1.04 miles	$1,510,000
Sidewalk	*Construct new with curb ramps (5' width one side)*	$127,000	1.04 miles	$130,000
			TOTAL	**$1,640,000**

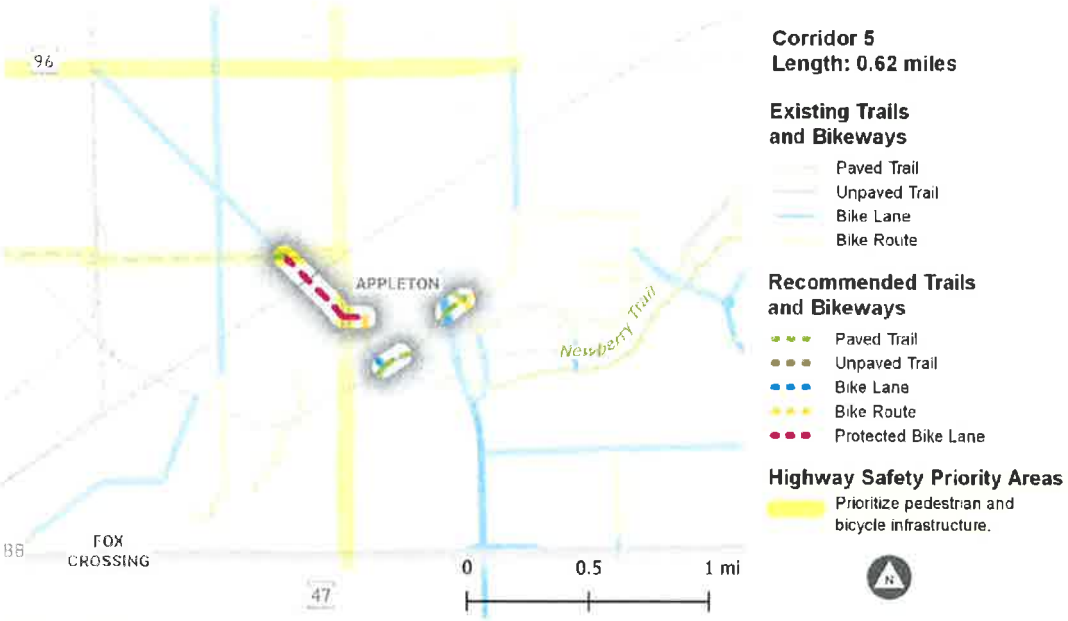
Corridor 5: Connection between W College Avenue (STH 125) and Olde Oneida Bridge

Description:

This project consists of several low-stress bikeway and trail connections that would close the gaps between the proposed path on W College Avenue along existing bike routes and bike lanes to the Ellen Kort Peace Park Trail, the Newberry Trail, and the North Island Trail. A similar route was recommended in the 2016 *Downtown Appleton Mobility Study*.

Recommended Actions:

Badger Avenue is a municipal street; therefore, the County has limited authority over design decisions. Average daily vehicle traffic on Badger Avenue (a four-lane street) is around 10,000, making it a promising candidate for potentially reallocating motor vehicle travel lanes to street-level protected bike lanes. The County can prioritize this connection and the remaining path segments through Greenways Implementation Fund grants; share costs with the City of Appleton; or sponsor part of the local match for the grants listed at the end of this chapter.



Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Protected Bike Lanes	*Delineator-separated, add striping/marking*	$54,000	0.3 miles	$20,000
	Construct new, curb-separated (3' additional, each side)	$844,000	0.2 miles	$130,000
	Intersection and signal modifications (each intersection)	$150,000	7 intersections	$1,050,000
Shared Use Path	*Construct new (12') Urban, low complexity*	$1,455,000	0.2 miles	$290,000
			TOTAL	**$1,490,000**

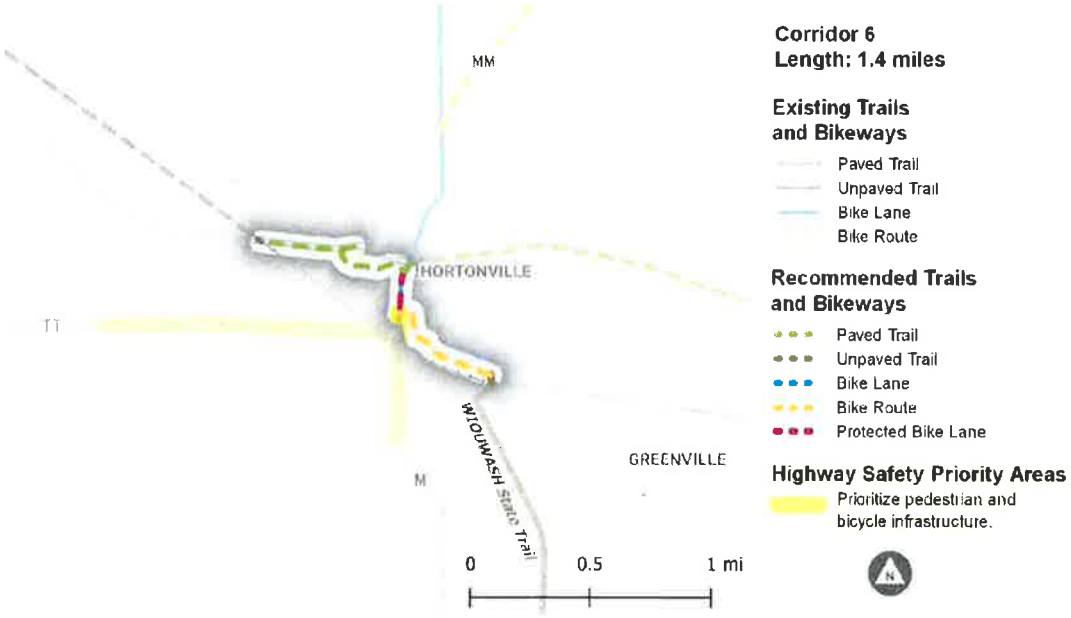
Corridor 6: Wiouwash State Trail to Main Street (STH 15) in Hortonville

Description:

The project is envisioned to provide a safe bikeway connection from where the Wiouwash State Trail ends to Main Street in Hortonville with a protected bike lane on several blocks of CTH M, a path along Black Otter Creek to Miller Park, and a sidepath on Main Street (STH 15). Eventually, the project could connect to a future rail-with-trail next to the railroad that runs between New London and Hortonville.

Recommended Actions:

To implement protected bike lanes on Nash Street (CTH M), the County will need to remove on-street parking on both sides. Follow up studies are necessary to determine the feasibility and route of the path along Black Otter Creek and through Miller Park. The County could share costs to help the Village of Hortonville pay for the planning and implementation of this connection, or help Hortonville apply for one of the DNR recreational trails grants listed at the end of this chapter for the trail portion of this project.



Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Signed Bike Route	*Install new bike route signs*	$6,000	0.5 miles	$3,000
Protected Bike Lanes	*Delineator-separated, add striping/marking*	$54,000	0.2 miles	$10,000
	Intersection and signal modifications (each intersection)	$150,000	2 intersections	$300,000
Shared Use Path	*Construct new (12'), rural, high complexity*	$1,397,000	0.3 miles	$490,000
	Construct new (10'), rural, low complexity	$970,000	0.4 miles	$380,000
			TOTAL	**$800,000**

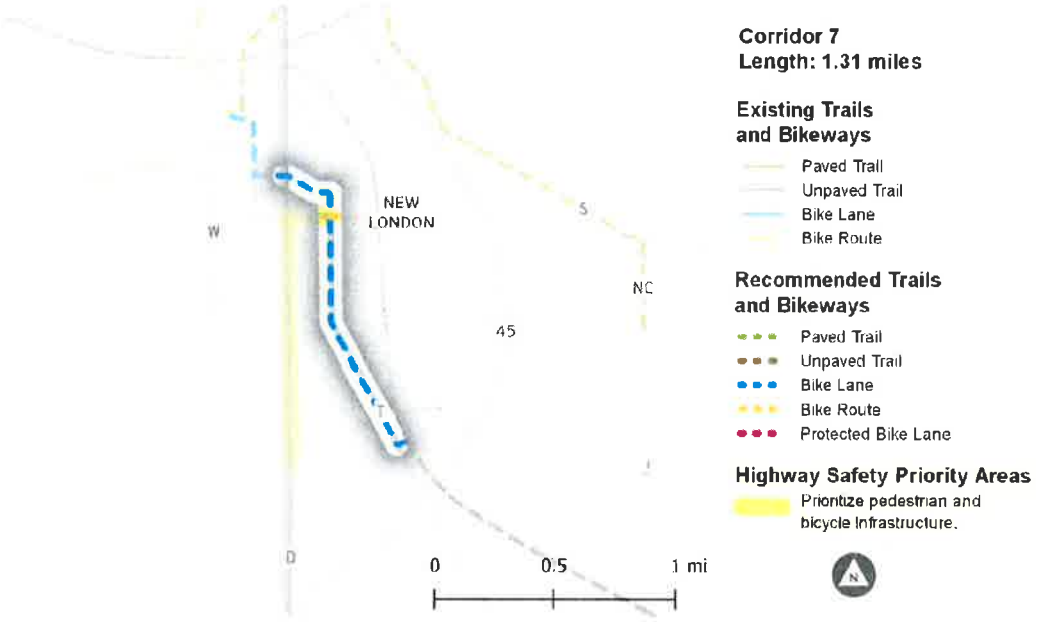
Corridor 7: New London: Mill Street (CTH T) from downtown New London to E Beckert Road

Description:

The project would provide bike lanes on CTH T from downtown New London to the industrial area on the southeast part of New London. Eventually, it could connect to a future rail-with-trail next to the railroad that runs between New London and Hortonville.

Recommended Actions:

In various segments of the route, the County will need to lower the speed limit, narrow travel lanes, and remove on-street parking on one –or both sides of the road to accommodate the bicycle lanes. Sidewalks should be provided on both sides as shown in the *Typical Highway County in Urban Context* cross-section in Chapter 4.



Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Bike Lanes	*Add striping/marking*	$24,000	0.5 miles	$10,000
	Lane diet	$31,000	0.8 miles	$20,000
Sidewalk	*Construct new with curb ramps (5' width one side)*	$127,000	1.02 miles	$130,000
			TOTAL	**$160,000**

Corridor 8: Northland Avenue (CTH OO) from Abendroth Street to Lynndale Drive (CTH A)

Description:

This project would build trail along Northland Avenue, closing a gap to the Fox Valley Technical College Trail, thereby connecting to the I-41 overpass.

Recommended Actions:

The County will need to make significant changes to the intersection of Northland Avenue (CTH OO) and Bluemound Drive (CTH AA) to make it safe and comfortable for bicyclists and pedestrians to cross.



Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Shared Use Path	*Construct new (12') Urban, low complexity*	$1,455,000	0.8 miles	$1,110,000

Corridor 9: E College Avenue (CTH CE) from STH 441 to CE Trail underpass

Description:

This corridor is a Highway Safety Priority Area. The County should use the typical cross sections in Chapter 4 to design facilities that close gaps in sidewalks and sidepaths, with a focus on providing sidewalks on the south side of E College Avenue/CTH CE. A Road Safety Audit should also be conducted to analyze how to improve safety for bicyclists and pedestrians crossing the highway along this segment.

Recommended Actions:

This section of E College Ave/CTH CE was recently reconstructed, with a multi-lane roundabout at the intersection of Eisenhower Drive which likely results in challenging and unsafe crossings for pedestrians and bicyclists. The County should study ways to improve safety of pedestrian crossings. To construct a sidepath or sidewalk on the south side of the highway without narrowing the highway, the ditches will need to be replaced with curb and gutter. The County Department of Land Services should work with the Town of Buchanan on land use planning for the corridor so that future developments incorporate safer pedestrian and bicycle circulation in site design. This project may be eligible for Safe Streets and Roads for All (SS4A) implementation funding due to the high number of bicycle and pedestrian crashes on this section. TAP funds are another possible source of funding.



Corridor 9
Length: 1.06 miles

Existing Trails and Bikeways
- Paved Trail
- Unpaved Trail
- Bike Lane
- Bike Route

Recommended Trails and Bikeways
- Paved Trail
- Unpaved Trail
- Bike Lane
- Bike Route
- Protected Bike Lane

Highway Safety Priority Areas
Prioritize pedestrian and bicycle infrastructure.

Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Road Safety Audit	*Analysis, field work, and recommendations for each intersection*	$12,000-$14,000 per intersection	4 intersections	$50,000-$60,000
Sidewalk	*Construct new with curb ramps (5' width one side)*	$127,000	1.1 miles	$130,000

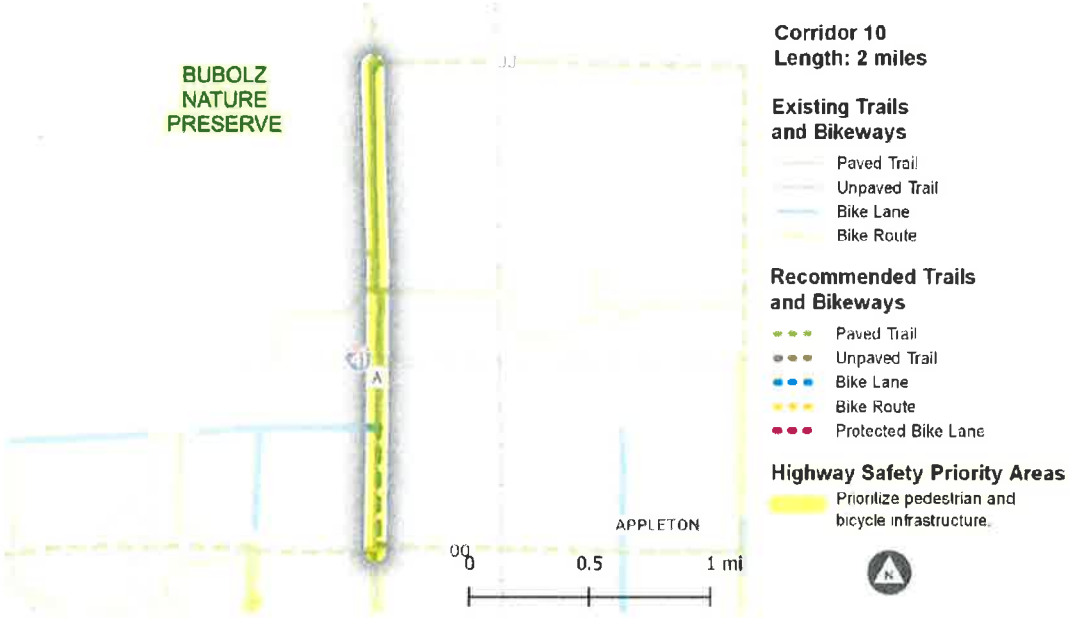
Corridor 10: Lynndale Drive (CTH A) from Edgewood Drive to Northland Avenue (CTH OO)

Description:

This corridor has an existing paved trail on at least one side of Lynndale Drive for most of the segment, but it is identified as a Highway Safety Priority Area. The County should conduct a Road Safety Audit at Lynndale Drive and Northland Avenue to determine how to improve safety along the segment for people crossing the corridor and use the typical cross sections in Chapter 4 to design facilities that close gaps in sidewalks and sidepaths and improve the safety of crossings for bicyclists and pedestrians.

Recommended Actions:

The County will need to make significant changes to the intersection of Lynndale Drive (CTH A) and Northland Avenue (CTH OO) to make it safe and comfortable for bicyclists and pedestrians prior to installing the last gap of path on Lynndale Drive. This project may be eligible for Safe Streets and Roads for All (SS4A) implementation funding due to the high number of crashes on this section.



Project Costs:

Recommendation Type	Action	Cost/Mile or Intersection	Length or Quantity	Opinion of Probable Cost
Road Safety Audit	*Analysis, field work, and recommendations for Lynndale Drive and Northland Avenue intersection*	$15,000 per intersection	1 intersection	$15,000
Sidewalk	*Construct new with curb ramps (5' width one side)*	$127,000	0.9 miles	$120,000
Shared Use Path	*Construct new (12') Urban, low complexity*	$1,455,000	0.5 miles	$730,000
			TOTAL	**$865,000**

5.5 FUNDING STRATEGIES

This section helps explain how the Plan's recommended projects might be funded over time. While a robust capital and operating/maintenance plan is beyond the scope of this project, the strategies documented below provide valuable decision-making guidance for consideration.

FRAMEWORK FOR THINKING ABOUT FUNDING

On an incremental basis, and for most of the non-priority connections along county highways in the Plan, the County can fund sidewalks, bikeways, and trails through the CIP when they are due for reconstruction or rehabilitation. In previous Outagamie County highway projects, the cost of building sidewalks or trails has represented a small share (3-5%) of the entire cost of the project, of which some portion was paid for by the local municipality.

For the Plan's priority corridors, levy limitations and competing funding priorities means that the County must make tough decisions about when and how to fund active transportation projects. The amount of revenue available for pursuing the Plan's priority projects is highly limited, especially if no new funding tools are adopted and if existing funding policies remain unchanged. This implies that the County will need to take advantage of grants and partnerships as a primary means of project implementation.

At the state level, the state shared revenue to local governments and Counties has remained nearly unchanged for almost 30 years, which has exacerbated the strain on the County's tax levy ceiling. In July 2023, the Governor signed a new budget that increased state aids to counties but maintained the tax levy limit.

At the national level, recent federal funding authorizations associated with the American Rescue Plan Act (ARPA) and the Bipartisan Infrastructure Law (BIL) have added more funding for bicycle, pedestrian, and trail projects, with an emphasis on reducing crashes in high-risk corridors and reconnecting communities separated by freeways or railroad corridors. The Federal Highway Administration publishes a list of funding sources on the Bicycle and Pedestrian Program Funding Opportunities webpage[21] which will be updated after guidance for some new infrastructure programs is finalized.

Community Foundation for the Fox Valley Region: An Important Potential Partner

The Community Foundation is playing a critical role in planning and advocating for a trail connection between the Fox Cities and High Cliff State Park. For the recommendations in this Plan to come to fruition, the Community Foundation may need to play a similar role in Outagamie County. The Foundation (like the Fox Cities Greenways and other private entities) has strengths and advantages that the County does not:

- They can advocate for and promote key trails, bikeways, and infrastructure recommendations that might be controversial or where county staff must remain neutral.
- The County cannot use eminent domain to acquire land for trails, bicycle, or pedestrian ways, although they can offer to purchase easements or land from willing property owners. The Community Foundation is free to contact local landowners and negotiate easements or sales that might be above the price that a public agency is able to pay.

STRATEGIES FOR CONSIDERATION

While several recommendations related to funding can be found in Section 4.5 of this Plan, this section discusses a range of possible approaches that could be employed to implement the projects recommended in this Plan. Some require discussion and evaluation if there is interest in further exploring them.

- **Apply for federal and state grants.** Table 6 summarizes the current and most likely grant programs for land acquisition, planning, and construction of the high priority projects in this Plan. The County should establish a plan for pursing one or more of these grants in the near-term to implement high priority projects.

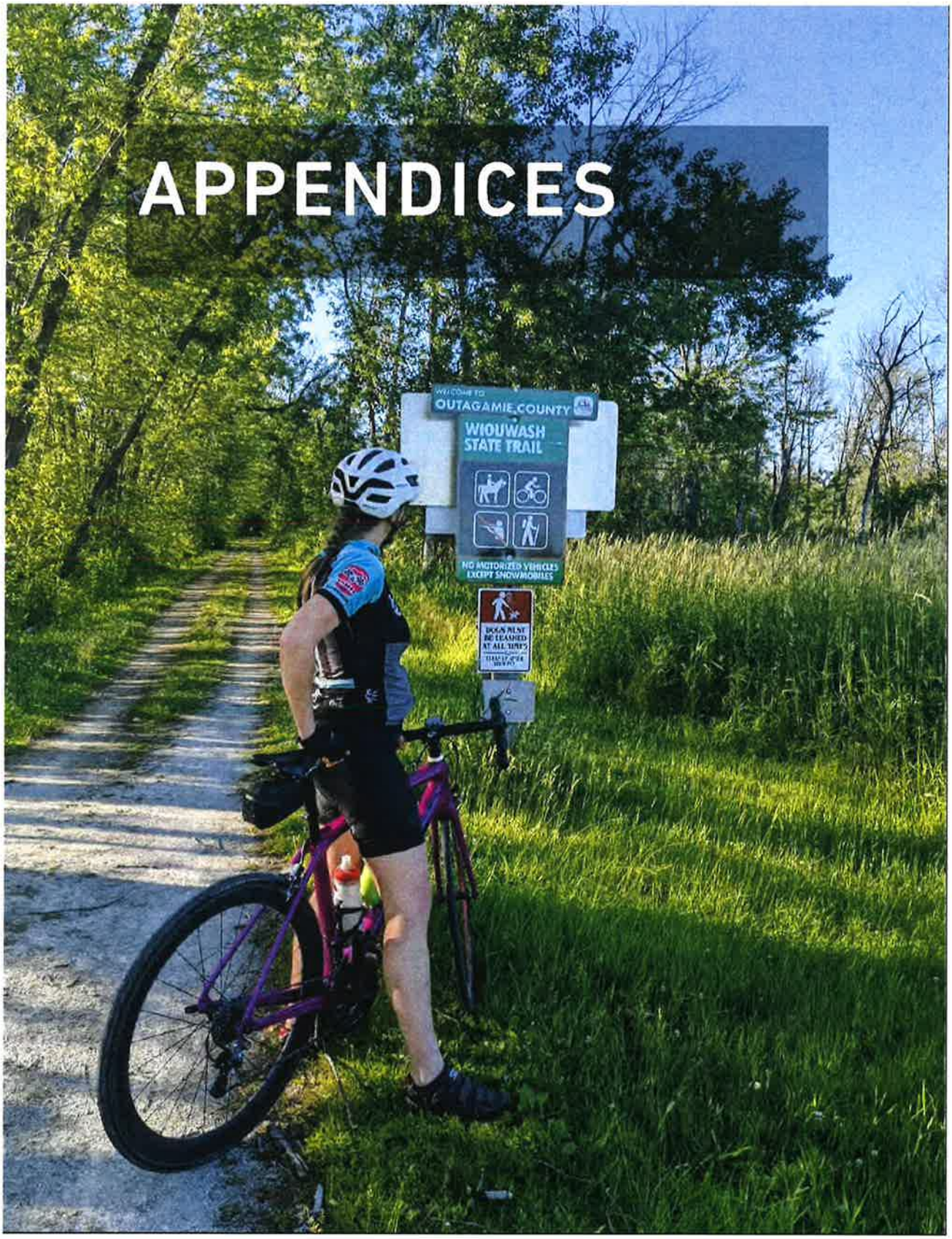
[21] Federal Highway Administration, *Pedestrian and Bicycle Funding Opportunities*. www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm. Accessed June 13, 2023.

- **Partner with local trail advocates.** Outagamie County is fortunate to be in a region with active supporters of trails and greenways. The County should continue to work with groups such as the Fox Cities Greenways, the Fox Cities Convention and Visitors Bureau, and the Community Foundation to further the objectives of this Plan.
- **Evaluate increasing annual Greenway Implementation Fund funding.** Outagamie County administers the Greenway Implementation Fund which offers small matching grants to local units of government to assist them in developing greenway networks that are regional in nature. In the 2023-2027 CIP, the County allocated between $30,000 and $40,000 per year. The County could increase annual amounts to better support local municipalities who build out bicycle and pedestrian infrastructure that align with the recommendations of this Plan.
- **Evaluate subsidizing key projects through the General Fund.** The County's General Fund contains discretionary funding that is allocated consistent with County policies, objectives, and its annual budgeting process. The General Fund can be used to pay for stand-alone preliminary engineering work necessary prior to applying for state and federal construction funds. As discussed in Chapter 4, the County could allocate additional General Fund revenues to better share the costs of constructing sidewalks or bikeways with local municipalities on recommended projects, including Highway Safety Priority Projects.
- **Evaluate use of other funding mechanisms (e.g., general obligation bonds, vehicle registration fees, sales tax, parking/trail fees, etc.).** Some communities may get creative by imposing new mechanisms to pay for active transportation expenditures. Some may divert revenue from existing mechanisms to directly pay for active transportation expenditures. If these options are pursued by the County, the project in which the funds support should be broad enough – or important enough – such that it resonates with the full community of voters. In addition, the County would need to consider criteria including magnitude of additional funding, political acceptability, fairness/equity, efficiency, and legality.

Table 6. Potential Federal and State Grants for Priority Corridors

Grant Name and Amount of Funding Available	Eligible trail or bikeway projects	Local Match	Application Deadline
Transportation Alternatives Program (TAP) *(apply through WisDOT)* $35 million statewide in 2022	Planning and construction for both trails and on-street bikeways. Projects must have already completed preliminary engineering and environmental review (if necessary).	20%	Likely January 2024.
Surface Transportation Program-Urban *(apply through WisDOT)* $4.5 million for Appleton (Fox Cities) urbanized area in 2023-2026	Design and construction of major collectors, arterials, or freeways within the Appleton (Fox Cities) urbanized area. ECWRPC gives a prioritized list to WisDOT as part of the selection process, awarding more points to projects that address bicycle and pedestrian improvements and safety.	20%-50%	October 27, 2024
Surface Transportation Program-Rural *(apply through WisDOT)* $138 million statewide in 2022	Design and construction of rural highways or bridges outside of urbanize areas (primarily county highways). WisDOT uses a statewide formula to distribute STP-Rural funding, and picks projects based on that formula from the applications it receives.	20%	October 27, 2024

Grant Name and Amount of Funding Available	Eligible trail or bikeway projects	Local Match	Application Deadline
Federal Recreational Trails Program *(apply through DNR)* $2.4 million statewide in 2021	Planning, construction, and maintenance of recreational trails and trail-related facilities. May also be used for acquisition of easements for trails, with restrictions.	20%	May 1, 2024
Knowles-Nelson Stewardship Local Assistance Programs *(apply through DNR)* $6 million statewide in 2020	Acquisition of land or development rights for parks and trails; construction of trails and trailhead facilities.	50%	May 1, 2024
Land and Water Conservation Fund (*apply through DNR*) $7 million statewide in 2020	Land acquisition or projects that will provide opportunities for high-quality public outdoor recreation.	50%	May 1, 2024
Reconnecting Communities and Neighborhoods Program *(apply through Grants.gov)* $1.8 billion nationwide in 2023	Planning or construction of projects that reconnect communities that were cut off from economic opportunities by transportation infrastructure. For capital grants, the minimum grant award is $5 million.	20%- planning 50% - construction	Most recent solicitation ended September 28, 2023
Rebuilding American Infrastructure with Sustainability and Equity (RAISE) *(apply through Grants.gov)* $1.5 billion nationwide in 2023	Planning or construction of projects that will have a significant local or regional impact. For capital grants, the minimum grant award is $5 million in urban areas. Planning grants do not have a minimum award amount.	20%	Most recent program solicitation ended in February 2023
Safe Streets and Roads for All (SS4A) *(apply through Grants.gov)* $5 billion nationwide 2022-2026	Development of an action plan, or implementation of projects that address roadway safety problems identified in the action plan. Trails, sidewalks, and bikeways may be eligible if the separation of pedestrians and bicyclists is identified as a safety need in an existing action plan.	20%	July 10, 2023


APPENDICES
WELCOME TO
OUTAGAMIE COUNTY
WIOUWASH
STATE TRAIL
NO MOTORIZED VEHICLES
EXCEPT SNOWMOBILES

APPENDIX A: COMMUNITY INPUT

PHASE 1 INPUT: SUMMARY OF INTERACTIVE MAP

Background

As part of the public engagement for the Outagamie County Bicycle and Pedestrian Plan, Toole Design prepared and administered an on-line mapping tool that allowed participants to input point and line data related to walking and bicycling conditions and needs.

The online map had three distinct parts:

- **Landing page.** This was the participant's first view of the online webmap where they could learn about the project and the role of the webmap.
- **Intro Survey.** The survey collected demographic information on who contributed to the webmap.
- **Interactive Webmap.** The webmap let respondents enter points or lines directly onto a map and give further details on their inputs. Respondents could comment on existing or planned biking and walking routes, as well as create new ones.

This memo summarizes input received through the webmap and should be used to help support recommendations in the Bicycle and Pedestrian Plan. Comments on the webmap are still viewable at https://tooledesign.github.io/Outagamie_Bike_Ped/#map by toggling "See what others have shared." They will remain viewable for the next several months while Toole Design staff prepare the draft recommended bikeway and trail network and pedestrian recommendations.

Webmap Timeline and Outreach

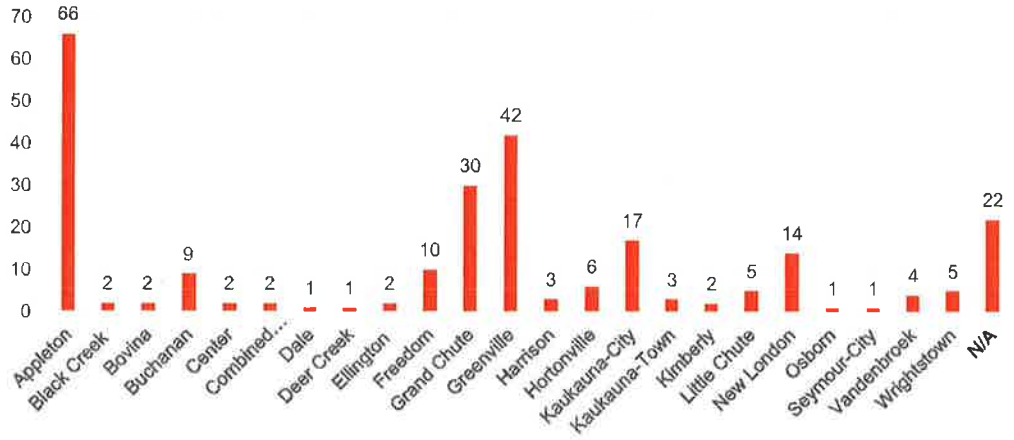
The interactive webmap was open to the public from August 1, 2022, to September 15, 2022. The County and stakeholders advertised the webmap in the following ways:

- Emails to Greenway Committee members and other Outagamie County staff.
- Email blast to 150+ stakeholders (individuals and groups).
- News article on the front page of Outagamie County's website and Development and Land Services Department webpage.
- Facebook posts on the Outagamie County Executive page, Outagamie County Parks page, Outagamie County Highway Department page, and Outagamie County Public Health Division page.
- Verbal update with paper advertisement/handouts at a quarterly Town's Association meeting and at a Fox Cities Greenway organization meeting.
- Paper advertisement/handouts at Outagamie County department lobbies.

Demographic Summary of Participants

There were over 300 individuals that contributed to the webmap, either in terms of filling out a welcome survey, submitting a point, or drawing a line. Overall, 266 of the participants filled out the demographic survey, making it reliable in representing the demographics of all the webmap respondents. Figure A-1 illustrates where the respondents lived; most lived in Appleton, Greenville, and Grand Chute, but all municipalities were represented.

Figure A-1 Number of Respondents by Municipality of Residence



The survey also asked if respondents were in any of the following categories that could be transportation disadvantaged: having children, having a disability, being in a low-income household, being in a household with a language other than English spoken at home, and a no-car household. Figure A-2 shows that most respondents did not report having characteristics that could be considered transportation disadvantaged.

Figure A-2 Number of Respondents Who Could be Considered Transportation Disadvantaged

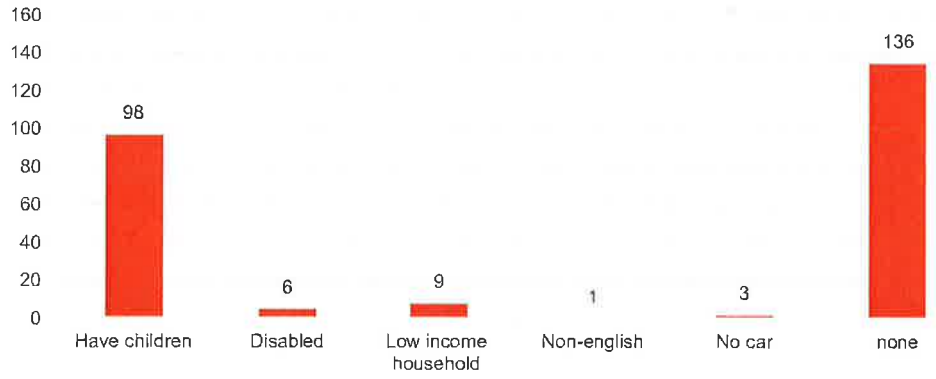
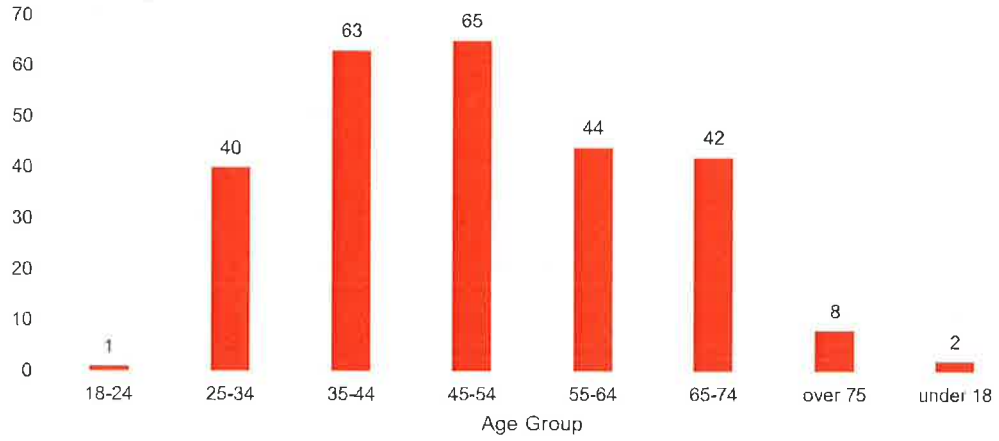


Figure A-3 Age of Respondents

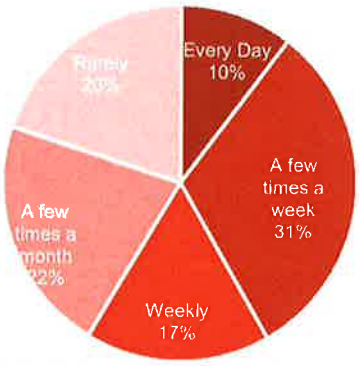


The age range of respondents was well-distributed between 25 to 74 years, as shown in Figure A-3. Distribution of respondents by gender is not clear, because about a quarter of respondents (24%) left that question blank. Of the 263 people who answered the question, 151 (57%) were female.

The demographic survey also asked respondents to report how often they walk and bike for recreation and transportation. Most respondents walk and bike for recreation much more frequently than they walk or bike for transportation (Figures A-4 and A-5).

Figure A-4 How often do you walk or bike for recreation?

How Often do you Bike for Recreation



How Often do you Walk for Recreation

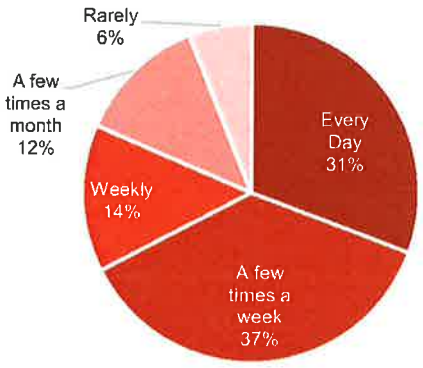
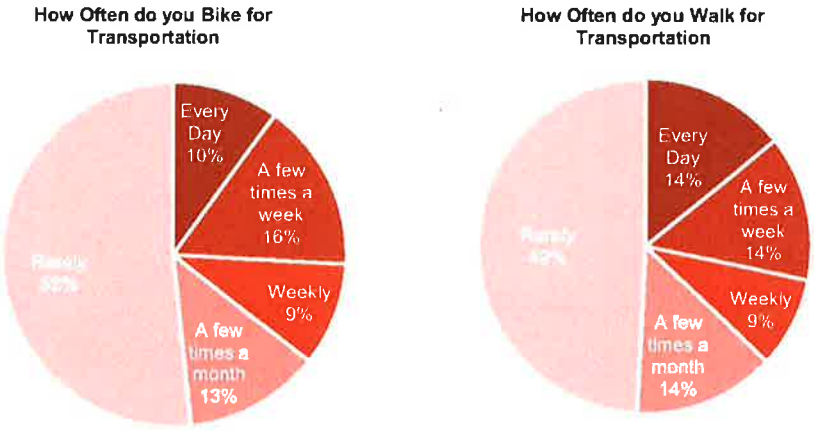


Figure A-5 How often do you walk or bike for transportation?



Interactive Map Inputs

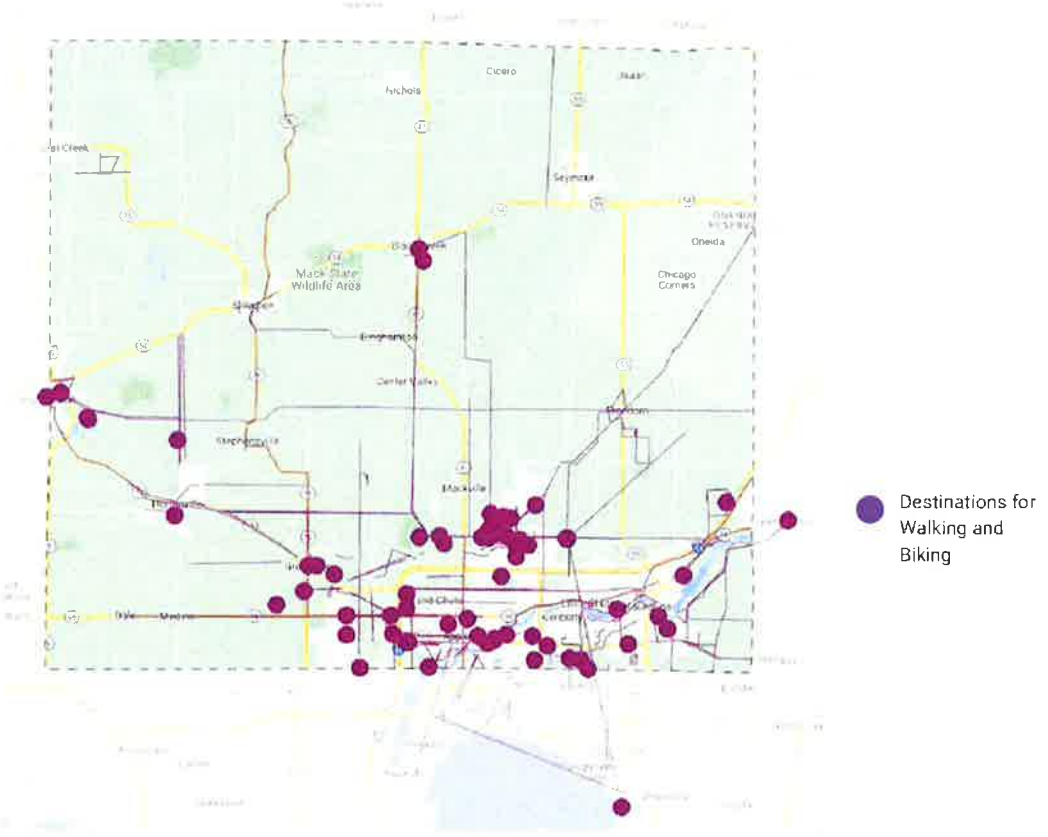
The map allowed respondents to place points or lines to identify destinations they would like to walk or bike to, where they have safety concerns when walking or biking, and current or potential routes they use. This section provides an overview of their inputs and identifies a few common themes from the input.

Point Feedback (Destinations and Safety Concerns)

Respondents were able to place points on the map to identify destinations for walking and biking and locations of potential safety concerns. Overall, there were 66 points for destinations, and 50 points for safety concerns.

Nearly all the destinations that people identified for walking and biking are trails or recreational destinations such as parks. There were also multiple respondents that identified a residential/neighborhood area as a destination for walking and biking.

Figure A-6 Destinations for Walking and Biking



Participants were given the option to leave a comment when they placed points on the map. For the sake of looking at the comments by location, the following summarizes some of the notable location-specific comments about both destinations and safety concerns.

New London Area

- Heavy traffic to and from Amcor makes roadway dangerous for vulnerable users.

Greenville Area

- There are some bike trails on roads in Greenville, but most do not connect to each other. High speeds on the roads around Greenville make it unsafe for residents to bike.
- Fox West YMCA – The adjacent intersection can be very unsafe for pedestrians. A commenter suggested adding traffic lights or flashing pedestrian beacons as a solution and asked whether there is an opportunity to add bike lanes or a sidepath along School Road.
- Jennerjohn Park – Residents cannot access this park without crossing busy roadways.
- Bike and pedestrian safety improvements are needed at W Greenville Drive and W Wisconsin Avenue.

Central Fox Cities Area

- Spencer St needs bike lanes and sidewalks.
- The trail along Meade Street north of I 41 ends at Capitol Drive. There is heavy traffic on Meade Street between Capitol Drive and Northland Avenue and a need for a connecting bike facility.
- Improvements and extensions to the Newberry trails are needed along the Fox River in Appleton.
- Improvements to the routes and additional trail connecting to the Nelson Family Heritage Crossing in Kaukauna and Little Chute are needed.

North Appleton Area

- Fast moving traffic on E Edgewood Drive (CTH JJ) is unsafe for bicyclists to share the road with cars. A dedicated bike lane would improve safety and mitigate concerns.
- A bike lane along Edgewood Drive (CTH JJ) would greatly benefit students, families, and staff at Fox Valley Lutheran High School.

Plamann Park

- Plamann Park is a frequent destination for many bicyclists and pedestrians, but it needs better access from all directions (except for Meade Street).
- Connect Rosewood Drive subdivision to the park.
- Connect park to north Appleton streets and Apple Creek Trails.

Kaukauna

- Roundabouts along the CE trail may be dangerous for bicyclists and pedestrians. Drivers are more focused on the flow of traffic and are not looking for bikes and pedestrians.
- Hillcrest Drive is a route often used to get from Kaukauna to the CE trail. Between CE and Cleveland Avenue, there are bike lanes. North of Cleveland Avenue there is no bike lane and no room for bikes which requires bicyclists to ride on the sidewalk.
- Connect Appleton area to the Fox River Trail in Brown County.

Destinations Outside the County

- Getting out to High Cliff with narrow country roads is a challenge.
- More connections to Calumet County (especially Calumet County Park) are needed.
- CTH ZZ is a beautiful connection between Kaukauna and Wrightstown and is also a connection to Green Bay for recreational road cyclists.
- A safe biking route from Neenah to Menasha to Appleton is desired.

Figure A-7 Locations with safety concerns (County-wide)

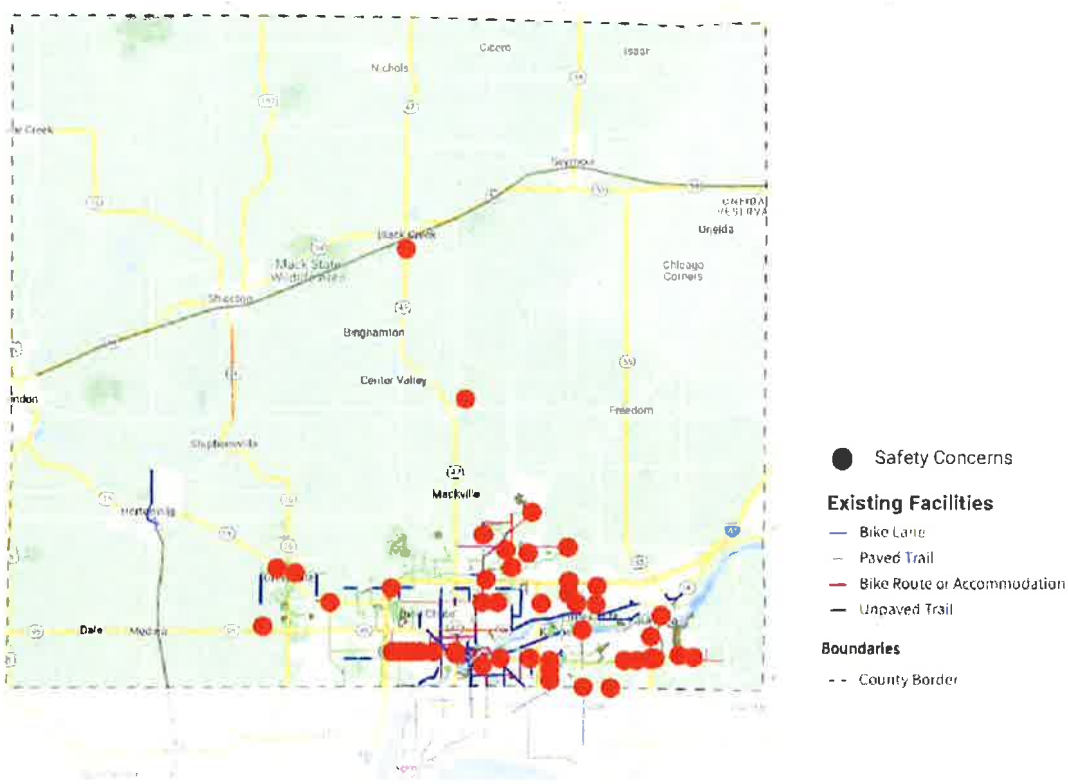


Figure A-8 Corridors with safety concerns (urban Fox Cities area)



Corridors with Safety Concerns.

Most safety concerns were in the urban Fox Cities area. A few locations that stand out for having multiple safety concerns include the following:

- W College Avenue (STH 125) between Interstate 41 and N Richmond Street
- E College Avenue between S Walter Ave and Haas Road
- Northland Avenue between Greenville Dr and Highway 441
- W North Avenue between N French Rd and Freedom Road
- Eisenhower Drive between E College Ave and Springfield Dr in Kimberly
- Crooks Avenue (STH 55) between E 12th St and E College Ave in Kaukauna

Line Feedback

In addition to points, respondents were able to highlight routes and corridors on the webmap. Respondents drew 188 lines on the interactive webmap: 170 were to identify current or potential walking and biking routes, and 18 were to identify safety concerns. For the sake of looking at the comments by location, the following consolidates some of the notable location-specific routes.

The following summarizes some of the notable and location-specific comments:

East of New London

- Newton Blackmour State Trail – Extend from western terminus to City of New London.
- CTH S – Possible connection to New London and Mosquito Hill Nature Center.

North of Hortonville

- N Oik Street – Possible location for a shared use path to continue the Wiouwash State Trail.

Greenville

- W Wisconsin Avenue (STH 96) – A trail along this road could connect the Wiouwash State Trail to the Appleton area.
- Mayflower Road – Possible shared use path, intersection improvements to make it safe for bicyclists and pedestrians.

North Appleton Area

- Northland Avenue – Shared use path separated from traffic to serve businesses along the corridor and make more multimodal trips possible.
- Edgewood Drive – Many students use this roadway; an off-street trail would improve comfort and safety for kids walking and biking to school.

Central Appleton Area

- W College Avenue – Connects multiple commercial and social service areas, currently people must walk on the shoulder.
- W Spencer Street – Would provide an alternate route to College Ave that is much slower and lower traffic volumes.
- N Green Bay Road – Potential bike path to connect the Newberry Trail to Peabody Park.

Freedom

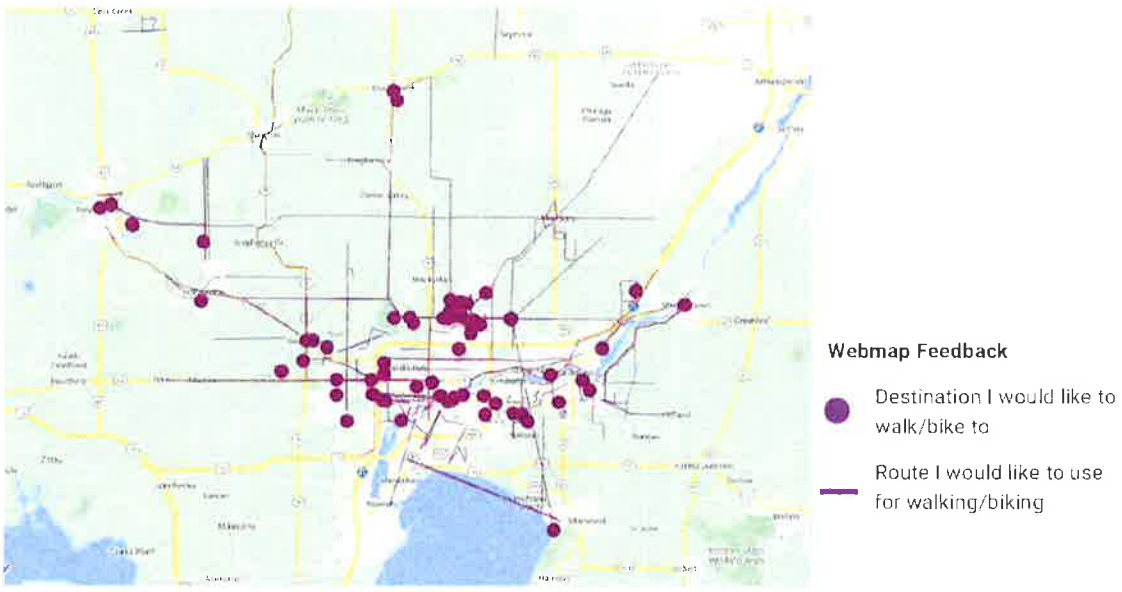
- CTH E – Would provide a connection between Appleton and to nearby town of Freedom. Off-road paths for kids to bike to school and feel safe would also be beneficial for the high school cross-country team to train.

Outside the County

- County Rd. ZZ – Great connection to the CE trail.
- Trail to High Cliff State Park – Existing route is along narrow rural roads and unsafe for most cyclists who want to access the park.

- Trail to Green Bay – Opportunity to create a route along the Fox river to the Green Bay area.

Figure A-9 Current or potential walking and biking routes



Summary and Takeaways

The interactive webmap feedback showed that there is strong interest in walking and biking for recreation in Outagamie County. Respondents clearly want more and better connections to parks and recreational trails, and there is some interest in providing bikeways for students, especially high school students. With respect to safety concerns, one clear theme is the need to improve pedestrian crossings across major roads, especially in the urban area. These are themes we will continue to explore as we establish guiding principles or goals with the Greenway Committee for the next stage of the Outagamie County Bicycle and Pedestrian Plan process.

The webmap input will help by providing additional context about specific locations that are difficult to understand simply looking at a map or Streetview image. That said, given that most respondents did not represent populations that could be considered transportation disadvantaged, we will consider how to better reach out to those populations in the next phase of engagement.

PHASE 2 INPUT: REVIEWING DRAFT GOALS AND RECOMMENDATIONS

This section summarizes the input gathered during the second round of public engagement on the Outagamie County Bicycle and Pedestrian Plan, which took place in March and early April of 2023. The purpose of this second phase of public engagement was to gather feedback on the draft recommendations in the Plan. Four engagement methods were used during this phase:

- Online polls asking for input on draft infrastructure recommendations and "one pager" design guidance and cross section graphics for future County Highways.
- Presentations to various County standing committees.
- Presentation and discussion about recommendations with the County's Greenway Committee.
- Focus groups with people and agencies representing people of color and people with disabilities in Outagamie County.

Online Polls

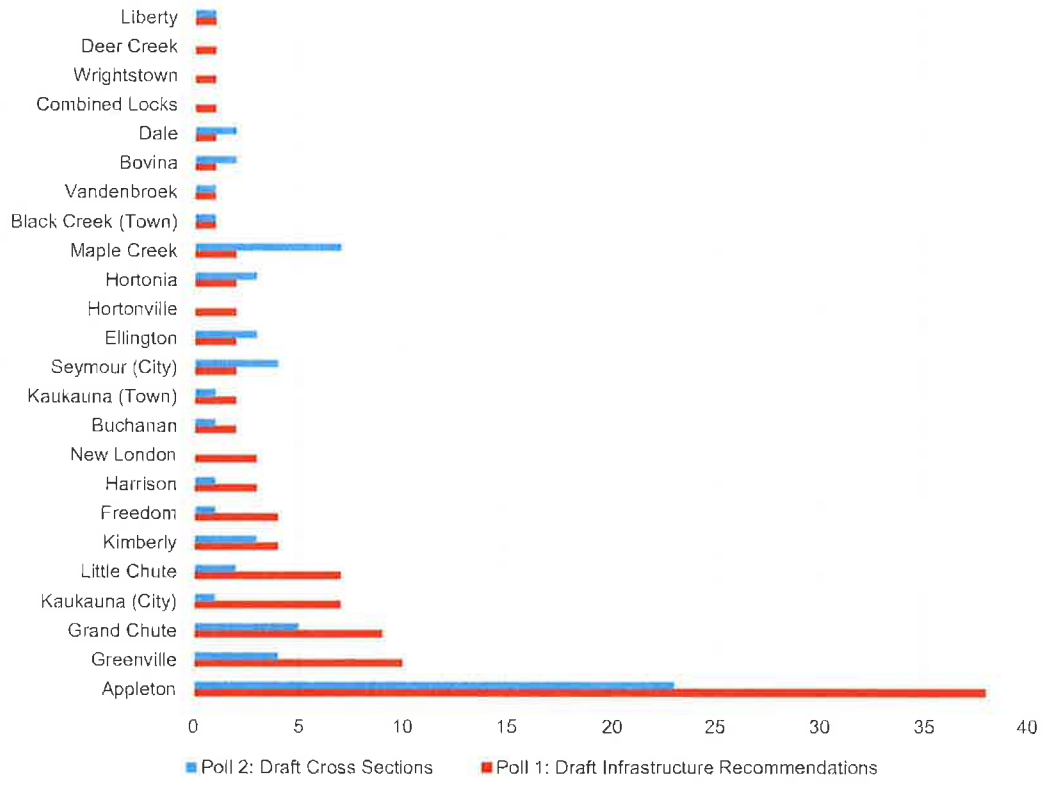
Between March 15, 2023, and April 19, 2023, the County advertised two online "polls" that residents and stakeholders could take to provide feedback on the plan's draft recommendations. In the first poll, respondents were asked to review and comment on the draft infrastructure recommendations and to provide input on draft plan goals and prioritization factors. In the second poll, respondents were asked to review and share feedback on proposed highway cross-sections for future County highway resurfacing/reconstruction projects. The County advertised the two polls in the following ways:

- Emails to Greenway Committee members, County Supervisors, and Outagamie County staff.
- Email blast to 150+ stakeholders, including representatives of towns and municipalities in Outagamie County.
- News article on the front page of the County's website.
- Press release to local news outlets.
- Facebook posts on the Outagamie County Executive page, Outagamie County Parks page, and Outagamie County Public Health Division page.
- Mentions at County standing committee meetings, at the Greenway Committee meeting, and at the three focus groups.

Poll Respondent Demographics

There were 119 respondents to the first poll and 70 respondents to the second poll. The highest number of poll respondents were from Appleton (38 and 23), but most communities were represented in both polls.

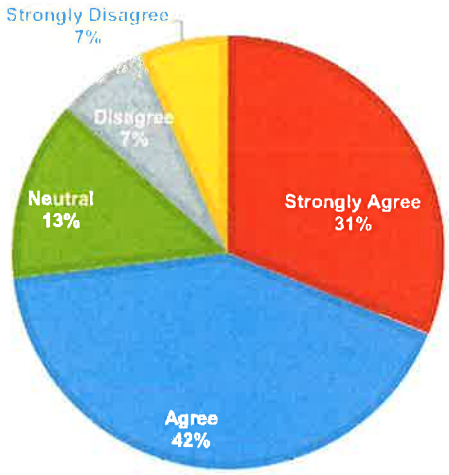
Figure A-10 Number of Respondents to Polls #1 and #2 by Municipality of Residence



Summary of Comments on Draft Infrastructure Recommendation

The survey included a map of the proposed bicycle and pedestrian recommendations for Outagamie County. A majority (73%) agreed with the recommendations; 14% disagreed with the recommendations to some extent.

Figure A-11 Respondents' agreement with proposed bicycle and pedestrian recommendations



Much of the agreement around the recommendations, based on open ended responses, was due to the following:

- **Prevalence of trails.** Many respondents emphasized how they didn't feel safe on high speed and/or high traffic roadways and appreciated the emphasis on off-street trails. Trails, according to respondents, will encourage more people of all ages and abilities to use the routes for both recreational and commuting purposes.
- **Proposals on specific County Highways.** The proposed trails along County Highways OO, JJ, and E, along with WIS 15, were all emphasized as much needed routes and improvements.
- **Connections between existing bicycle and pedestrian routes.** Respondents appreciated how the proposed routes attempt to connect bicycle and pedestrian infrastructure that already exists. They noted how these connections will make longer rides more feasible and intra-community trips more pleasant.

There were also comments that offered suggestions to the proposed network, including:

- **North of Appleton.** Respondents felt that there should be more identified routes north of Appleton where development is occurring.
- **Cross-county connections.** Respondents noticed gaps in direct east/west routes and, notably, north/south routes. This concern was specifically noted for areas north of Appleton.
- **Safety Priority Areas.** Respondents were confused about exactly what a Safety Priority Area was and what they could assume (or not assume) would be proposed for those areas. Additionally, Wisconsin Ave was suggested as an additional Safety Priority Area.
- **Local connections.** One respondent noted that while the proposed network does seem to serve the region better than in the past, it needed more local connections to schools, parks, and public places. They believed that there were more opportunities to have people make these shorter trips by foot or bike

versus longer (and potential commute) trips in the region, which the proposed network seemed to emphasize.

Lastly, a few respondents commented on the practicality of the plan, and proposed bike and pedestrian projects. While these points are not directly related to proposed bicycle and pedestrian recommendations, they should be kept in mind when writing the plan, framing its importance, and in having community conversations:

- **Lack of demand.** One respondent was skeptical of whether there is the need to expand bicycle and pedestrian facilities, as they do not currently see many people biking or walking along many of the proposed routes.
- **Competition with other County projects.** A respondent wondered if and how these bicycle and pedestrian projects might compete with other County roadway priorities, noting that some existing infrastructure is failing.
- **Focus on recreational, utilitarian, or commute-focused bicycling.** A few respondents noted how they were supportive of trails in the community but questioned whether it makes sense to have any bike facilities on higher speed and, potentially, more crash-prone roads in the county. They believed the highest potential for use was on trails within the neighborhoods, and that bike lanes on high-speed roads and highways should not be a priority.

Input on Goals

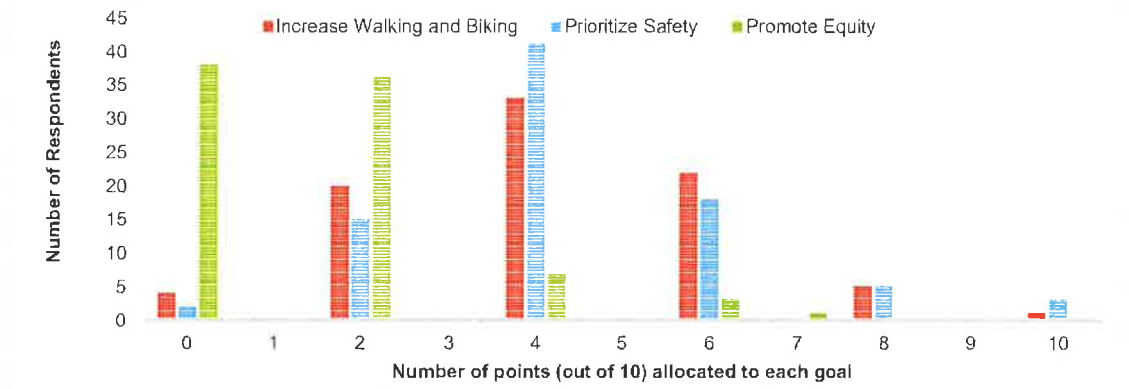
The Bicycle and Pedestrian Plan is recommending that new trails, bikeways, and county highway safety projects be prioritized based on these three goals:

- Increase Walking and Biking
- Prioritize Safety
- Promote Equity

Survey respondents were asked if they agreed with using these goals to prioritize projects. Over 85% of respondents agreed that these three goals made sense and should be used.

That said, there was a high level of variability as to how the goals might be weighted when prioritizing projects. Figure A-12 shows the frequency of "point" scores respondents gave each goal if they had 10 points to distribute amongst them. As shown, "prioritizing safety" and "increasing walking and biking" generally received more points compared to "promoting equity," which most respondents gave two points or less. Averaging the scores for each goal leads to a similar conclusion: Increase walking and biking (4.8 average score), prioritize safety (4.9 average score), and promote equity (3.0 average score)

Figure A-12 Results of goal prioritization exercise

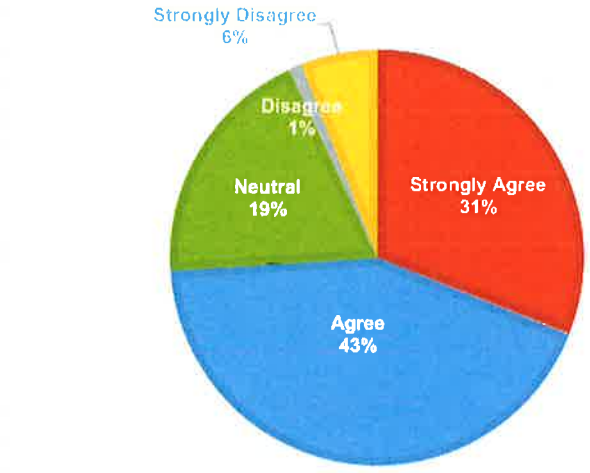


Summary of Comments on Draft Recommended Cross Sections

The second poll asked respondents to review a suite of proposed cross sections which described standards for how bicycle and pedestrian infrastructure (lanes, paths, sidewalks, etc.) might look on future County Highways depending on its context, vehicle volume, speed limit, or number of lanes.

Of the respondents, the majority agreed with the proposed cross sections. Nearly 75% of respondents strongly agreed or agreed with what was proposed.

Figure A-13 Respondent support for draft cross sections



But even with the high level of support for the cross sections, the respondents still had a few concerns:

- Having two-way bicycle traffic on one side of the roadway is confusing for both people biking and driving.
- Off-street paths would be preferred for every cross section.
- As possible, people bicycling and people walking should be separated to reduce conflicts.
- If side paths are not viable, thought should be given to having a wider outside lane.
- Separated bike lanes should be present on the Urban Context cross sections where there is no on-street parking.

Importance of County/Local Government

Lastly, survey respondents were asked about the importance of County/local government investment in bicycle and pedestrian systems. Over 90% of the respondents thought that government investment was either "very important" (67%) or "important" (23%), with the remaining categories only having small levels of support (somewhat important - 3%, neutral - 4%, not at all important - 3%).

Presentations to County Standing Committees

County staff presented on the Plan's progress to date and initial recommendations at four standing committees:

- Property, Airport, Recreation, and Economic Development Committee (February 14, 2023)
- Zoning Committee (February 28, 2023)
- Highway, Recycling, and Solid Waste Committee (February 28, 2023)
- Health and Human Services Committee (April 10, 2023)

Committee members asked questions and provided comments for consideration. The following summarizes the key topics and considerations they highlighted to County staff:

- **Funding**: A Supervisor voiced concern about funding for bikeways and trails, especially from the perspective of Towns. There is already a lack of funding to maintain the roads and adding bikeway and trail mileage could increase competition for already scarce maintenance dollars. Another Supervisor suggested the County consider a trail sponsorship program (like the Adopt a Highway program) where fees are paid to support trail maintenance.
- **Land Acquisition**: A Supervisor commented that recent rail system connection proposals may increase competition for land in rural areas. Acquisition of land should be considered as part of this Plan. Another supervisor asked about eminent domain, wondering whether the County could acquire land if property owners were not interested in selling. The implementation of this Plan should not be controversial in this way.
- **Balancing Diverse Perspectives**: Regarding the proposed highway cross sections, a supervisor inquired why the County would provide bicycle and pedestrian infrastructure as well as greenspace between this infrastructure and vehicle routes, when that space could be dedicated to additional vehicle lanes. They wondered why we would fund this infrastructure when, so few people bike in the county. It was suggested that an explanation of the need for bicycle and pedestrian accommodations (e.g., the impact/benefits of active transportation options and policy direction from federal/state governments) could be useful. Many supervisors liked the direction of this Plan and appreciated that the Plan is looking at the bicycle and pedestrian network from different perspectives.
- **Amenities**: There was a discussion of the need for more trail and bike wayfinding signage. There are concerns that we do not have enough signage or signage in the right places.

Greenway Committee

The project team presented the draft recommendations to the Greenway Committee on March 22, 2023. Committee members provided the following input on the draft recommendations:

- Be consistent in labeling and defining "equity priority areas" or "environmental justice areas" or "community stress" in the Plan's text and maps.
- Ensure that rural areas are represented well in the community stress index (since some of the rural parts of the county are lower income).
- With respect to performance measures, consider measuring plan implementation and connections with *percent* of priority trail connections built, not just *miles* of priority trail connections built.
- Committee members agreed with the proposed recommendation to update Administrative Rule 10-02 to give the County more flexibility to pay for bicycle and pedestrian accommodations along County Highways.
- There was substantial discussion, and some disagreement, about how to support rural communities in applying for project support from the Outagamie County Greenway Fund or provide bikeways and paths in rural areas of Outagamie County. In general, there was agreement that the northern part of the County was lacking in bikeway connections under the draft plan, but that the more rural areas might not consider bikeways a priority. There was a brief discussion following a recommendation to pave a larger section of shoulder along rural County highways than is dictated by current policy. County project management staff agreed to identify some rural county highway "backbone routes" on which the County would pave wider shoulders.
- Committee members suggested adding more north-south connections in Outagamie County between the Fox Cities and the Newton-Blackmour trail.
- Committee members undertook an exercise on Mentimeter to help project management staff prioritize projects under the plan, to develop a list of top 10 projects. The Mentimeter poll of the 10 committee members resulted in the following ranking of possible criteria for projects:



- Committee members discussed whether feasibility should really be prioritized or if it is automatically accounted for as most trail and bikeway projects are completed in an opportunistic fashion (e.g., as highways are reconstructed, or vacant land is redeveloped). The discussion seemed to indicate that feasibility should not be included in project prioritization rankings.

Focus Groups

The project team invited 23 people from agencies and organizations serving or representing bicycle and pedestrian advocates, people of color, low-income people, and people with disabilities to attend three focus groups to discuss the draft recommendations. Of those invited, 14 people attended the focus groups which were held in early April 2023. The project team led focus group participants through a discussion of the Plan's draft vision and goals, project prioritization criteria, and the highway cross-section one-pagers.

Summary of Focus Group Input

The following themes emerged from the conversations:

- Many focus group members agreed with the three goals of promoting equity, improving safety, and increasing walking and biking.
- When considering "inclusion" for people with disabilities, consider the needs of people using specialized bicycles such as tri-shaws, trikes, or tandems. These kinds of special bicycles require more room on trails and paths. Even if they are not riding a special wide bicycle, a person with a disability would feel more comfortable with a wider trail or bike lane because if they travel slower, they don't feel like they are slowing other people down and requiring themselves/others to ride closer to traffic. To promote inclusion, ensure that paths and bike lanes are wide enough for all users.
- Multiple focus group participants discussed how important it is to separate people on bikes from motor vehicle traffic, both for the goal of improving safety, and encouraging more walking and biking. Most people do not feel safe sharing a road with drivers.
- College Avenue and Wisconsin Avenue should both be priorities for biking and walking facilities. There are several shelters for unhoused people along W College Avenue/STH 125 in areas where sidewalks are missing and alternative connections on local back streets are unavailable.
- There should be a more conscious effort to promote trails to the community, through marketing and communications, because many people don't know about the trails or where they go.
- For prioritizing pedestrian and bicycle infrastructure projects, most focus group participants agreed the top four criteria should be:

- Project closes a gap in the trail and bikeway network.
- Project is in an area with high walking and biking trip potential.
- Project is along a corridor with medium to high pedestrian and bicycle crash density.
- Project is in an equity priority area identified by ECWRPC's Community stress index as having "high stress."

- The design guidance on the "county highway in urban context" one-pager should reduce the typical speeds for bike lanes with on-street parking from 35 to 25-30 and reduce speeds overall in urban cores.

PHASE 3 OF PUBLIC INPUT: FEEDBACK ON THE DRAFT PLAN DOCUMENT

This memorandum summarizes the input gathered during the third round of public engagement on the Outagamie County Bicycle and Pedestrian Plan, which took place in August 2023. The purpose of this third phase of public engagement was to gather feedback on the draft Plan. Two online polls were used during this phase. Both online surveys were open between July 14, 2023, through August 21, 2023.

- Online survey shared with the public, asking for input on the draft Plan
- Online survey shared via email with representatives of towns and municipalities in Outagamie County, asking for comments on the draft Plan, with special attention paid to the policy and programming recommendations and the top 10 priority corridors.

Survey for General Public

In the survey shared with the public, respondents were asked to review and comment on the draft Plan, which was shared as a PDF on the County webpage. There were 14 people that reviewed the plan and filled out the survey; the number of respondents from each municipality or town is shown in Figure A-14.

Figure A-14: Number of Respondents to General Public Survey

Municipality/Town	Number
Appleton	4
Buchanan	1
Grand Chute	4
Kaukauna	3
Kimberly	1
Wrightstown	1

Summary of Comments on Draft Plan

The survey asked respondents to comment on each of the chapters in the plan, one at a time. "Do you have any comments about Chapter 1?" "Do you have any comments about chapter 2?" etc.

Noteworthy comments are reprinted below in italics (verbatim), along with the consultant (Toole Design) response.

Chapter 1 (Introduction)

- *It outlines the motivations and goals clearly. I particularly appreciate the focus on closing gaps & improving connectivity, because in my experience, that's sorely lacking in the Fox Cities. If a county plan can help communities cooperate & coordinate, then that's a huge benefit.*

Chapter 2 (Community Input)

No noteworthy comments.

Chapter 3 (Planning Approach)

- *Fig.9 (and Fig. 21) shows a proposed trail between County Rd. "OO" and Evergreen Dr. in Kaukauna. This trail exists and was constructed several years ago.*
  - Toole Design Response: The commenter appears to be talking about a trail on Rose Hill Road (CTH CC). The County Highway Department confirmed that this trail does not exist.
- *Bike and Ped crashes are an important factor in the plan however this section does not note if the crashes are vehicle related, road hazard, or other. The word vehicle is not even used. Perhaps an explanation of what*

defined a crash or how the data was derived. This may help formulating improvements to help mitigate dangers.

- Toole Design Response: The text in this section will be revised to clarify what percentage of the crashes were between a vehicle and a bicyclist or a pedestrian.

- *Include the Village of Wrightstown and our Bike and Ped Plan in the document.*
  - Toole Design Response: The Village of Wrightstown's Bike Ped Plan was reviewed, following this survey and receipt of the PDF of the Village's plan. The proposed trails and bicycle facilities will be added to the previously-proposed facilities map in Chapter 3. Those facilities were considered for inclusion in the recommended County-wide bicycle and trail network.
- *3.2 p. 18 The route designated as a bike route between Meade Street and Ballard Road on Appleton Creek Road, is designated a bike route, but there aren't any significant accommodations. A 6-foot-wide shoulder DOES exist on CTH E between Ballard Rd (CTH EE) and the Apple Creek YMCA- this is frequently used and maybe should be noted as existing.*
  - Toole Design Response: No change. The map displays routes that are designated by municipalities as bike routes or bicycle accommodation. Toole Design did not measure whether these accommodations were sufficient for most bicyclists. The map also not display any paved shoulders that provide possible bicycle accommodation, because it is complex to determine whether a paved shoulder is sufficient accommodation without also measuring traffic volumes and truck traffic. In any case, designating the existing shoulder as an existing facility would de-emphasize the necessity of building a path along Appleton Creek Road.

Chapter 4 (Recommendations)

- *I am not sure that the Highway KK corridor from Hwy N east to STH 55 was addressed adequately.*
  - Toole Design Response: The Plan identifies portions of that section of Highway KK as a Highway Safety Priority Area, but does not include any recommended bicycle facilities on that section:



Previous plans have recommended bike facilities, including ECWRPC, which identifies it as a "Big Idea Connection"



The recommendations were updated to include a shared-use path along CTH KK in the final version of this Plan.

- *Page 35 4.1 Toolbox. Unpaved trail/Shared use path identifies potential winter use but should also note horse use on some trails which may be an expanding future opportunity.*
  - Toole Design Response. The text in this section was revised to add that unpaved trails may also allow equestrian users.

- *Fig. 20 shows the North/South County Roads "A" and "PP" do not line up. A connection, perhaps on County Road "S" may be considered for a link between the Fox Cities and Newton Blackmour Trail. Also Seymour North to Co. Rd. "VV".*
    - Toole Design Response. Toole Design reviewed this comment but did not recommend any changes to the Plan.
- *On page 44, Hillcrest Drive from Cleveland Avenue to CE trail. A suggested reroute would be Cleveland Avenue to south on Orchard Drive to east on Cherry Street to south on Peters Road. There is a sidewalk at the turn of Peters road that the city put in which goes directly to the CE trail. This is directly across the road from County CE and Kaukauna High School. This gives the option of going east or west on the trail. Going east leads directly to a controlled intersection for a pedestrian crossing. This limits being on County Q as this road is limited in width with cars parking on both sides of the street. This road was resurfaced in 2022, so other than painting would be surprised to see this widened out.*
    - Toole Design Response. Toole Design reviewed this comment but did not recommend any changes to the Plan.

Two commenters mentioned Wisconsin Avenue/STH 96 between Appleton and Little Chute:

- *The recommendations flow directly from the planning principles, and the maps on pages 38-39 is super exciting to see - it makes me want to keep advocating hard to make it a reality. Just a small note, but I'm surprised not to see Hwy 96 with a blue bike lane marker on page 39. It's a terrible bike lane and we should absolutely focus on improving it, but there is a marked/signed lane on 96 between Appleton and Little Chute. I was sad to see that segment of Hwy 96 not highlighted in yellow as a priority area on page 41 too.*
- *Please consider protecting 96/Wisconsin Ave between Appleton and Little Chute. Flexible posts would work.*
    - Toole Design Response. The map on page 39 does show the existing bike lane on STH 96 between Ballard Avenue/CTH E almost to downtown Little Chute. The infrastructure recommendations were updated to include a shared-use path between Appleton and Little Chute.

Chapter 4 (Policy and Program Recommendations)

The survey asked respondents to list what they think are the three most important policies or programs that County staff should work on. The policy with the most mentions was the recommendation for the Highway Department to implement safety infrastructure. Two people mentioned updating AR 10-02. No other policy received more than one mention.

Figure A-15: Number of Respondents Mentioning Certain Policies as Being Important

Policy	Number of Mentions
Highway Department to implement safety infrastructure	5
Update AR 10-02	2

Chapter 5 (Implementation and Priority Corridors)

Noteworthy comments on this chapter:

- *There is a stretch of trail along the Fox River Locks in Kaukauna on the North side of the Fox River that ends just south of a quarry. The only way from the end of this trail back to more populated residential areas to the North is along Plank Road. This road has very low traffic, very secluded, and is extremely sketchy for walkers/bikers alone. I believe a safer route from the end of this trail back to another trail, or more populated areas should be a priority.*
    - Toole Design reviewed this comment but did not recommend any changes to the County-level bikeway and trail network in this Plan.

Survey for Representatives of Towns and Municipalities

In the survey shared with the owns and Municipalities, respondents were also asked to review and comment on the draft Plan, which was shared as a PDF on the County webpage. Six people reviewed the plan and filled out the survey, representing Appleton, Grand Chute, Little Chute, Wrightstown, and the towns of Center and Osborn.

Policies and Programs

The survey asked respondents to rate the importance of each policy or program recommendation listed in the Plan. Noteworthy policies that were noted as "Very Important" by three or more commenters are listed below. Toole Design updated the Plan to highlight these policies.

Highway Department

- Refer to Highway Safety Priority Areas, the priority trail connections, and the typical cross section guidance in the Plan during highway reconstruction and repaving projects.
- Update AR 10-02 to allow the County Highway Department more flexibility to fund priorities identified in this Plan
- Apply for Safe Streets and Roads for All (SS4A) Implementation Grants
- Pursue grant funding
- Support communities building SRTS infrastructure on County highways (*this received five votes for "Very Important", more than any other policy*)

Development and Land Services Department

- Pursue grant funding sources for pedestrian and bicycle facilities *(this received four votes for "Very Important*).

Parks Department

- Develop a strategy and structure for assigning maintenance responsibilities for recreational trails in rural areas
- Pursue grant funding sources for pedestrian and bicycle facilities

Health and Human Services Department

No policy or program was considered Very Important by more than one respondent.

Sheriff Department

No policy or program was considered Very Important by more than two respondents.

Evaluation

The evaluation measures that more than four people voted as "Important" or "Very Important" were:

- Track miles of trail connections
- Track bicycle and pedestrian crash data
- Provide a tool to allow people to report issues with the walking and biking network.

Comments about the Policy and Program Recommendations Documented in the Plan

The representative from the City of Appleton wrote:

- *Pg. 51 Subdivision Regulations. The City of Appleton is exploring options of 5' sidewalk and 10' sidepath on all collector/arterial streets. The City allows 10' sidepath, the draft plan is considering 11' for minimum sidepath. Road design for 45-55 MPH called out a widen shoulder for bicyclist. We would add signage and symbols on the pavement for educational purposes.*
    - Toole Design response: Toole Design reviewed this comment but did not recommend any changes to the Plan.

Priority Corridors

The survey asked municipal and town representatives if they had any comments or concerns about each of the priority corridors.

Priority Corridor 1: College Avenue (STH 125) from Mall Drive to Badger Avenue

The representative from the City of Appleton wrote:

- *Has the feasibility been explored to extend the path to Badger Avenue? Currently the City has sidewalks on both sides starting at Linwood Avenue.*
    - Toole Design response: Toole Design believes this recommendation is feasible, although it would likely require the removal of street trees and design treatments at driveways. If keeping the current highway configuration, the existing sidewalks on West College Avenue/STH 125 would need to be widened (or removed and replaced with a 11' asphalt path). If the highway is completely reconstructed, some of the lanes and medians could be narrowed, allowing the curb to be moved.

Priority Corridor 2: Washington Street (CTH N) from Little Chute Trail to Kimberly High School

No noteworthy comments.

Priority Corridor 3: Wisconsin Avenue (STH 96) from McCarthy Road to Drew Street

No noteworthy comments.

Priority Corridor 4: W Prospect Avenue (CTH BB) from Northern Road to Seminole Road

The representative from the City of Appleton wrote:

- *The trail will connect into the City's protected bike lane and sidewalk on Prospect Avenue.*
    - Toole Design response: This would have been good context to include in the text, but we could not find any references to upcoming protected bike lane projects on Prospect Avenue (either in a Plan or in the news).

Priority Corridor 5: Appleton downtown connection between W College Avenue and Olde Oneida Bridge

The representative from the City of Appleton wrote:

- *Limited area to purchase additional ROW along Badger Avenue, compromises will need to be made along the corridor. Agree with other connections.*

- Toole Design response: Toole Design believes that protected bike lanes can be installed at street level by removing travel lanes. AADT on Badger Avenue is around 10,000, making it very promising for feasibility of a road diet.

Priority Corridor 6: Wiouwash State Trail to Main Street in Hortonville
No comments.

Priority Corridor 7: Mill Street/CTH T (New London)
No comments.

Priority Corridor 8: Northland Avenue/CTH OO from Abendroth Street to Lynndale Drive/CTH A
No comments.

Priority Corridor 9: E College Avenue (CTH CE) from STH 441 southbound off-ramp to CE Trail underpass
No noteworthy comments.

Priority Corridor 10: Lynndale Drive (CTH A) from Edgewood Drive to Northland Avenue (CTH OO)
No comments.

Comments about the 10 Priority Corridors Overall
The representative from the City of Appleton wrote:

- *The City has two corridors that are a concern that were not identified within the top 10. Highway 96 from Washington Street in Little Chute to Ballard in Appleton. The current bike lanes are not safe to use with the speed of traffic. The second corridor is CTH JJ, by Appleton North High School. A new elementary school will be constructed adjacent to CTH JJ and ongoing residential developments north of CTH JJ.*
  - Toole Design response: The infrastructure recommendations were updated to include a shared-use path between Appleton and Little Chute.

APPENDIX B: PLAN, POLICY, AND PROGRAM REVIEW

REVIEW OF RELEVANT PLANS

The project team reviewed previously completed plans to gain a better understanding of goals, objectives, and planned infrastructure for biking and walking in Outagamie County. The plans summarized here were identified in partnership with Outagamie County staff. We looked for topics in each plan related to three major unifying themes: planned bicycle and pedestrian (bike/ped) connections, fairness and equity, and funding and implementation. These themes are related to the concerns outlined by the project management team (PMT) during the kickoff call and help keep the focus on creating a plan that has realistic and feasible implementation goals.

Outagamie County Comprehensive Outdoor Recreation Plan 2022–2026 (Adopted 2020)

The purpose of the Comprehensive Outdoor Recreation Plan (CORP) is to assess the needs of the current County park system and provide direction for future maintenance, growth, and programs for the following 5 to 10 years. The Plan provides officials with a clear understanding of existing conditions as well as future recreational facility and open space needs. The planning effort was guided by these key pillars:

- **Conservation** – Protected open space not only benefits the environment but also serves as an important indicator to outside investment in the community.
- **Health and Wellness** – Parks are essential in combating important health issues such as nutrition, hunger, obesity, and physical inactivity.
- **Social Equity** – A healthy park system will provide equal access throughout the community.

The CORP contains existing conditions analysis and some objectives related to creating an all-ages and abilities bicycling and pedestrian network. Some of the key objectives identified in the plan include:

- Connect natural settings with safe and efficient bicycle and pedestrian access.
- Develop and incorporate into the Comprehensive Plan an Outagamie County Bicycle and Pedestrian/Trail System Plan to guide County efforts in developing/linking with the regional trail network. Use existing regional and local plans to ensure consistency with previous efforts.
- Develop a County bicycle and pedestrian strategy, focusing on County policy and infrastructure; integrate with other local municipal plans and local road networks.

Planned bike/ped connections

The CORP recommends several new trail connections (Figure B-1):

- Explore the feasibility of extending the CE Trail east to Brown County. Coordinate with Brown County to ensure the route selected aligns with existing or future Brown County plans.
- Explore the feasibility of extending the Wiouwash State trail north to the Newton Blackmour Trail. Coordinate with the Village of Hortonville, local towns, County Highway department, WisDOT, and others as needed.
- Explore the feasibility of extending the future State Highway 15 trail west into Hortonville, eventually connecting to the Wiouwash State Trail. Coordinate with the Village of Hortonville, the County Highway Department, WisDOT, and others as needed.

In addition, the CORP includes a concept plan for the development of a mountain bike park at the undeveloped View Ridge Natural Area just outside of New London.



Figure B-1 Excerpt of Map 8 in CORP Appendix, showing recommended trail connections.

Fairness and equity

Social equity is identified early in the plan as one of the key pillars by which a healthy park system can benefit a community. Though this pillar is identified early in the plan, the plan does not specifically include equity measures and considerations within the analysis, recommendation, and implementation sections.

Funding and implementation

The funding chapter of this plan provides a compilation of capital improvements, park development mechanisms, and funding sources. Also included is the process for adopting, monitoring, and updating the comprehensive plan. Some of the relevant funding mechanisms described in this section of the plan include:

- Wisconsin Department of Natural Resources
    - Knowles-Nelson Stewardship Program
        - Acquisition and Development of Local Parks
        - Urban Rivers
        - Urban Green Space
        - Acquisition of Development Rights
    - Land and Water Conservation Fund
    - Recreational Trails Act
- Wisconsin Department of Transportation
    - Surface Transportation Program (Urban)
    - Surface Transportation Program (Rural)
    - Transportation Alternatives Program (TAP)
- Wisconsin Department of Administration
    - Community Development Block Grant (Public Facilities)
- Other Programs
    - 10-Minute Walk Planning Grants
    - KaBOOM! Grants
    - Foundation Grants
        - David L. & Rita E. Nelson Family Fund – Community Foundation for the Fox Valley Region
        - Anthem Foundation
        - Clif Bar Family Foundation

- National Environmental Education Foundation
- The Skatepark Project
- U.S. Bank Foundation Play Grants

Outagamie County Comprehensive Plan 2040: The Shared Path Forward (Adopted 2020)

The Comprehensive Plan 2040 sets forth a vision, goals, recommendations, data, graphics, and maps related to housing, transportation, economic development, and natural resources (among others), which guide public land use, development, and infrastructure policy. Some of the key elements of the comprehensive plan include:

- Issues & Opportunities
- Transportation
- Utilities & Community Facilities
- Economic Development
- Intergovernmental cooperation
- Implementation

The second half of the comprehensive plan serves as an action plan, with a vision statement, guiding principles, and an implementation framework. Some key bicycle- and pedestrian-oriented goals include:

- Integrated land use and transportation system.
- Cooperative, intergovernmental land-use decisions.
- Robust, well planned county infrastructure to support livable communities.
- Sustainable and resilient public infrastructure & communities.
- Proactively anticipating the future becomes standard practice for Outagamie County.

Planned bike/ped connections

The Comprehensive Plan has several infrastructure recommendations that are relevant to this plan:

- Long-range multi-jurisdictional planning and coordination to improve safety and travel conditions at the following intersections: CTH KK and STH 441 in Appleton; STH 441, CTH OO and French Rd in Little chute/Grand Chute & Appleton; CTH GV, Casaloma Dr and STH 96 in Grand Chute; I-41 and CTH OO/STH 15; and STH 15, CTH JJ and CTH TT in Hortonville
- Further study the extent and scope of the westside arterial (CTH CB). Evaluate options and finalize the preferred route for the north extension of CTH CB from STH 15 to CTH JJ. Incorporate the route into necessary planning documents. Work collaboratively with Greenville and Grand Chute to finalize the preferred route, officially mapping it if feasible.
- Support the urbanization and inclusion of multi-modal accommodations along STH 76 in the Village of Greenville.
- Support the construction of the STH 15 bypass of Hortonville, which includes a corresponding multi-modal trail.
- Support the design and reconstruction of I-41; encourage WisDOT to include bicycle and pedestrian accommodations at all County and local road bridge crossings and underpasses. A conceptual cross-section was created as a part of the comprehensive plan effort showing a sidewalk, grade-separated 12-foot trail/sidewalk (see Figure B-2).



Figure B-2 Conceptual bicycle and pedestrian accommodations for I-41 crossings in the County Comprehensive Plan 2040

- Encourage WisDOT to begin planning for the reconstruction of STH 125 between Mall Dr (Grand Chute) and the Viaduct (Appleton) to include better mobility solutions than what exists with the current highway and adjacent frontage roads. The future cross-section should be urbanized with curb and gutter; feature multi-modal accommodations (including a trail on the north side) and blend the County's new CTH CA corridor with existing College Avenue east of the viaduct.

Fairness and equity

The Plan does not specifically mention equity as an overarching goal, nor does it include guidance on how to distribute the recommended investments fairly or equitably.

Funding and implementation

The Plan describes implementation as an ongoing process. Implementation of the Plan will be primarily conducted through the following methods:

- As part of the development review process and revisions to land development codes
- Creation or updates and implementation of functionally specific planning documents
- Additional research and policy recommendations
- Changes to county administrative rules, policy, and procedures
- Implementation of pilot projects and/or programs
- Planning of county infrastructure projects through the Capital Improvement Plan (CIP)
- Funding of projects, programs, and initiatives through the annual County budget, grants, and other sources
- Implementation through partnerships and/or through other entities

The action plan document does not provide guidance on funding sources or methods.

"Loop the Locks" Fox River Greenway Initiative (2017)

In 2017, Outagamie County announced the Fox River Greenway initiative, to build a network that would connect parks and downtown/commercial districts from Appleton to Kimberly, Kaukauna, Buchanan, and Combined Locks (Figure B-3). Upon completion, the network will create a 15-mile loop of trails and bike lanes to unite neighborhoods and communities straddling the Fox River in the County's "Heart of the Valley" region. Many segments are substantially complete as of September 2022.



Figure B-3 The route of the proposed Loop the Locks trail (image source: Outagamie County, via Appleton Post-Crescent)

Fairness and equity

The County created the grant program and asked municipalities to submit proposals for building trail connections to close the gaps in the network.

Funding and implementation

The project was expected to cost about $6 million to complete, with $1.5 million coming from a County fund financed by a conservation payment from the American Transmission Company. The utility is required by law to make a conservation payment to counties or municipalities where they put in high-voltage transmission lines. The County used the payment to provide up to 25% matching funds for key segments.

Fox Cities Trail Summit (2020)

The 2020 Trail Summit was a single day event organized by the Community Foundation for the Fox Valley Region (CFFVR), the Fox Cities Greenways, Inc (FCGI), and the East Central Wisconsin Regional Planning Commission (ECWRPC). It was attended by municipal professionals, representatives from Lawrence University, and community-based advocacy organizations.

The summit had the following goals:

- Foster broader dialogue across municipal boundaries, economic sectors, and areas of interest and create increased collaboration in designing and building a better multi-modal transportation system.
- Make the system of trails in the Fox Cities the best it can be to meet the recreation and transportation needs of current and future residents.
- Improve health for residents of the Fox Cities.

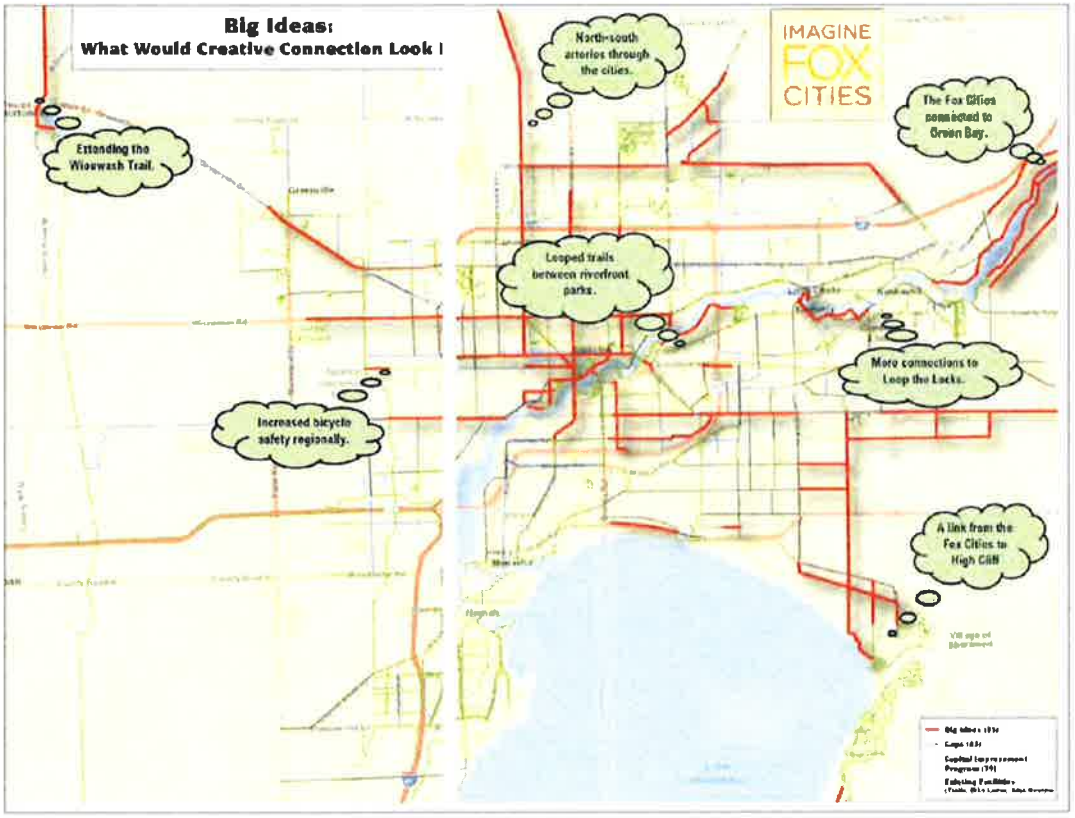


Figure B-4 "Big Idea" connections on pages 6 and 7 of Trail Summit Report

Planned bike/ped connections

Summit participants were given the opportunity to imagine a trail network that promoted connectivity, increased trail use for transportation, and solved key regional gap concerns. The participants identified the following areas needing improvement (Figure B-4):

- Connections along the Fox River from the Fox Cities to Green Bay.
- Extending the network in several points from the Fox Cities to High Cliff State Park.
- Key connections into the Wiouwash State Trail along STH 15 and STH 76.
- North-south arteries through the cities as well as a few east-west arteries.
- Increases to regional safety with updated bike/ped facilities at river crossings, such as between Kimberly, Combined Locks, and Little Chute, and increasing the Loop the Locks network.

Fairness and equity

During the summit, an associate professor from Lawrence University presented on the importance of equity in trail planning. The presentation generated some of the following responses:

- An equity lens could be used in determining funding sources for future regional projects.
- Need to shift the mindset from recreational cyclists to using bicycles for transportation.
- Use creativity offered by rails-to-trails programs.

- Factors such as poverty levels and population need to be part of future planning.
- Planners need to note the lack of diversity represented in the planning process.
- Increasing bike and pedestrian facilities everywhere will allow for reduction in healthcare costs.

Funding and implementation

The Summit Report provides next steps in trail and bike/pedestrian infrastructure development for ECWRPC, FCGI, and CFFVR.

- **ECWRPC:** Will use the data gathered at the summit to strengthen planning efforts for its 2020 update to its urbanized area bike and pedestrian planning document.
- **CFFVR:** Will continue to spark conversations and refer interested funders to assist with leveraging the projects that are on the horizon.
- **FCGI:** Will partner with ECWRPC to ensure the maps are updated in a timely manner by all the municipal partners as trails are constructed and new plans develop.

The Report lists possible sources of grant funding for proposed trail or wayfinding projects. In addition to the funding programs listed previously in the summary of the CORP plan, the Report also identifies:

- ECWRPC's Technical Assistance Program
- Local hospitals and healthcare organizations
- FCGI's Seeds of Growth Grant and Ad-Hoc grant

Appleton (Fox Cities) Transportation Management Area and Oshkosh Metropolitan Planning Organization Bicycle and Pedestrian Plan (Adopted 2021)

The Bicycle and Pedestrian Plan examines the existing bicycle and pedestrian facility connections within the Appleton Transportation Management Area (TMA) and identifies ways to better connect communities to each other. The plan is formed around the following six goals:

- **Equity:** Ensure all groups will have the same access to the planning and decision-making process.
- **Education:** Increase awareness and support for bicycle and pedestrian facilities to create an interconnected multimodal transportation network.
- **Encouragement:** Encourage residents to walk and/or bike as a means of transportation and recreation.
- **Engagement:** Draw involvement from new community members and work with existing community partners to build intentional, ongoing engagement opportunities.
- **Engineering:** Improve connections between bicycle, pedestrian, and transit networks by identifying gaps, barriers, and needed multimodal facilities and connections.
- **Evaluation:** Evaluate the equity, education, encouragement, engagement, and engineering components of existing and future planning efforts, programs, and facilities.

Planned bike/ped connections

Figure B-5 below proposes the recommended bicycle and pedestrian network in the Appleton TMA.



Figure B-5. Excerpt of Appleton TMA Recommended Bicycle & Pedestrian Network, Pg. 107

Fairness and equity

The Plan includes numerous mentions of equitable distribution of bicycle and pedestrian facilities. Each goal listed in the five-year implementation plan includes an equity component. Some of the key components include:

- Work with community members and local organizations to determine what data to collect; how to best utilize data.
- Ensure events are advertised widely and shared out with community partners; translate promotional materials.
- Work with health departments and advocacy organizations to ensure affordable/subsidized bike share options are available.
- Include equitable access in the criteria to ensure all neighborhoods benefit from bike/ped facilities.
- Work with neighborhoods impacted by lack of connectivity.

Funding and implementation

The Plan recommends that local municipalities fund bicycle and pedestrian facilities through their local capital improvement program and, when applicable, incorporate the addition or repair of facilities during roadway construction or reconstruction projects. It is important to note that some sidewalk projects may involve special assessments to homeowners, which could cause undue financial burdens. As bicycle and pedestrian facilities benefit the entire community, municipalities should consider specialized taxes to cover the cost of those facilities. Important funding mechanisms summarized in The Plan include:

- County and Local Capital Improvement Programs
- Surface Transportation Block Grant Program
- Transportation Alternatives Program
- Highway Safety Improvement Program
- Recreational Trails Aid Program
- The Robert Wood Johnson Foundation
- Local Hospitals and Healthcare Organizations

- Public Private Partnerships
- David L. and Rita E. Nelson Family Fund and the Community Foundation for Fox Valley Region

The Plan also includes a five-year implementation plan with specific actions for each of the goals identified early in the planning effort. Each action includes a performance measurement, baseline data sources, timeline, equity components, and possible partnerships.

Living Well in Outagamie County: Community Health Improvement Plan (2014)

The Community Health Improvement Plan details goals and objectives for connected health priorities; the complex interconnectedness of them all was revealed through the community health assessment. Ultimately, two priorities were chosen due to their level of seriousness and feasibility for change: physical activity and nutrition, and mental health. The physical activity portion of the improvement plan details the importance of access to active transportation facilities.

Goal: Improve physical activity and support active living in Outagamie County

- Objective 1: Increase percentage of population reporting that they are physically active.
- Objective 2: Decrease percent of adults aged 20 and older with body mass index BMI greater than 30.
- Objective 3: Increase number of worksites with active and comprehensive wellness programs in Outagamie County.
- Objective 4: Ensure that opportunities to be physically active are accessible to all county residents, with an emphasis on older adults, people with disabilities, and youth.

Planned bike/ped connections

The Community Health improvement plan does not include network recommendations.

Fairness and equity

The Plan is based on the socio-ecological model, this means the model considers the varying levels of influence necessary to assess and affect the social determinants of health and move towards health equity. This lens is the framework the entire plan is built upon, centering equity in the recommendations provided throughout the Plan.

Funding and implementation

The Plan does not specifically discuss funding or implementation. Performance measures are provided for each objective.

STH 125 Corridor Report (2019)

WisDOT has conducted several studies on the W College Avenue/STH 125 corridor. The most recent study was conducted in 2019. It is four-lane highway with posted speeds between 40 mph and 55 mph, through a corridor that has become mostly developed for commercial uses, including the Fox River Mall. In 2020, the section of STH 125 between County Highway CB and Casaloma Drive was reconstructed with a multi-use trail on the north side between CB and Mall Drive, and sidewalks on the south side between Mayflower Drive and Casaloma Drive. East of Mall Drive, there are no sidewalks and bicyclists use 4-foot shoulders or bike lanes on frontage roads. According to the 2019 Corridor report, the corridor exceeds statewide average total crash rates by 200 to 500 percent. The corridor report contains recommendations for intersection redesigns; page 349 of the report includes an analysis of pedestrian and bicycle existing conditions in Appendix, but no pedestrian and bicycle recommendations were ever finalized in the study.

ECWPRC Safety Action Plan for Implementing Pedestrian Crossing Countermeasures (Adopted 2021)

The Safety Action Plan was developed under the Federal Highway Administration's Safe Transportation for Every Pedestrian (STEP) initiative and recommends actions that, when implemented, are likely to reduce the number and rate of pedestrian crashes, fatalities, and injuries on roadways in the region's 10-county planning area. The plan does not have its own set of goals but refers to related goals in the long-range transportation plans and bicycle and pedestrian plans also developed by ECWRPC (and described previously in this memo). Because

EWCRPC does not implement roadway projects, the recommendations in the Safety Action Plan are focused on policy and programs that ECWRPC can implement and encourage in the region.

Planned bike/ped connections

The Safety Action Plan does not include any specific pedestrian infrastructure recommendations.

Fairness and equity

The Safety Action Plan does not explicitly mention equity, but the premise of many of the recommendations is to use data and systemic analysis to guide prioritization and funding. Data-driven implementation is inherently "fairer" than the way many pedestrian safety projects are implemented, where they are often built because of public input or political pressures.

Funding and implementation

The Safety Action Plan recommends that ECWRPC prioritize pedestrian safety in the two grant programs it administers for agencies in the region: Surface Transportation Block Grant Program-Urban (STBG-U) and Transportation Alternatives Program (TAP), and to work with WisDOT to prioritize pedestrian safety as it decides which Highway Safety Improvement Program (HSIP) projects should be funded in the region.

Other Municipal or Corridor Plans

The project team also reviewed local municipal or corridor plans to look for planned bicycle or pedestrian connections that could inform the county-level connections in this plan. The local plans were not reviewed for themes of equity, fairness, or funding and implementation. The plans reviewed include:

- City of Appleton *Trails Master Plan* (2017)
- Town of Freedom *Comprehensive Plan Recommended Plan* (2020)
- Town of Grand Chute *Pedestrian and Bicycle Strategy* (2019)
- Village of Greenville *Comprehensive Plan, Appendix H: Bicycle and Pedestrian Plan* (2019)
- Village of Hortonville *Comprehensive Plan Update* (2013)
- City of Kaukauna *Comprehensive Plan* (2013)
- Village of Little Chute *Pedestrian & Bicycle Facilities Recommendations* (2016)
- City of New London *Comprehensive Outdoor Recreation Plan* (2020)
- Village of Wrightstown 2021 *Pedestrian and Bicycle Plan*
- WisDOT *Wis 15 Highway Expansion and Hortonville Bypass* (ongoing)

The project team obtained, or were able to digitize, shapefiles of planned bicycle, pedestrian, or trail connections. The resulting map of existing and previously proposed bikeways and trails from local, county, and regional plans is shown in Figure 8. Existing and Previously Proposed Trails and Bikeways in Outagamie County and Figure 9 in Chapter 3.

REVIEW OF RELEVANT POLICIES

The following policies are key to encouraging bicycle and pedestrian use of the transportation network, and the implementation of new connections dedicated to these modes. Policies that discourage bicycling and walking, even inadvertently, could be modified to encourage lower-cost and more accessible transportation modes.

Outagamie County Administrative Rule 2010-02

Outagamie County maintains a substantial network of County highways within the Appleton/Fox Cities urbanized area. Due to resource constraints, Outagamie County adopted AR 2010-02 to limit the County's financial risk for the capital and maintenance costs for bicycle and pedestrian infrastructure. In summary, unless state or federal rules require bike/ped infrastructure, the primary burden of the infrastructure planning and funding are on the local municipality.

While this policy has achieved its goal of limiting financial risk, it has had unintended consequences resulting in a disjointed bicycle and pedestrian network throughout the County. Without critical linkages between communities,

this limits multimodal access to schools, parks, jobs, and other community assets. The County is working with ECWRPC and Toole Design to consider ways to update this policy or replace it with a policy that will ensure that the connections identified in the County Bicycle and Pedestrian Plan can be implemented.

Outagamie County Code

The Outagamie County Development and Land Services department is responsible for the administration of the County Subdivisions and Platting ordinance (Chapter 52), which regulates rules on county property and development in 13 of the 20 townships in Outagamie County. Chapter 40 (Parks and Recreation) and Chapter 52 (Subdivisions and Platting) of the Outagamie County Code of Ordinances were reviewed for their relevance to the Outagamie County Bicycle and Pedestrian Plan.

Chapter 40: Parks and Recreation Summary

Current Language /Section	Potential Issue or Concern
Article III – TRAILS	
Sec. 40-117 – Restrictions on motorized vehicles. (a) No unauthorized motorized vehicles are permitted on any trails except for snowmobiles on approved snowmobile trails. (b) All-terrain vehicles (ATV's) may cross the Wiouwash Trail and Newton Blackmour Wildlife Trail only at designated locations approved by the county parks department.	May need to update to accommodate electric assist bicycles

Chapter 52: Subdivisions and Platting Summary

Current Language /Section	Potential Issue or Concern
ARTICLE IV – REQUIRED IMPROVEMENTS	
Sec. 52-104 – Dedication and Reservation of Land (a) States that streets and public ways designated in adopted regional, county, and local comprehensive plans shall be a part of the land division and either dedicated or reserved by the subdivider. (b) States that parks, playgrounds, public access, open space sites or other public land other than streets designated in adopted regional, county, and local comprehensive shall be made a part of the land division and shall be dedicated to the public.	None
Sec. 52-106 – Ensuring Adequate Land Dedicated and Preserved This section establishes minimum amounts of park and recreation land to be preserved. When the dedication is incompatible or infeasible, the section sets forth a process for the subdivider to pay a fee in lieu of land dedication.	None

Current Language /Section	Potential Issue or Concern
ARTICLE V – DESIGN STANDARDS	
Sec. 52-124 – Street Design Standards (d) Establishes street grades of different percentages for different types of streets, including: *(1) d. Pedestrian ways, 12 percent, unless steps of acceptable design are provided.*	12 percent grade does not meet Proposed Public Rights-of-Way Accessibility Guidelines (PROWAG)
Sec. 52-124 – Street Design Standards (e) Establishes radii of curvature for different street types, including: *(1) Arterial streets and highways, 500 feet* *(2) Collector streets, 300 feet* *(3) Minor streets, 100 feet*	Radii of curvature design standards may be updated in guiding design documents like the American Association of State Highway and Transportation Officials (AASHTO) "Green Book"
Sec. 52-124 – Street Design Standards • Outagamie County's subdivision ordinance does not require developers to build sidewalks (or shared-use paths) along any streets, including collectors and arterials. • The subdivision ordinance does not include design standards or minimum widths for sidewalks or paths.	Lack of county subdivision standards may contribute to sidewalk gaps in unincorporated areas in the urbanizing/ residential parts of the county where people are likely to be walking.
Sec. 52-126 – Blocks Establishes standards for the widths and shapes of blocks, including: *(1) Length. Blocks in residential areas should not, as a rule, be less than 750 feet nor more than 1,500 feet in length, unless otherwise dictated.* *(2) Pedestrian ways. Pedestrian ways of not less than ten feet in width may be required near the center and entirely across any block over 900 feet in length were deemed essential by the county agriculture, extension education, zoning and land conservation committee or town board to provide adequate pedestrian circulation or access to schools, shopping centers, churches, or transportation facilities.*	None

RELEVANT PROGRAMS AND STAFFING

To consider the feasibility of implementing different programs and or adding new trails for Outagamie County to build and maintain, it is useful to consider the County's current operating environment. The following section includes an inventory of the County's current operating obligations and staffing.

Outagamie County Capital Improvement Plan (CIP) 2022-2026

The CIP document is a schedule of major transportation projects expected to be undertaken in the following five-year period. County highway projects—especially highway reconstruction projects—provide the primary opportunity to add bicycle or pedestrian connections; other trail connections are funded by grants to local communities through the County's greenway implementation fund.

Funding and implementation

- The County highway department has about $10.1 million in budgeted projects for FY 2022 and $12.8 million for FY 2023, funded through a combination of bonds, state funds, County levy and sales tax, and other sources.
- The County dedicates $25,000 annually from property tax levy and sales tax for greenway implementation.
- The County has in the past dedicated funding for trail expansions, such as CE Trails.

2022 County Adopted Budget

We reviewed the Outagamie County 2022 Adopted Budget to assess current operating environment and staffing capabilities. Wisconsin state law allows municipalities and counties to increase their levy over the prior year by the percentage increase in value from "net new construction." The County approved budget increased its levy by exactly that amount and is at the state-mandated levy "cap."

Outagamie County Parks System

The Outagamie County Parks department maintains four multi-modal trails, amounting to over 40 miles of trail:

- CE Trail
- Newton Blackmour State Trail
- Wiouwash State Trail

Maintenance such as brush clearing and mowing of these trails is performed by the park system staff. The parks system has a full-time staff of five park employees, four nature center employees, two permanent part-time evening caretakers, and numerous seasonal part-time staff. The park system also relies on many volunteers and donations.

The County's Greenways Committee oversees a matching grant program under the Parks budget that distributes $25,000 per year to local municipalities for trail projects in their communities, such as the New London connection to the Newton Blackmour trail, or the Loop the Locks initiative.

Parks Budget	2022 Adopted
Expenditures (services and capital)	$824,000
Revenues	$53,000
Net Expenditures	**$771,000**

Outagamie County Highway Department

The Highway Department has two funds: the **County Roads and Bridges Fund**, which provides funding for the maintenance and construction of roads and bridges for the county trunk highway system, and the **Highway Fund,** which covers the remainder of the Highway Department functions such as administration, county highway maintenance, state highway maintenance, and machinery/shop equipment. The Highway Fund includes annual maintenance contracts with 15 municipalities that include snow removal, pavement repair, mowing and brush control, and bridge inspection and repair.

County Roads and Bridges Fund	2022 Adopted
Expenditures (services and capital)	$8,083,000
Revenues (state and federal aids)	$4,439,000
Net Expenditures	**$3,644,000**

Highway Fund	2022 Adopted
Expenditures (services and capital)	$21,353,000
Revenues (state and federal aids and fees)	$3,635,000
Net Expenditures	**$17,719,000**

ECWRPC Safe Routes to School Program

Safe Routes to School (SRTS) is a national and international movement to create safe, convenient, and fun opportunities for children to bicycle and walk to and from school. The ECWRPC's SRTS Program started in 2009 and is funded through WisDOT. The goal of the program is to enable and encourage children of any ability in grades Kindergarten-8th, to walk and bike to school. The program is based on the principles of the 6-E's: Engineering, Encouragement, Education, Engagement, Evaluation and Equity, and has several different components:

- Local Action Plans, in which ECWRPC staff can perform a SRTS plan including bike and walk audits, recommend walking and biking facilities, and safety recommendations.
- Events and Programs, in which ECWRPC staff partner with local SRTS champions on Walk to School Day, Bike to School Day, and other programs to encourage walking and biking to school.

Other Organizations and Partners

Fox Cities Greenways is a non-profit organization that works with local municipalities, partner organizations, and residents to develop and expand the bicycle and pedestrian network through trails, bicycle facilities, and water trails. They offer one funding opportunity relevant for trails-related projects: the Bi-Annual Grant, which is designed to help local organizations with local matching funds for federal, state, or county grant applications; and which funds infrastructure for up to $10,000, equipment for up to $5,000, and programming for up to $2,000.

Fox Cities Cycling Association is a subcommittee of the Fox Cities Greenways. It works to organize community rides (such as Moonlight Rides, Bike Week, Bike Across Bago), provides bike valet at the Appleton Farmers Market, educates residents on the benefits of bicycling, and advocates for bicycling.

Fox Cities Convention & Visitors Bureau (CVB) has a bicycle and pedestrian wayfinding signage grant program. Municipalities that are affiliated with the CVB may apply for matching funds to assist communities in the Fox cities to install pedestrian and bicycle wayfinding signage.

Wisconsin Bike Fed is an advocacy non-profit that offers programming, education, training, and events throughout the state. With main offices in Madison and Milwaukee, they have a dedicated staff person who is based out of Appleton who has partnered with the Fox Cities Greenway and the ECWRPC in organizing past events, such as the Fox Cities Trail Summit.

NOTICE OF PUBLIC HEARING

OUTAGAMIE COUNTY

TO WHOM IT MAY CONCERN

Notice is hereby given that the Outagamie County Zoning Committee will hold a public hearing on October 24, 2023 at 10:30 AM in the Outagamie County Board Room located at 320 S. Walnut Street, Appleton, WI 54911 to consider a Comprehensive Plan Amendment, in accordance with 66.1001(4) Wis Stats. This amendment will adopt the Outagamie County Bicycle and Pedestrian Plan as Addendum 3 of the County's Comprehensive Plan.

For particulars, reference is made to documents located at **https://cityview.outagamie.org/** by referencing the below File Number under Planning Application search or visiting the county website at: **https://www.outagamie.org/government/departments-a-e/development-and-land-services/comprehensive-plan**.

Any interested person may address the Zoning Committee by mailing a letter to Outagamie County DLS, 320 S. Walnut Street, Appleton, WI 54911, emailing **zoningemail@outagamie.org**, or attending the meeting at the date and time listed above.

Dated this 13th day of September, 2023

OUTAGAMIE COUNTY ZONING COMMITTEE
DEBBIE VANDER HEIDEN, CHAIR

File No: PL202300420

Published: September 19, 2023

Accommodation Notice

Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.

LocaliQ
Wisconsin
GANNETT

Order Confirmation
Not an Invoice

Account Number:	1013041
Customer Name:	Outagamie County Development & Land Services
Customer Address:	Outagamie County Development & Land Services 320 S Walnut ST Zoning Dept. Appleton WI 54911-5918
Contact Name:	DEPT OUTAGAMIE CO ZONING
Contact Phone:	
Contact Email:	
PO Number:	202300420

Date:	09/12/2023
Order Number:	9279552
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	43.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
APC Appleton Post Crescent	1	09/19/2023 - 09/19/2023	Govt Public Notices
APC postcrescent.com	1	09/19/2023 - 09/19/2023	Govt Public Notices

Order Confirmation Amount	**$44.43**

1/2

Ad Preview

NOTICE OF PUBLIC HEARING
OUTAGAMIE COUNTY
TO WHOM IT MAY CONCERN

Notice is hereby given that the Outagamie County Zoning Committee will hold a public hearing on October 24, 2023 at 10:30 AM in the Outagamie County Board Room located at 320 E. Walnut Street, Appleton, WI 54911 to consider a Comprehensive Plan Amendment in accordance with 66.1001(4) Wis Stats. This amendment will adopt the Outagamie County Bicycle and Pedestrian Plan as Addendum 3 of the County's Comprehensive Plan.

For particular reference to maps or documents located at https://cityview.outagamie.org/ by referencing the below File Number under Planning Application search or visit on the county website at: https://www.outagamie.org/government/departments-a-g/development-and-land-services/comprehensive-plan

Any interested person may address the Zoning Committee by mailing a letter to Outagamie County DLS, 320 E Walnut Street, Appleton, WI 54911 emailing zoningmail@outagamie.org, or attending the meeting at the date and time listed above.

Dated this 19th day of September, 2023
OUTAGAMIE COUNTY
ZONING COMMITTEE
DEBBIE VANDER HEIDEN, CHAIR

File No: FEZ0230426
Published September 19, 2023

Accommodation Notice
Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.

RUN: September 19, 2023 WNAXLP

2/2

Ingalls, Cassandra R.

From: Gary & Karen Kasten <kstfarms@aol.com>
Sent: Monday, October 23, 2023 1:21 PM
To: ZoningEmail
Subject: Northland Avenue bicycle/pedestrian plan

<meta http-equiv="Content-Type" content="text/html; charset=Windows-1252"> **External Email** Do not open attachments, click links or reply until you know it is safe

<head>

My name is Karen Kasten. I live at 22 W Pleasantview Ct. I cannot attend the meeting tomorrow but I have questions that will follow. The backyard of my property butts up to Northland Avenue where an intended 12' paved bicycle/pedestrian project is being planned. This is between Lynndale Avenue and Bluemound Road on the south side of Northland Avenue if I understand the documents correctly. My questions are:

1. There is a deep ditch there now that fills with water. What is your plan to alleviate that ditch or correct the situation?

2. Mud Creek is up the road. What are your plans regarding that because the railing right now is very close to Northland Avenue?

3. What are your plans regarding the existing trees along that section of property?

4. Will the speed limit on Northland Avenue be reduced from 45 mph? I listen to the traffic 24/7 and they're not going 45 mph.

5. Will there be a barrier of some kind installed along that section of Northland Avenue?

6. Will electric scooters be allowed to use that path?

7. How much notice will you give adjoining property owners regarding the start of this project? Will we be able to give additional input?

8. How long will this project take to complete?

9. Will this project be done in conjunction with the Highway 41 expansion or is it a separate project?

Please make a note that I would like to be made aware of any future plans regarding this project.

Thank you for your time.

Karen Kasten

1

LOCK IN OF ORDINANCE. NO. Z-8—2023-24

Vote for lock in. ROLL CALL: 33 yes, 3 absent. ORDINANCE NO. Z-8—2023-24 IS ADOPTED AND LOCKED IN.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Ordinance No. Z-8—2023-24 - Lock In

Lock in of Ordinance No. Z-8—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 06:40:58 PM** OpenMeeting

November 6, 2023 County Board Meeting

RECONSIDERATION OF ORDINANCE. NO. Z-8—2023-24

Supervisor Cooke moved, seconded by Supervisor Nejedlo, to reconsider the Ordinance No. Z-8—2023-24, for the purpose of lock in.

Vote for reconsideration. ROLL CALL: 33 yes, 3 absent. ORDINANCE. NO. Z-8—2023-24 IS RECONSIDERED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Ordinance No. Z-8—2023-24 - Reconsideration

Reconsideration of Ordinance No. Z-8—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

11-6-23 County Board Meeting - November 6 2023 06:40:49 PM

November 6, 2023 County Board Meeting

OpenMeeting

Ordinance No. Z-8—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the Outagamie County Comprehensive Plan, as reflected in the review of Exhibit 1, for the Town of Kaukauna, to Repeal and replace Map 33: Future Land Use Map and modify Map 18: Future Land Use Map - Outagamie County to reflect the future land use map changes, as noted on the ordinance and attachments.

Supervisor Krueger moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 33 yes, 3 absent. ORDINANCE NO. Z-8—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Ordinance No. Z-8—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the reflected in the review of Exhibit 1, for the Town of Kaukauna, to Repeal and replace Map 33: Future Land Use Map and modify Map 18: Future Land Use Map - Outagamie County to reflect the future land use map changes, as noted on the ordinance and attachments.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 06:40:19 PM**
November 6, 2023 County Board Meeting
OpenMeeting

ORDINANCE NO.: Z-8—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY COMPREHENSIVE PLAN. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 66.1001(4) of the Wisconsin State Statutes.

Outagamie County Planning Staff review recommends approval of proposed comprehensive plan amendment. The Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following ordinance.

BE IT ORDAINED that the Outagamie County Board of Supervisors does recommend the attached proposed amendment to the Outagamie County Comprehensive Plan, as reflected in the review of Exhibit 1, which by reference is made a part hereof:

- Repeal and replace Map 33: Future Land Use Map - Town of Kaukauna.
- Modify Map 18: Future Land Use Map - Outagamie County to reflect the future land use map changes in the Town of Kaukauna (i.e., new Map 33).

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in Outagamie County upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this Ordinance to the Outagamie County Department of Development and Land Services Director.

Dated this 6th day of November, 2023.

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11.9.23

Vetoed: _____

Signed: _____
County Executive

ZONING COMMITTEE RESOLUTION NO.: PL202300402

RECOMMENDING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR OUTAGAMIE COUNTY, WISCONSIN

WHEREAS, pursuant to 59.69(3) of the Wisconsin Statutes, Outagamie County is authorized to prepare and adopt a comprehensive plan as defined in Section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes, and

WHEREAS, Outagamie County has developed a process to allow for amendments to the Comprehensive Plan, and

WHEREAS, the State Comprehensive Planning Law requires that the County follow the same administrative procedures for adoption defined under Wisconsin Statutes, Section 66.1001(4), to amend the Comprehensive Plan, and

WHEREAS, Outagamie County has held at least one public hearing on this amendment, in compliance with requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW THEREFORE, BE IT RESOLVED, that the Outagamie County Zoning Committee hereby recommends to the County Board that the attached Comprehensive Plan Amendment be adopted pursuant to Wisconsin Statutes Section 66.1001(4).

Adopted this 24 day of October, 2023

Debra Vander Heiden, Committee Chair

Sarah Weinberg, Committee Secretary

Adopted: 5 - 0

ZONING COMMITTEE RESOLUTION NO.: PL202300402

RECOMMENDING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR OUTAGAMIE COUNTY, WISCONSIN

WHEREAS, pursuant to 59.69(3) of the Wisconsin Statutes, Outagamie County is authorized to prepare and adopt a comprehensive plan as defined in Section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes, and

WHEREAS, Outagamie County has developed a process to allow for amendments to the Comprehensive Plan, and

WHEREAS, the State Comprehensive Planning Law requires that the County follow the same administrative procedures for adoption defined under Wisconsin Statutes, Section 66.1001(4), to amend the Comprehensive Plan, and

WHEREAS, Outagamie County has held at least one public hearing on this amendment, in compliance with requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW THEREFORE, BE IT RESOLVED, that the Outagamie County Zoning Committee hereby recommends to the County Board that the attached Comprehensive Plan Amendment be adopted pursuant to Wisconsin Statutes Section 66.1001(4).

Adopted this _____day of October, 2023

Debra Vander Heiden, Committee Chair

Sarah Weinberg, Committee Secretary

Adopted: _____ - _____

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **September 6, 2023**
RE: **PL202300402: Proposed Outagamie County Comprehensive Plan Amendment**

The *Outagamie County Comprehensive Plan 2040: A Shared Path Forward* (County Plan), was adopted in 2020. Occasionally, amendments to the County Plan are needed to ensure it remains up-to-date and relevant. This memorandum discusses proposed amendments to Volume 2 of the County's Plan.

BACKGROUND:

The Town of Kaukauna recently amended their Comprehensive Plan to adopt a new Future Land Use (FLU) Map (see Exhibit 1). As a result of this change, County staff worked with Town staff to draft a new FLU Map for the Town in the County Plan. The purpose of drafting a new FLU Map for the Town in the County Plan is to ensure that the Town's and County's planning tools remain consistent over time.

Following receipt of the County's proposed FLU map for the Town, the Town of Kaukauna provided County Staff with a recommendation to: Repeal and Replace *Map 33: Future Land Use Map – Town of Kaukauna* in the County Comprehensive Plan (see Exhibit 2 and Exhibit 3).

Should this amendment be approved, County staff also recommends an amendment to edit *Map 18: Future Land Use Map – Outagamie County* to reflect the FLU changes made in the Town of Kaukauna.

It is County planning staff's opinion that the proposed amendments are consistent with Goal 3 of the County's Comprehensive Plan: *Cooperative, intergovernmental land-use decisions.*

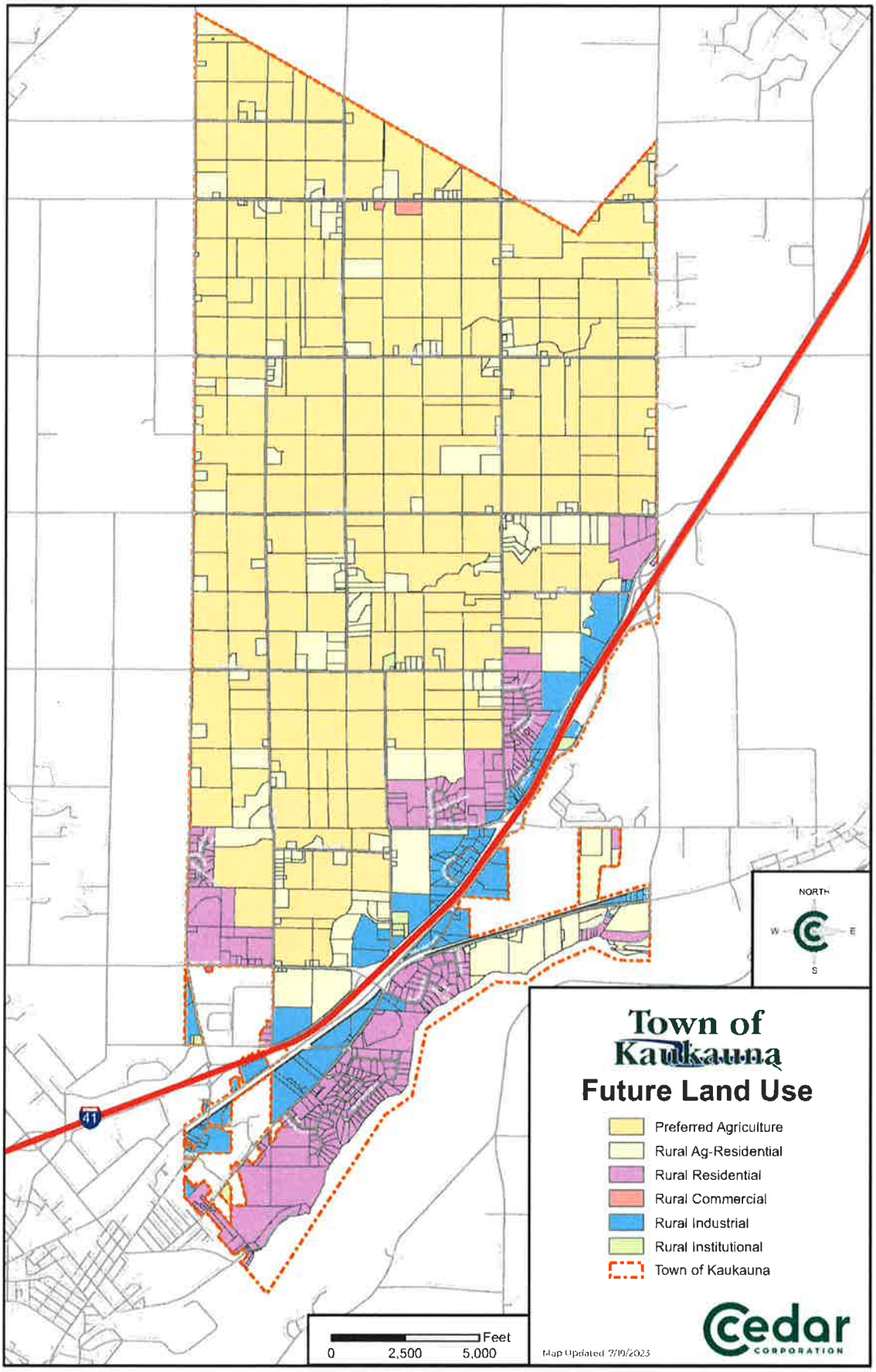
STAFF RECOMMENDATION

Planning staff recommends adoption of the proposed amendments as presented. To do this, the following action is required pursuant to Wis. Stats. 66.1001:

- Zoning Committee adopts a Resolution authorizing the amendments and advancing them to the County Board (Wis. Stats. 66.1001(4)(b)).
- County Board approves an Ordinance adopting the amendments (Wis. Stats. 66.1001(4)(c)).

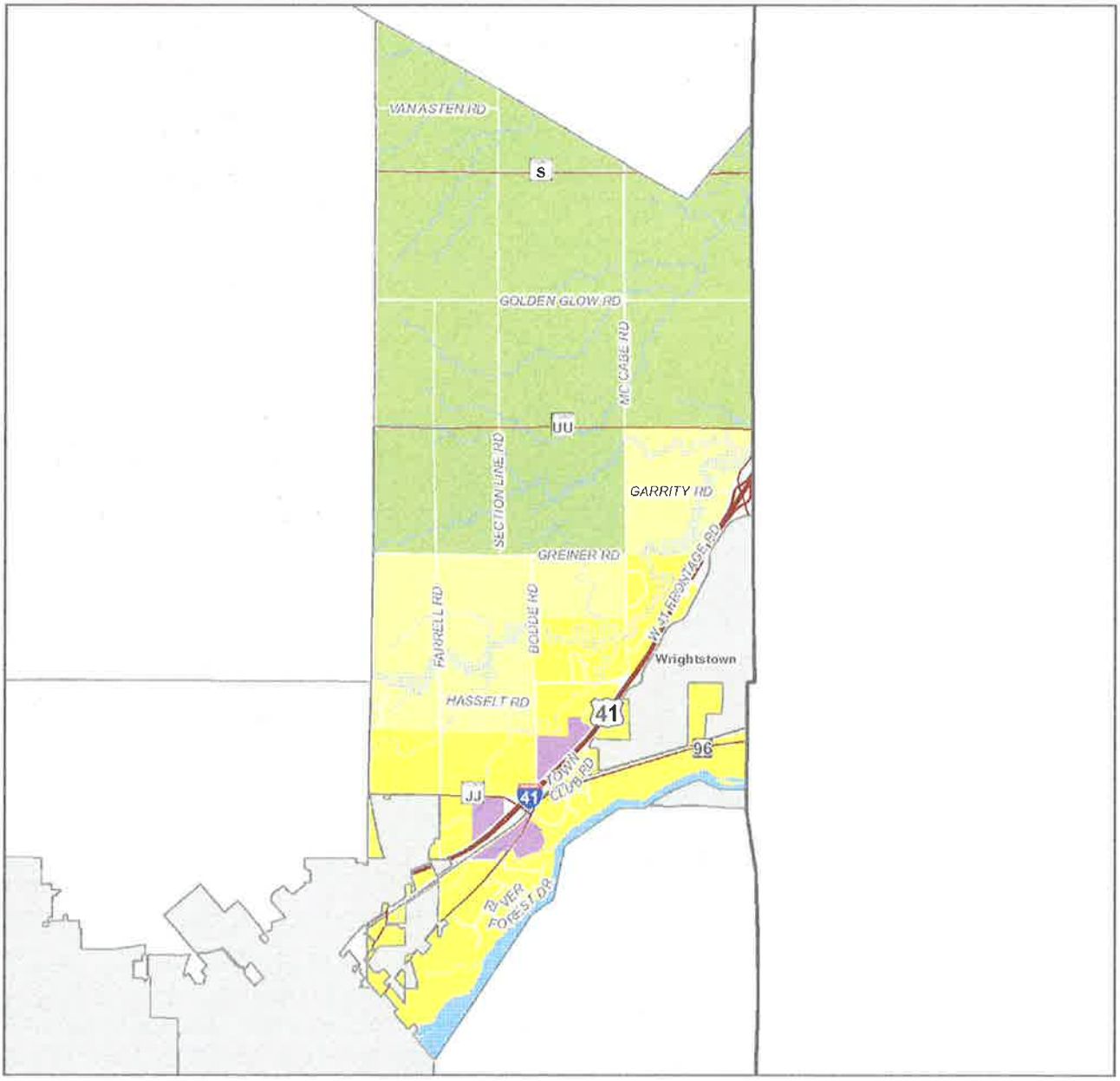
EXHIBITS:

- Exhibit 1: Existing Town of Kaukauna Future Land Use Map (in Town Comprehensive Plan)
- Exhibit 2: Existing Town of Kaukauna Future Land Use Map (in County Comprehensive Plan)
- Exhibit 3: Proposed Town of Kaukauna Future Land Use Map (in County Comprehensive Plan)

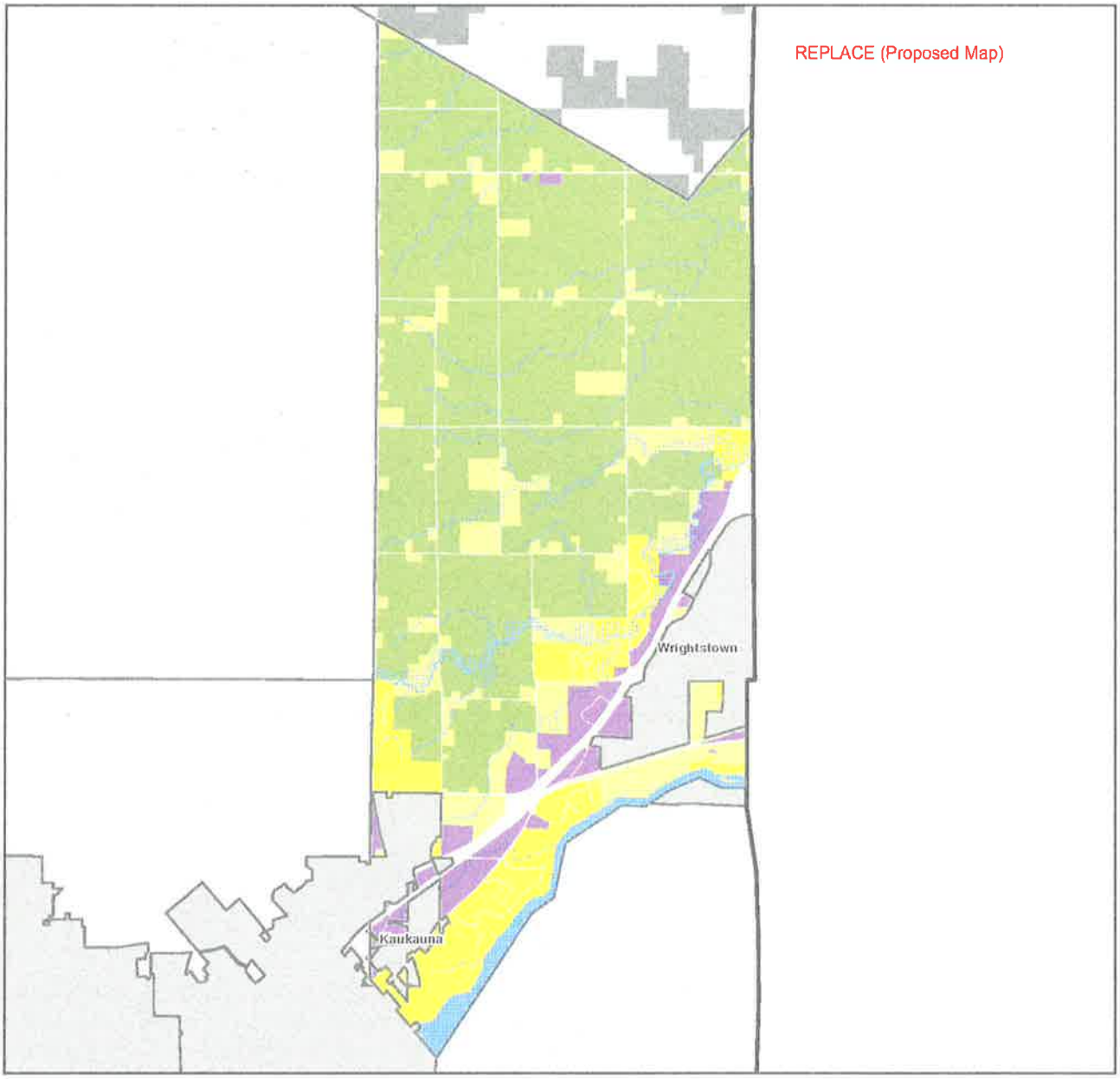

NORTH
W
E
S
Town of Kaukauna
Future Land Use
Preferred Agriculture
Rural Ag-Residential
Rural Residential
Rural Commercial
Rural Industrial
Rural Institutional
Town of Kaukauna
41
Feet
0
2,500
5,000
Map Updated 7/19/2023
Cedar CORPORATION

REPEAL (Existing Map)

Map 33 : Future Land Use - Town of Kaukauna



Map 33 : Future Land Use - Town of Kaukauna



Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

Town (or Applicable Village):	Kaukauna
Request:	Other ☑
Applicant or Petitioner Name:	Town of Kaukauna
Applicant Contact Information (Preferred):	Mike Van Asten
Site Parcel Number(s):	130032600, 130029700
Site Address (if applicable):	n/a
Pre-Application Meeting Number (if applicable):	n/a
Description of the Request: *(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)*	Repeal and Replace the Future Land Use Map for the Town of Kaukauna (Exhibit 1) in the County's Comprehensive Plan (i.e., Map 33 on page 35 of Volume 2).

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of Kaukauna ☑, at a legally convened meeting of the Board held on **07/18/2023**, voted to Approve ☑ the Other ☑ request:

Debbi VanderHei
Clerk Signature

8-8-2023
Date

Motion Outcome by a Vote of:	2	☑ For	0	☑ Against
General Comments/Reasons for the Decision: *(See next page for instructions. If needed, you may include additional pages.)*	The Town of Kaukauna Amended it's Future Land Use map to include parcels 130032600 and 130029700 as they were omited on the original Future Land Use map.			

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
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TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

Town (or Applicable Village):	
Request:	Other ☑
Applicant or Petitioner Name:	Town of Kaukauna
Applicant Contact Information (Preferred):	townofkaukaunaclerk@gmail.com
Site Parcel Number(s):	n/a
Site Address (if applicable):	n/a
Pre-Application Meeting Number (if applicable):	n/a
Description of the Request: *(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)*	Repeal and Replace the Future Land Use Map for the Town of Kaukauna (Exhibit 1) in the County's Comprehensive Plan (i.e., Map 33 on page 35 of Volume 2). Purpose - to ensure the County's Future Land Use Map for the Town of Kaukauna is consistent with the Town of Kaukauna's Future Land Use Map in its Comp Plan.

COMPLETED BY THE CLERK:

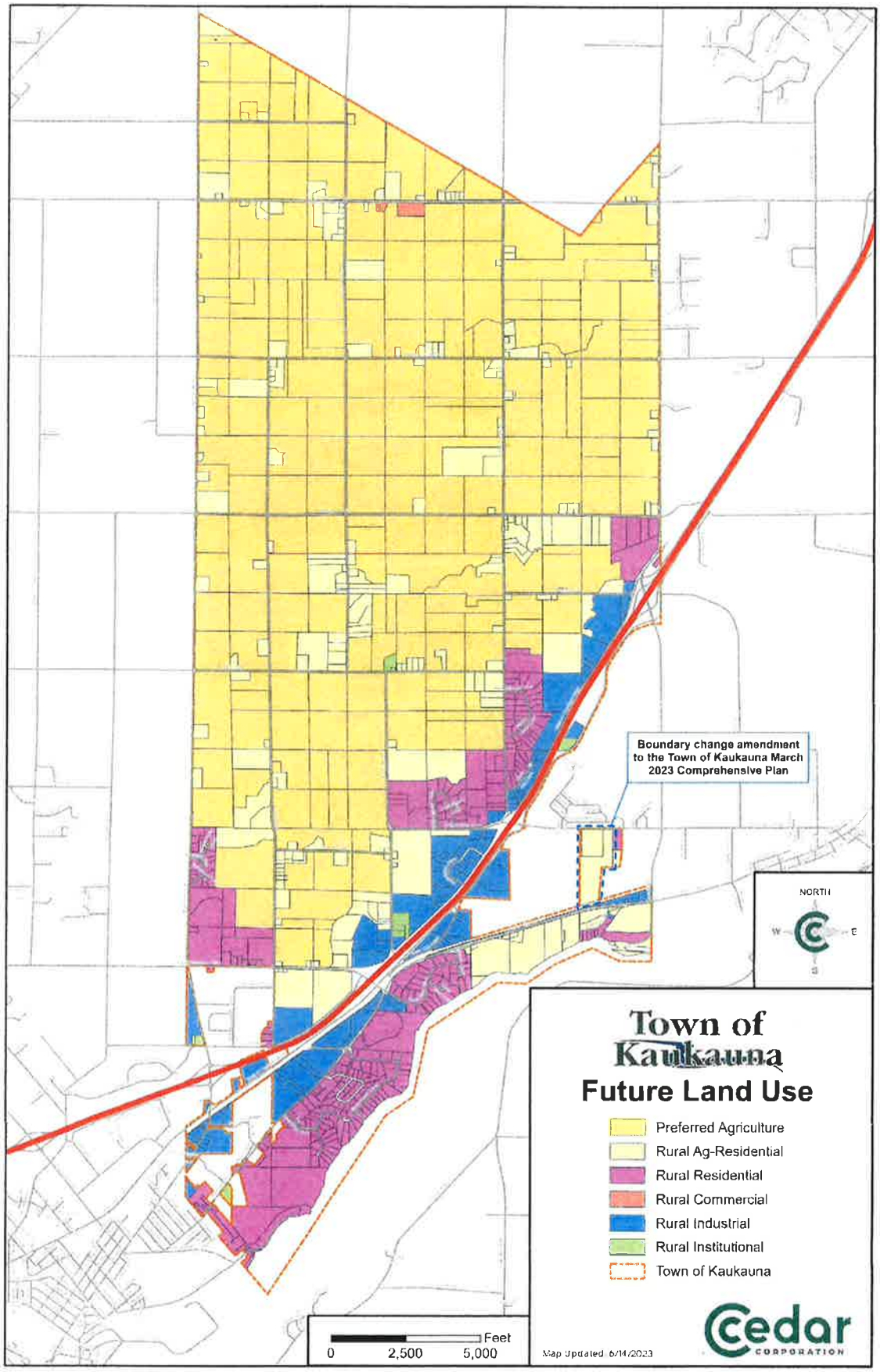
Certification:

I hereby certify that the Board of Kaukauna ☑, at a legally convened meeting of the Board held on 04/10/2023, voted to Approve ☑ the Other ☑ request:

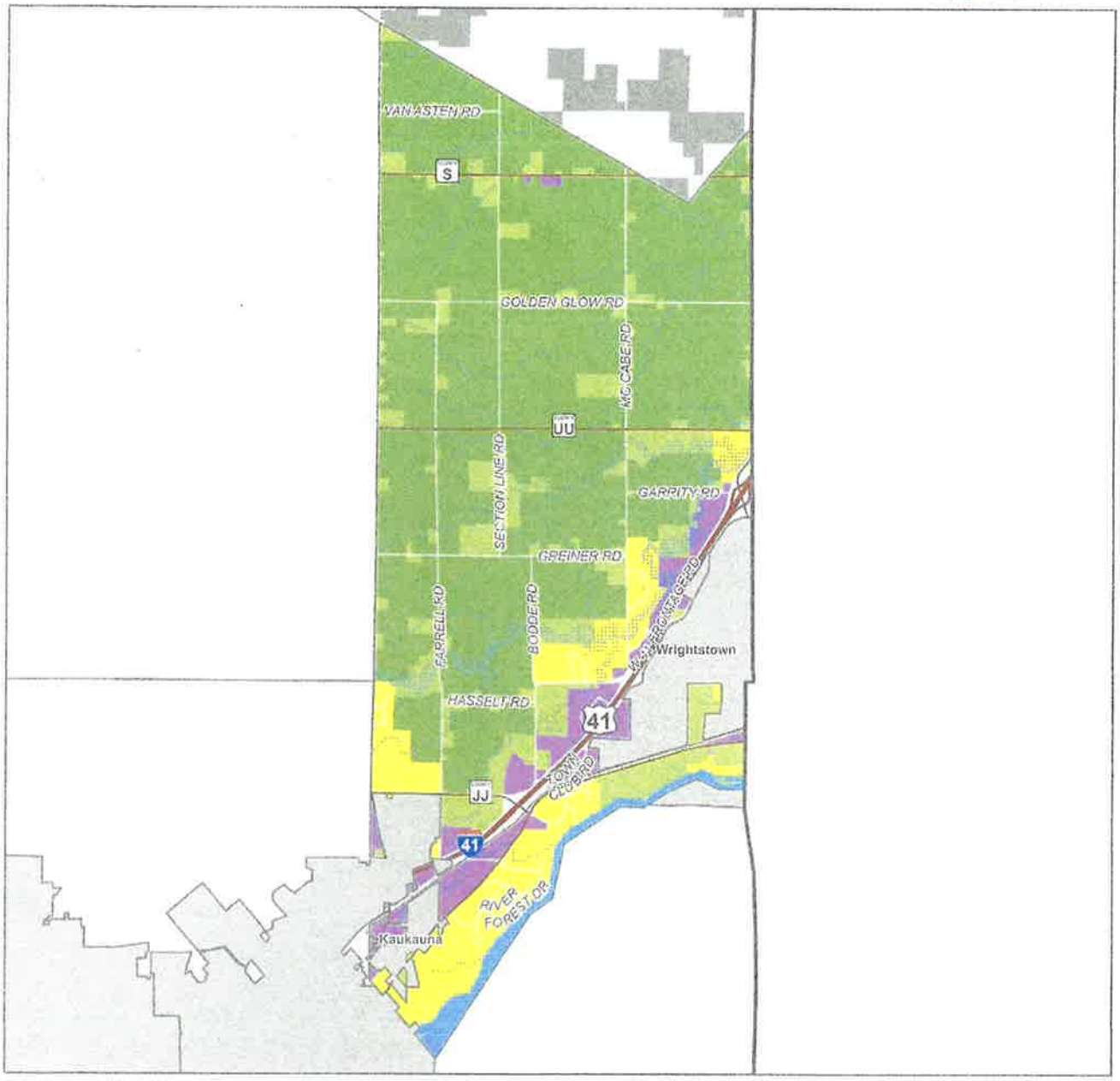
Wellie VandeHei — Clerk Signature

8-29-2023 — Date

Motion Outcome by a Vote of:	3	☑ For	0	☑ Against
General Comments/Reasons for the Decision: *(See next page for instructions. If needed, you may include additional pages.)*	The Town of Kaukauna made an addendum to thier comprehensive plan chapter 7 and future land use plan map at a public hearing on March 22, 2023. The addendum was approved by the Town Baord at their April 10, 2023 Town Board meeting.			


Boundary change amendment to the Town of Kaukauna March 2023 Comprehensive Plan
NORTH
W
E
S
Town of Kaukauna
Future Land Use
Preferred Agriculture
Rural Ag-Residential
Rural Residential
Rural Commercial
Rural Industrial
Rural Institutional
Town of Kaukauna
Feet
0
2,500
5,000
Map Updated: 6/14/2023
Cedar CORPORATION

Map 33 : Future Land Use - Town of Kaukauna DRAFT



Future Land Use

- Agriculture & Open Land
- Rural Character
- Suburban Transition
- Suburban Residential
- Community Mixed Use
- Commercial / Industrial
- Urban/Incorporated City & Village

Land Use Overlays - Cicero

- Town Center / Highway Mixed Use
- Natural Areas
- Airport Protection Area
- Oneida Nation - U.S. Trust & Fee Simple Land

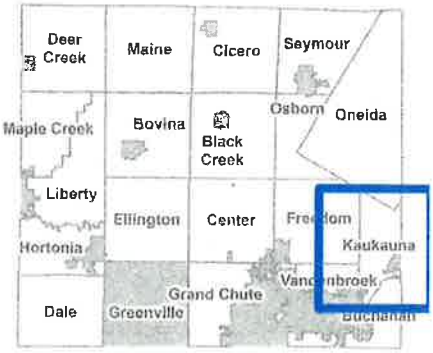
NR135 Non-Metallic Mining Operations

- Existing / Active
- Future Expansion / Reserve

Miles
0 0.35 0.7 1.4

Outagamie County Est. 1851

N



NOTICE OF PUBLIC HEARING

OUTAGAMIE COUNTY

TO WHOM IT MAY CONCERN

Notice is hereby given that the Outagamie County Zoning Committee will hold a public hearing on October 24, 2023 at 10:30 AM in the Outagamie County Board Room located at 320 S. Walnut Street, Appleton, WI 54911 to consider a Comprehensive Plan Amendment, in accordance with 66.1001(4) Wis Stats. This amendment is to repeal and replace *Map 33: Future Land Use - Town of Kaukauna* and to modify *Map 18: Future Land Use - Outagamie County*. The amendment would be reflected in Volume 2 of the County's Comprehensive Plan.

For particulars, reference is made to documents located at **https://cityview.outagamie.org/** by referencing the below File Number under Planning Application search or visiting the county website at: **https://www.outagamie.org/government/departments-a-e/development-and-land-services/comprehensive-plan**.

Any interested person may address the Zoning Committee by mailing a letter to Outagamie County DLS, 320 S. Walnut Street, Appleton, WI 54911, emailing **zoningemail@outagamie.org**, or attending the meeting at the date and time listed above.

Dated this 13th day of September, 2023

OUTAGAMIE COUNTY ZONING COMMITTEE
DEBBIE VANDER HEIDEN, CHAIR

File No: PL202300402

Published: September 19, 2023

Accommodation Notice

Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.

LocaliQ
Wisconsin
GANNETT

Order Confirmation
Not an Invoice

Account Number:	1013041
Customer Name:	Outagamie County Development & Land Services
Customer Address:	Outagamie County Development & Land Services 320 S Walnut ST Zoning Dept. Appleton WI 54911-5918
Contact Name:	Cassandra Ingalls
Contact Phone:	9208321686
Contact Email:	Cassandra.Ingalls@outagamie.org
PO Number:	202300402

Date:	09/13/2023
Order Number:	9281198
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	49.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
APC Appleton Post Crescent	1	09/19/2023 - 09/19/2023	Govt Public Notices
APC postcrescent.com	1	09/19/2023 - 09/19/2023	Govt Public Notices

Order Confirmation Amount	**$50.49**

1/2

Ad Preview

NOTICE OF PUBLIC HEARING

OUTAGAMIE COUNTY
TOWN OF MAL CONSIDERING

Notice is hereby given that the Outagamie County Zoning Committee will hold a public hearing on October 4, 2023 at [illegible] in the Outagamie County Board Room located at 320 E. Walnut Street, Appleton, WI 54911 to consider a Comprehensive Plan Amendment to [illegible] Amendment is necessary to maintain consistency between the Town's Future Land Use – Town of Buchanan and its Future Land Use – Outagamie County. The amendment would be reflected in Volume 2 of the County's Comprehensive Plan.

For additional information or maps to be discussed, located at https://cityplan.outagamie.org/ by selecting the Active Planning Applications and Petitions and visiting the project website at https://www.outagamie.org/government/departments-a-d/development-and-land-services/county-planning

Any interested person may address the County Committee by mailing a letter to Outagamie County DLS, 320 E Walnut Street, Appleton, WI 54911, emailing samuyenzu@outagamie.org or attending the meeting at the date and time listed above.

Dated this 11th day of September 2023.
OUTAGAMIE COUNTY ZONING COMMITTEE
DETRIE VANDER HEIDEN, CHAIR
File No. PLN-2023-00100

Accommodation Needs
Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-4955 at least 48 hours in advance.

Run Sept. 19 2023 WNAXLP

2/2

Resolution No. 72—2023-24 – Legislative/Audit and Human Resources Committee. Approve the addition of one (1) full-time MDS (Minimum Data Set) Coordinator position, effective November 5, 2023, for Brewster Village, with no budget adjustment required as the monies needed for the additional compensation will be included as part of the 2024 budget process, as noted on the attachments.

Supervisor Spears moved, seconded by Supervisor Gabrielson, for adoption.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 72—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution No. 72—2023-24

Legislative/Audit and Human Resources Committee. Approve the addition of one (1) full-time MDS (Minimun **Passed With 2/3 of Full Membership**
November 5, 2023, for Brewster Village, with no budget adjustment required as the monies needed for the additional compensation will be included as part of the 2024 budget process, as noted on the attachments.

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KONETZKE YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO ABSENT	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 06:41:41 PM** OpenMeeting
November 6, 2023 County Board Meeting

RESOLUTION NO.: 72—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Brewster Village is requesting to approve an amendment to their Table of Organization by adding one (1) full-time MDS (Minimum Data Set) Coordinator. Adding this position will allow the nurse leadership team to re-focus efforts as pertains to implementing processes that improve efficiency, increase staff retention, and improve quality of care. Additionally, the new position will improve the ability to complete MDS assessments, which determines how the facility is reimbursed, and focus on capturing data/increasing revenue through this process. It will allow the DON (Director of Nursing) and this position to collaborate on implementing annual competencies per regulation as well as focusing on potential new educational opportunities to extend the impact in the community by expanding the nursing capabilities.

At this time, no budget adjustment is required as the monies needed for the additional compensation will be included as part of the 2024 budget process.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the addition of one (1) full-time MDS (Minimum Data Set) Coordinator position, said position effective November 5, 2023, for Brewster Village, with no budget adjustment required as the monies needed for the additional compensation will be included as part of the 2024 budget process, as noted on the attached Position Addition Form, Job Description, Table of Organization, and fiscal note, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Finance Director, and the Brewster Village Administrator.

Dated this 6th day of November 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 11 9 23

Vetoed: _____

Signed: _____
County Executive

POSITION ADDITION FORM		
Completion Checklist		
o A visual of your proposed Table of Organization o Job description/class specification for the position request below, highlighting any changes		
Request Details		
Effective Date of Requested Change:	**11/5/2023**	
Department:	**Brewster Village**	
Department Head:	**Taya Walk**	
Cost Center Number:	**5017100**	
Position Title:	**MDS Coordinator**	
Sunset Position? (Yes or No)	**no**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Exempt**	
Pay Grade of Position:	**E8**	
Estimated Starting Step:	**2**	
Position exists in current the Table of Organization?	**No**	
Is this position full time or part time? Enter number of positions.	**Full Time:**	**1**
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?	**Contracted service and staff OT**	
If deleting a position to add this position; which position(s) will be deleted?		
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
Adding this position will allow the nurse leadership team to re-focus efforts as it pertains to implementing processes that improve efficiency, increase staff retention, and improved quality of care. It will also improve our ability to complete MDS assessments (how the facility gets reimbursed) and focus on capturing data/increasing revenue through this process. It will allow the DON and this position to collaborate on implementing annual competencies per regulation as well as focusing on potential new educational opportunities to extend our impact in the community by expanding our nursing capabilities. We would also look at adding staff CPR training and potentially our CNA classes in-house in order to eliminate those external costs as well. Each of our CNA classes (we hold 3-5 per year) costs $4100.00 and each staff member that we send to CPR training costs approximately $30.00		
Employee(s) Impacted By This Change (if no one in position - leave blank)		
Fiscal Data		
How will this position be funded (choose from drop-down list)?	**Levy Only**	
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		

Salary	$	70,803
Fringe Benefits	$	35,416
Travel/Training		
Supplies - IT		
Supplies - Other	$	-
Purchased Services - IT		
Purchased Services - Other	$	-
Capital Outlay	$	-
TOTAL EXPENDITURES	$	106,219
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
Contracted Training	$	(16,520)
	$	-
TOTAL COST SAVINGS/REVENUES	$	(16,520)
NET COUNTY COST (Levy/Fund Bal)	$	89,699

Position Purpose



Join the Premier Senior Living Community in the Fox Valley!

Brewster Village is looking for dedicated and compassionate caregivers who want to work in a team-based environment, where Person Directed Living is our top priority.

Reporting to the Nursing Director, the MDS Coordinator is ultimately responsible for the oversight and coordination of the federally mandated resident assessment instrument (RAI) process which includes the MDS assessment, care area assessment, and care plan development of the revisions.

The MDS Coordinator works with the interdisciplinary team to complete the MDS assessments, analyze care areas, and develop and revise a comprehensive care plan and ensure that compliance is maintained with state and federal guidelines. The MDS Coordinator is responsible for attesting to the completion of the Minimum Data Set (MDS) which is the key driver of the care plan, quality measures, and used for Medicare payment and Medicaid reimbursement systems. The MDS Coordinator serves as the expert resource for the Patient-Driven Payment Model (PDPM) and is responsible for complying with ethical and timeliness standards when setting ARDs, completing assessments, and upholding Medicare requirements.

Key Responsibilities

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Coordinate the RAI process, which includes, at a minimum, the following elements:
  - Minimum Data Set (MDS)
  - Care Area Assessment Process
  - Care plan development
  - Care plan implementation
  - Evaluation
- Provide oversight of assessment completion and transmission to the national repository. Review final validation reports and correct or modify assessments in response to warnings or errors as needed

- Coordinate the completion of the comprehensive care plan according to regulatory requirements
- Maintain the OBRA and PPS assessment schedules
- Be highly involved in determining skilled level of care for Medicare villagers and procuring required Medicare-specific documentation; be responsible for physician certification/recertification of a skilled level of care throughout the Medicare stay; be involved in making Medicare eligibility determinations
- Coordinate care with case managers for villagers utilizing managed care, health maintenance organizations (HMOs), commercial insurance and other alternate payment models
- Maintain compliance with state-specific regulations regarding the RAI process
- Provide insight and analysis of MDS-based quality measures
- Serve as a member of the quality assessment and assurance (QAA) and/or the quality assurance and performance improvement (QAPI) committees
- Work closely with hospital discharge planners and physicians to obtain accurate and complete documentation to support ICD-10 CM diagnosis coding and surgical procedures
- Audit and improve staff education/competency as needed to ensure accurate and timely completion of supporting documentation and MDS assessments
- Maintain confidentiality of sensitive information
- Plans and conducts BLS/CPR recertification classes

Education/Certifications/Experience Requirements

- Bachelor's degree in Nursing preferred.
- Must possess valid unrestricted RN licensure from the Wisconsin DSPS. This is also expected throughout employment as a condition of continued employment.
- Must maintain current certification in adult CPR.
- RAC-CT required or must be obtained within 6 months of employment.

Required or Preferred Skills

- Plan, organize, prioritize work independently, and meet deadlines
- Be knowledgeable of federal regulations, practice standards and procedures, as well as guidelines pertaining to the RAI process
- Ability to communicate professionally and effectively with Brewster Village administrators and care givers, government health agency representatives, special interest groups, sales representatives, and others verbally and in writing, and understand the importance of modeling positive attitudes and behaviors.
- Ability to assure that federal, state and local laws as well as accepted professional standards and principles of professional organization, boards and councils are followed.
- Ability to see person-directed living as an important component in providing villagers with a sense of health and well-being.

It is required that any applicant and/or employee inform the facility immediately if their license is has been revoked, suspended and/or under investigation.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

ADMINISTRATIVE COORDINATOR (BV)
(1)
NURSING DIRECTOR (1)
ENVIRONMENTAL SERVICES DIRECTOR (1)
FINANCIAL SERVICES DIRECTOR (1)
PROGRAM SERVICES ADMINISTRATOR (1)
SUPPORT SERVICES DIRECTOR (1)
FOOD & NUTRITION SERVICES DIRECTOR (1)
LIFE ENRICHMENT COORDINATOR (1)
MDS COORDINATOR (1)
NURSING COORDINATOR (2)
NURSE SPECIALIST (3)
MAINTENANCE SPECIALIST (3)
ACCOUNT ASSOCIATE (1)
SUPPORT SERVICES COORDINATOR
SOCIAL WORKER (BV) (2)
CULINARY SPECIALIST
NEIGHBORHOOD COORDINATOR (5)
ENVIRONMENTAL SERVICES SPECIALIST (FTE 2.8)
EMPLOYEE RELATIONS ASSOCIATE (1)
SOCIAL WORKER (BV) (1)
WELLNESS NURSE RN (FTE)
SUPPLY SPECIALIST (FTE)
RECEPTION ASSISTANT (1)
HOUSEMAKER (FTE)
WELLNESS NURSE LPN (FTE)
BUILDING & GROUNDS MAINT/ CUSTODIAL WORKER (3)
BILLING ASSOCIATE (1)
NURSING ASSISTANT (FTE)
SYSTEMS ANALYST (1)
HEALTH INFORMATION COORDINATOR (1)
HEALTH INFORMATION ASSOCIATE (1)
MEDICAL CODING ASSOCIATE
NURSING TECHNICIAN (FTE)
MEDICATION ASSISTANT (FTE)
* NEW POSITION REQUEST

Page 10

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** MDS Coordinator Position Request

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)
Adding this position will allow the nurse leadership team to re-focus efforts as it pertains to implementing processes that improve efficiency, increase staff retention, and improved quality of care. It will also improve our ability to complete MDS assessments (how the facility gets reimbursed) and focus on capturing data/increasing revenue through this process. It will allow the DON and this position to collaborate on implementing annual competencies per regulation as well as focusing on potential new educational opportunities to extend our impact in the community by expanding our nursing capabilities. We would also look at adding staff CPR training and potentially our CNA classes in-house in order to eliminate those external costs as well. Each of our CNA classes (we hold 3-5 per year) costs $4100.00 and each staff member that we send to CPR training costs approximately $30.00

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☒ None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes ( ) no (X)
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost $106,219
Annual Revenue

Fiscal Note Prepared by: Taya Walk

For Financial Services purposes only	
Reviewed By: [signature]	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount
Date: 10/6/2023	
Comments: With the current transient savings this role will have no budget impact.	

Resolution No. 73—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Second Addendum to the Airline Operating Agreement between the Appleton International Airport and Allegiant Air LLC, to provide additional square feet of Terminal office rent, as noted on the attached Second Addendum to Airline Operating Agreement; and authorize and approve to increase the Airport Terminal Allegiant Air First Floor Exclusive line item by $8,259 and decreasing the Airport Terminal Fund Balance Applied line item by $8,259, as noted on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 33 yes, 3 absent. RESOLUTION NO. 73—2023-24 IS ADOPTED.

VOTE RESULTS 33 YES 0 NO 0 ABSTAIN 3 ABSENT

Resolution No. 73—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve the Second Addendum to the Appleton International Airport and Allegiant Air LLC, to provide additional square feet of Terminal office rent, as noted on the attached Second Addendum to Airline Operating Agreement. **Passed With 2/3 of Full Membership**

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KONETZKE	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	ABSENT	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **11-6-23 County Board Meeting - November 6 2023 06:42:37 PM**
November 6, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 73—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Appleton International Airport (the Airport) and Allegiant Air LLC desire to incorporate a Second Addendum to the Airline Operating Agreement. This addendum provides for an additional 504 square feet of Terminal office rent. The 2023 rate per square foot in the Terminal is $43.70, therefore a budget adjustment for $8,259 is needed for the period August 14, 2023 through December 31, 2023. The addendum also adds Exhibit A.2 to reflect the additional space rented.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the Second Addendum to Airline Operating Agreement between the Appleton International Airport and Allegiant Air LLC in order to provide additional square feet of Terminal office rent, as noted on the attached Second Addendum to Airline Operating Agreement which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve increasing the Airport Terminal Allegiant Air First Floor Exclusive line item by $8,259 and decreasing the Airport Terminal Fund Balance Applied line item by $8,259 as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Appleton International Airport Director.

Dated this 6th day of November 2023

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: November 6, 2023

Signed: _____ _____
Board Chairperson County Clerk

Approved: 11.9.23 Vetoed: _____

Signed: _____
County Executive

SECOND ADDENDUM TO AIRLINE OPERATING AGREEMENT

THIS SECOND ADDENDUM is entered into this _____ day of _____, 2023, between the County of Outagamie, Wisconsin ("County") and Allegiant Air LLC, ("Airline").

WHEREAS, the parties have entered into an Airline Operating Agreement on January 1, 2018 (hereinafter the "Agreement"), providing for the lease of certain premises within the terminal building, use of certain facilities at the Airport and acquire certain rights and privileges from the County in connection with its use of the Airport; and

WHEREAS, the parties have previously amended the Lease by a First Addendum; and

WHEREAS, the Airline desires to lease additional office; and

WHEREAS, the parties desire to amend the Agreement by this Second Addendum; and

NOW, THEREFORE, in consideration of the mutual benefits, covenants and obligations of the parties contained in the Agreement, County and Airlines agree to amend the lease as follows:

1. Exhibit A.2 shall be added to include 504 square feet of additional Exclusive Use Space.
2. Except as amended, herein, the terms and conditions of the Agreement in all other respects remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this_____day of , 2023.

OUTAGAMIE COUNTY

By: _____
Thomas Nelson
County Executive

By: _____
Jeff Nooyen
Board Chairperson

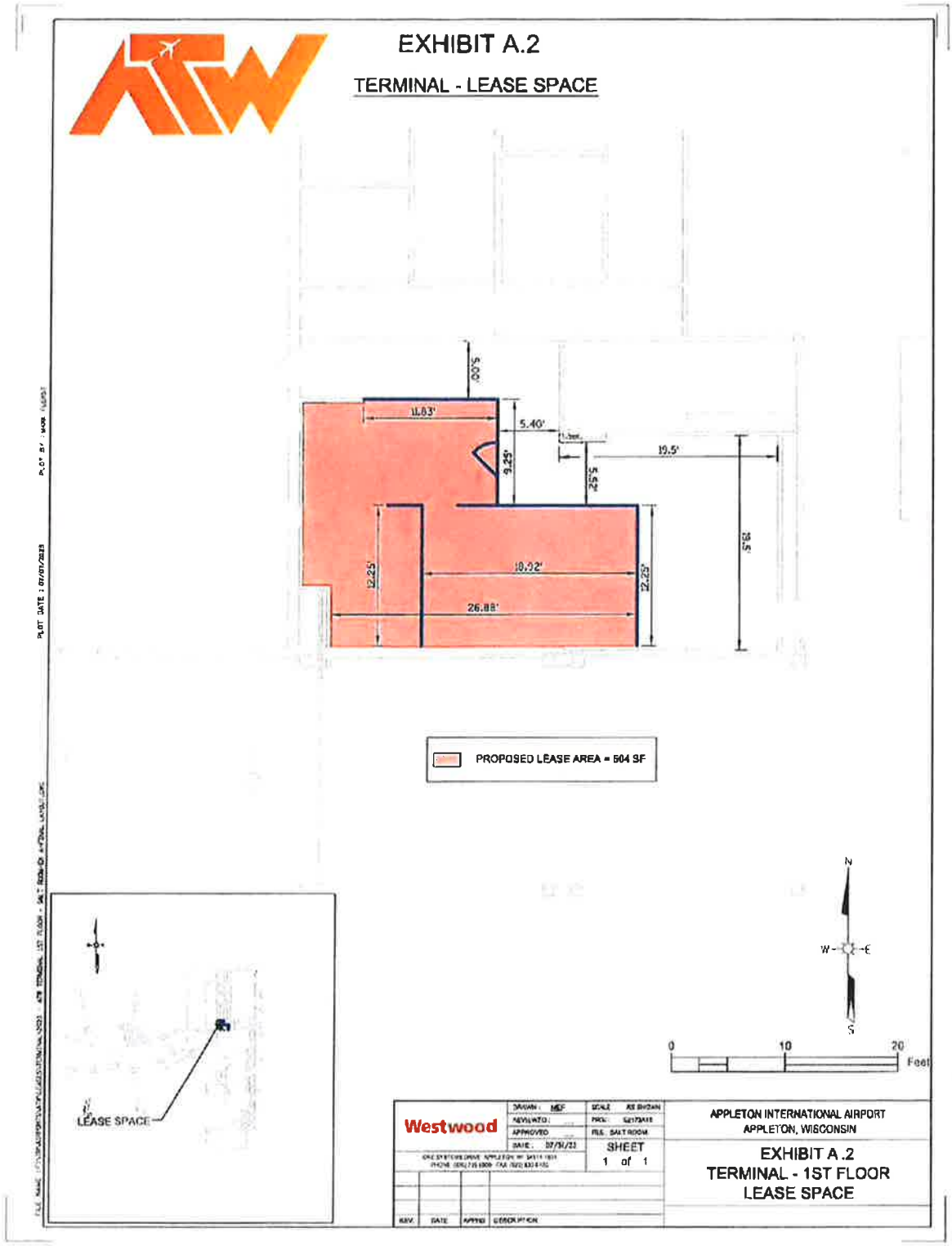
By: _____
Jeffrey King
County Clerk

APPROVED AS TO FORM:

By: _____
Kyle Sargent
Corporation Counsel

ALLEGIANT AIR LLC
a Nevada corporation

By: _____
Name: Thayne Klingler
Title: Director, Airport Affairs
Date: September 14, 2023


EXHIBIT A.2
TERMINAL - LEASE SPACE
5.00'
11.83'
5.40'
9.25'
19.5'
25.5'
19.5'
12.25'
18.92'
12.25'
26.88'
PROPOSED LEASE AREA = 504 SF
N
W
E
S
0
10
20
Feet
LEASE SPACE
Westwood
DRAWN: MEF
DESIGNED:
APPROVED:
DATE: 07/31/23
SCALE: AS SHOWN
PROJ: 5217.0048
FILE: SALT ROOM
SHEET
1 of 1
APPLETON INTERNATIONAL AIRPORT
APPLETON, WISCONSIN
EXHIBIT A.2
TERMINAL - 1ST FLOOR
LEASE SPACE

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** 2nd Addendum to Allegiant Air Airline Operating Agreement

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Appleton International Airport and Allegiant Air desire to incorporate 2nd addendum for the Airline Operating Agreement. This addendum provides for an additional 504 square feet of Terminal office rent. The 2023 rate per square foot in the Terminal is $43.70, therefore a budget adjustment of $8,259 is needed for the period August 14, 2023 through December 31, 2023. The addendum also adds Exhibit A.2 to reflect the additional space rented. Therefore the Airport is requesting approval of a budget adjustment of $8,259.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( ) n/a ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (X) no ( )

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( ) To be determined

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Airport Terminal	Allegiant Air First Floor Exclusive	5000110.4470.07	8,259
Airport Terminal	Fund Balance Applied	5000110.8955	(8,259)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0

Annual Revenue $22,024

Fiscal Note Prepared by: Abe Weber/Katie Horan

For Financial Services purposes only

Reviewed By: Alison Berry

Date: 10/3/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number | Amount

Comments:

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the November 6, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on November 6, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 6th Day of November, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: January 2, 2024

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, December 12, 2023.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 35 present, 1 vacant. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Wegand, Hermes, MacDonald, Schroeder, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, Thyssen, VanderHeiden, Rettler, Koury, and Lautenschlager. Vacant: District #6.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE NOVEMBER 6, 2023 COUNTY BOARD MEETING
Supervisor Croatt moved, seconded by Supervisor Cooke, to approve the minutes of the November 6, 2023, County Board meeting.

ROLL CALL: 34 yes, 1 abstain (Santonato), 1 vacant. MINUTES OF THE NOVEMBER 6, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY
Chairperson Nooyen reported the request to have all Appointments, Resolutions (Res. Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24), and Ordinances (Ord. Nos. I, J, K—2023-24) locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle all reconsiderations and lock ins at the end of the meeting as noted. No objections; so ordered.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

December 12, 2023 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	09/10/2023	Kenosha County	Resolution No. 60 A Resolution on the Individual Health Decisions Pertaining to COVID 19 Government Lockdowns, Vaccine, and Mask Mandates	Health and Human Services Committee
2	11/14/2023	Sawyer County	Resolution 2023-27 Resolution on Enhanced Wake Regulations	Land Conservation Committee
3	11/14/2023	Green Lake County	Resolution Number 23-2023 Resolution in opposition to Wisconsin Legislative Reference Bureau 2023 Bill Proposal LRB-3518/1	Land Conservation Committee
4	08/28/2023	Buffalo County	Resolution # 23-08-05 A Resolution Regarding Foreign Ownership of Farmland	Resolution No.: 147-2022-23

Chairperson Nooyen summarized the following communications:

- There are six Supervisors that have yet to complete the IT security training that was due in November. An email reminder was sent to those individuals. A new training was sent out earlier in the week for the month of December. Please get this completed as soon as possible.
- The Clerk of Courts office received a perfect score on the Acceptance Facility Oversight Review Report from the Department of State through the Chicago Passport office. Congratulations to the Clerk of Courts department on this great accomplishment.
- There were 23 board members and four staff that contributed to this year's Adopt A Family program. The County Board raised $745. Thank you.
- Vice-Chair Gabrielson gave a brief update on how to keep IPads up to date with any security updates. Feel free to reach out to the Legislative Services office with any questions.
- A reminder from the County Clerk's office that if you are not seeking re-election to please file Notice of Non-Candidacy by December 21st. Election papers for those candidates running for office in the Spring Election are due in the County Clerk's office no later than January 2nd, 2024 at 5:00 pm.
- A reminder that security badges are required to enter the building. If you do not have your badge with you, please use the public entrance by security. Do not allow others to enter the building with you and if you see anything suspicious, please contact security.
- The next scheduled County Board meeting is scheduled for January 9th, 2024 at 7:00 p.m.
- Chairperson Nooyen thanked Sarah Hickey and her staff for the holiday treats.
- Chairperson Nooyen offered a special welcome to the boy scouts visiting the County Board meeting for their citizenship badge.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR –

Barb Bocik, 4115 N Birchbark Ct, Grand Chute WI – Outagamie County Clerk of Courts – spoke in favor of Resolution 78—2023-24.

Jane Treml, 407 Robert Ct, Seymour WI – representing Outagamie County Clerk of Courts – spoke in favor of Resolution 78—2023-24.

Mandy Meitner, 11 Seneca Ct, Appleton WI – representing Outagamie County Clerk of Courts – spoke in favor of Resolution 78—2023-24.

Becky Baranczyk, 320 S Walnut St, Appleton WI – representing Outagamie County Clerk of Courts – spoke in favor of Resolution 78—2023-24.

APPOINTMENTS –

> County Executive Nelson nomination for re-appointments of Tyler Baeten and Bobbie Buchholtz, and the appointment of Veronica Woodward to the OWLS Board of Trustees, terms expiring December 31, 2026.

Supervisor Spears moved, seconded by Supervisor Lautenschlager, for confirmation of the above-listed re-appointments and appointment.

ROLL CALL: 34 yes, 1 no (Hermes), 1 vacant. TYLER BAETEN AND BOBBIE BUCHHOLTZ ARE RE-APPOINTED AND VERONICA WOODWARD IS APPOINTED TO THE OWLS BOARD OF TRUSTEES.

> County Executive Nelson nomination for appointment of Carl Mohl to the Outagamie County Local Emergency Planning Committee, term expiring on June 30, 2026.

Supervisor Patience moved, seconded by Supervisor Wegand, for confirmation of the above-listed appointment.

ROLL CALL: 35 yes, 1 vacant. CARL MOHL IS APPOINTED TO THE OUTAGAME COUNTY LOCAL EMERGENCY PLANNING COMMISSION.

County Executive Nelson nomination for appointment of Diane Wessel to the Board of Adjustment Zoning Ordinance, term expiring June 30, 2026.

Supervisor VanderHeiden moved, seconded by Supervisor Thiede, for confirmation of the above-listed appointment.

ROLL CALL: 35 yes, 1 vacant. DIANE WESSEL IS APPOINTED TO THE BOARD OF ADJUSTMENT ZONING ORDINANCE.

> County Board Chair Nooyen nomination for appointment of John Kostelny to the District 6 County Board Supervisor position and serving on the Legislative/Audit and Human Resources Committee; term expiring April 15, 2024.

Supervisor Smith moved, seconded by Supervisor Santonato, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. JOHN KOSTELNY IS APPOINTED TO THE DISTRICT 6 COUNTY BOARD SUPERVISOR POSITION AND SERVING ON THE LEGISLATIVE/AUDIT AND HUMAN RESOURCES COMMITTEE.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. Z-7—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Robert and Lisa Vandeloo for parcels 130026600, 130024700, 130035901, 130033500, 130038401, 130038500, 130038900, 130038100, and 130036302 from the Transitional District to the Exclusive Agriculture District in the Town of Kaukauna, as detailed on the attached review and map.

Supervisor Weinberg moved, seconded by Supervisor VanderHeiden, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. Z-7—2023-24 IS ADOPTED.

Resolution No. 74—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to enter into a new lease for office space and rental car ready return spots located in the Appleton International Airport's Consolidated Car Rental Facility with the following rental car companies: Midwestern Wheels DBA Avis Rent-A-Car and Budget Rent-A-Car; Broadway Rental Cars, Inc. DBA Hertz; Enterprise DBA Enterprise Rent-A-Car, National Car Rental, and Alamo Rent-A-Car, with no impact to the 2024 budget, as the estimated revenues are already included in the budget, as detailed on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Monfils, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 74—2023-24 IS ADOPTED.

Resolution No. 75—2023-24 – Public Safety Committee. Approve the Emergency Management Department to accept and expend the Hazardous Materials Emergency Preparedness (HMEP) Grant for $8,200, to offer specialized training opportunities, as noted on the attachments, and to increase the line items of EM Grants Intergovernmental Revenues and the EM Grants Purchased Services by $8,200 each, as detailed on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Lamers, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 75—2023-24 IS ADOPTED.

Resolution No. 76 —2023-24 – Public Safety Committee. Approve the request to transfer the following line items for the vacated EM Program and EPCRA Manager position: $20,000 from the Small Department Vacation/Sick Leave Payout Fund to the Emergency Management Salaries for $15,000 and Fringe Benefits for $5,000, and increase the Fund Balance Applied by $20,000 and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by $20,000, and increase the Fund Balance Unassigned by $20,000, as detailed on the attachments.

Supervisor Patience moved, seconded by Supervisor Smith, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 76—2023-24 IS ADOPTED.

Resolution No. 77—2023-24 – Public Safety Committee. Approve the County Sheriff's Office to apply for, accept, and expend the 2024 County/Tribal Law Enforcement Program grant issued by the Wisconsin Department of Justice for $30,205, to be split equally with the Oneida Tribe of Indians, and, authorize and approve to increase the following 2024 Patrol line items: Intergovernmental Revenue by $30,205.00; Supplies by $15,102.50; Purchased Services by $15,102.50, as detailed in the attached fiscal note.

Supervisor Cooke moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 77—2023-24 IS ADOPTED.

Resolution No. 78—2023-24 – Legislative/Audit and Human Resources Committee. Approve the full-time staff in the Clerk of Circuit Courts office to work a 40 hour work week effective December 17, 2023, with no budget adjustment necessary and included in the 2024 budget.

Supervisor Spears moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 78—2023-24 IS ADOPTED.

Resolution No. 79—2023-24 – Legislative/Audit and Human Resources Committee. Approve to support pending legislation that will allow a juvenile court or comparable place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and Juvenile Justice Code while defining "like-kin" for the purposes of such placement to be an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal tradition, custom or resolution, code, or law, while not including a current or former foster parent of a child for placement purposes.

Supervisor Krueger moved, seconded by Supervisor Gabrielson, for adoption.

ROLL CALL: 34 yes, 1 abstain (Koury), 1 vacant. RESOLUTION NO. 79—2023-24 IS ADOPTED.

Resolution No. 80—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve the County Land Conservation Department to accept and expend a private grant from the University of Wisconsin-Green Bay for $116,875, to be used for engineering services to advance agricultural runoff treatment research to determine sustainable treatment systems and create design recommendations, and increase the following line items in the Land Conservation Grants Cost Center: Misc. Revenue by $116,875; Salary by $13,190; Fringe by $5,160; Travel by $4,140; Supplies by $17,000; Purchased Services by $77,385, as detailed on the attached fiscal note.

Supervisor Koury moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 80—2023-24 IS ADOPTED.

Resolution No. 81—2023-24 – Highway, Recycling and Solid Waste Committee. Approve of various budget transfers and alterations in the 2023 Recycling and Solid Waste and Single Stream Recycling budgets, as detailed on the attachments.

Supervisor Hagen moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 81—2023-24 IS ADOPTED.

Resolution No. 82—2023-24 – Public Safety Committee. Approve the following line item transfers: increase the CJTS Travel/Training by $2,600; decrease the CJTS Salaries by $2,600; increase the TAD Grant Travel/Training by $1,800; increase the TAD Grant Supplies by $12,000; and decrease the TAD Grant Purchased Services by $13,800, due to training that was anticipated to be covered by the JAG grant that did not materialize and to maximize grant resources, as detailed in the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 82—2023-24 IS ADOPTED.

Resolution No. 83—2023-24 – Public Safety Committee. Approve of various budget transfers in the 2023 Sheriff's Office budget, as detailed in the attachments.

Supervisor Lamers moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 83—2023-24 IS ADOPTED.

Resolution No. 84—2023-24 – Health and Human Services Committee. Approve of various budget transfers and alterations in the 2023 Health and Human Services budget, as detailed on the resolution and attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 84—2023-24 IS ADOPTED.

Resolution No. 85—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for the County CC overpass replacement project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.

Supervisor Clegg moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 85—2023-24 IS ADOPTED.

Resolution No. 86—2023-24 – Highway, Recycling and Solid Waste Committee and the Property, Airport, Recreation & Economic Development Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement and County/Municipal Cost Agreement for the County OO & WIS 15 interchange reconstruction project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project and Outagamie County Highway Department County/Municipal Cost Agreement, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hagen, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 86—2023-24 IS ADOPTED.

Ordinance No. I—2023-24 – Legislative/Audit and Human Resources Committee. Approve the request to amend the County Code of Ordinances, County Board Rules, by updating language in Chapter 2, Section 2-45, Rule 2(a)(7), Agenda for all meetings, Order of Business and Section 2-49, Rule 6 (1), Appearance of non-Board members, Public Participation, as detailed on the resolution.

Supervisor Spears moved, seconded by Supervisor MacDonald, for adoption.

ROLL CALL: 31 yes, 4 no (Gabrielson, Santonato, Thiede, Nejedlo), 1 vacant. ORDINANCE NO. I—2023-24 IS ADOPTED.

Ordinance No. J—2023-24 – Highway, Recycling and Solid Waste Committee. Approve designating CTH D from STH 45 to Schweitzer Road; CTH DD from Spurr Road to CTH D; CTH W from CTH D to STH 76; and CTH WW from Church Street to STH 76, in the Town of Maple Creek, as ATV/UTV routes, as detailed on the attached Memorandums and map.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 32 yes, 3 no (Ferguson, MacDonald, Thiede), 1 vacant. ORDINANCE NO. J—2023-24 IS ADOPTED.

Ordinance No. K—2023-24 – Highway, Recycling and Solid Waste Committee. Approve designating CTH MM from Western Town Line to STH 76, in the Town of Ellington, as an ATV/UTV route, as detailed on the attached Memorandum and map.

Supervisor Thyssen moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 32 yes, 3 no (Ferguson, MacDonald, Thiede), 1 vacant. ORDINANCE NO. K—2023-24 IS ADOPTED.

Supervisor Ferguson requested Ordinance Nos. J and K—2023-24 be separated for reconsideration and lock-in.

RECONSIDERATION OF ORDINANCE NOS. J AND K—2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Lawrence, to reconsider the above listed ordinances.

Vote for reconsideration. ROLL CALL: 31 yes, 4 no (Wegand, MacDonald, Cooke, Nejedlo), 1 vacant. ORDINANCE NOS. J AND K —2023-24 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 32 yes, 3 no (Ferguson, Wegand, MacDonald), 1 vacant. ORDINANCE NOS. J AND K—2023-24 ARE ADOPTED & LOCKED IN.

RECONSIDERATION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider the above listed appointments, ordinance, and resolutions.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24 ARE ADOPTED & LOCKED IN.

REPORTS–None.

ADJOURNMENT

Supervisor Culbertson moved, seconded by Supervisor Patience to adjourn until January 9, 2024, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:43 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISC 12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. Z-7—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Robert and Lisa Vandeloo for parcels 130026600, 130024700, 130035901, 130033500, 130038401, 130038500, 130038900, 130038100, and 130036302 from the Transitional District to the Exclusive Agriculture District in the Town of Kaukauna, as detailed on the attached review and map.

Supervisor Weinberg moved, seconded by Supervisor VanderHeiden, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. Z-7—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. Z-7—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for 130024700, 130035901, 130033500, 130038401, 130038500, 130038900, 130038100, and 130036302 from the Transitional District to the Exclusive Agriculture District in the Town of Kaukauna, as detailed on the attached review and map. **Passed With Majority of Full Membership**

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 Vacant ABSENT	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **12-12-23 County Board Meeting - December 12 2023 07:19:17 PM**

December 12, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: Z-7—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Kaukauna has adopted a comprehensive Zoning Ordinance separate from that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that all zoning amendments made by the Town of Kaukauna be approved by Outagamie County before they are effective. The Outagamie County Planning Staff and Zoning Committee both recommend approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the proposed rezoning request for Robert and Lisa Vandeloo. The proposed rezoning is for parcels 130026600, 130024700, 130035901, 130033500, 130038401, 130038500, 130038900, 130038100, and 130036302 from the Transitional District to the Exclusive Agriculture District. The parcel is located North of CTH JJ, West of Farrell Rd and East of Bodde Rd in the Town of Kaukauna, Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Zoning Administrator and the Clerk of the Town of Kaukauna.

Dated this 12th day of December 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION
EDUCATION, ZONING & LAND
CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

Kellie M. Brunt, Deputy Clerk
County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Outagamie County Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **October 25, 2023**
RE: **PL202300339: Rezoning – Town, Review and Recommendation**

Application Details:

Applicant and Owner:	The Town of Kaukauna, Applicant on behalf of Robert and Lisa Vandeloo (Owners)
Request:	Rezoning - Town
Parcels:	130026600, 130024700, 130035901, 130033500, 130038401, 130038500, 130038900, 130038100, 130036302
Location:	Generally located North of CTH JJ, West of Farrell Rd, and East of Bodde Rd TOWN OF KAUKAUNA
Public Hearing:	July 18, 2023 at 4:45 PM held by the Town of Kaukauna

Background:

A Town Rezoning request was received from the Town of Kaukauna, as depicted on the attached Rezoning Map. The proposal would rezone a series of parcels totaling approximately 226.93 acres from the Transitional District to the Exclusive Agriculture District.[1] The rezoning would permit the property owner to participate in the Farmland Preservation Zoning Program, which provides a pathway for the property owner to claim Farmland Preservation Tax Credits.

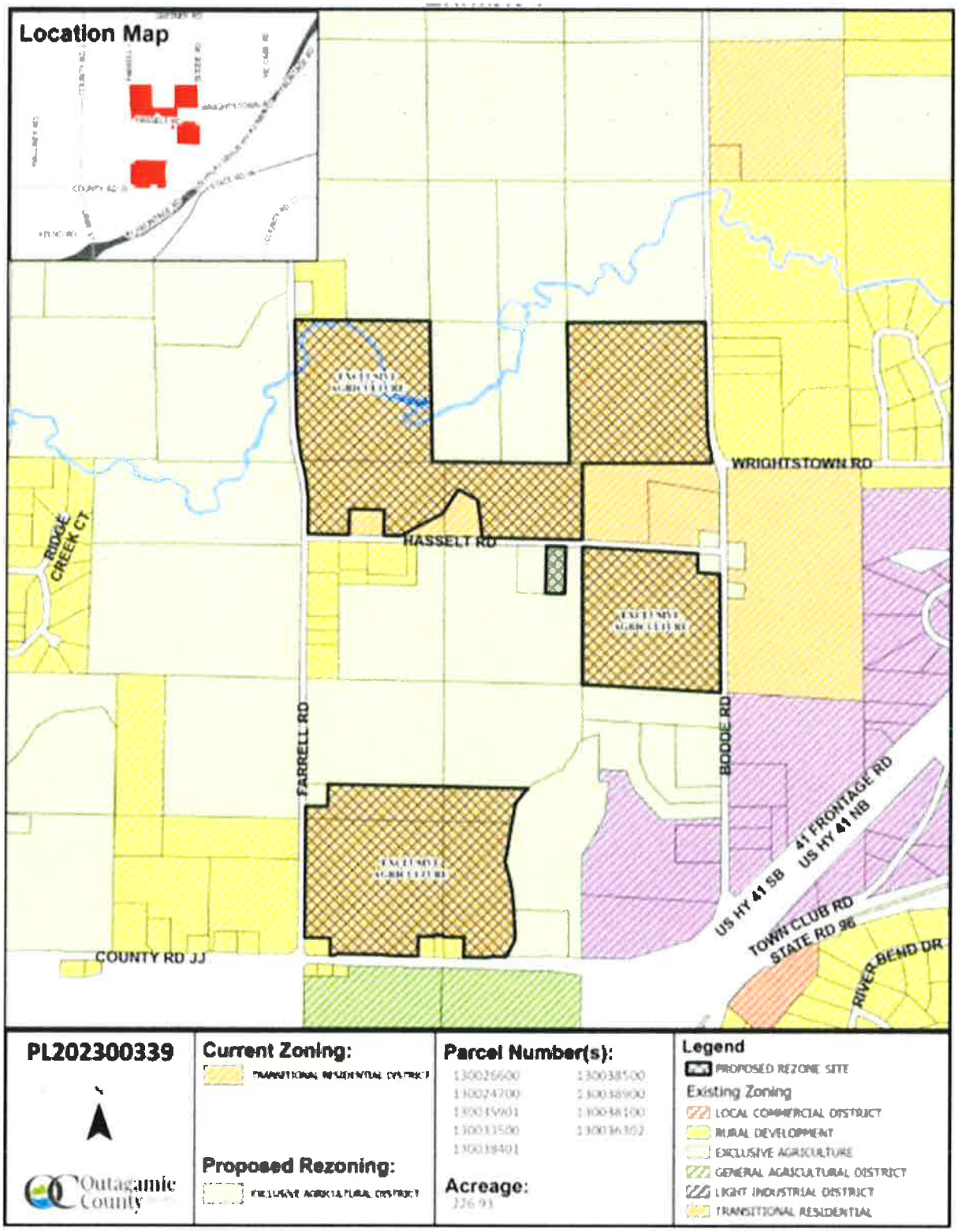
The Town of Kaukauna exercises village powers and adopted General Town Zoning. The Town of Kaukauna is required to find this rezoning consistent with its Comprehensive Plan. They have identified the rezoning to be consistent with its Plan and Future Land Use map. The Town Board voted to approve the rezoning request on July 18, 2023.

Rezoning parcels into a certified farmland preservation zoning district requires that those parcels be planned for Farmland Preservation in the County's adopted Farmland Preservation Plan.

[1] Note: County records show that one of the parcels requested to be rezoned (parcel 130036302) is already zoned as Exclusive Agriculture.

These parcels are consistent with the County's Farmland Preservation Plan as they are designated as Farmland Preservation.

Staff Recommendation:
Based on County staff's review of this proposed Town Rezoning, Staff recommends to: approve the rezoning of parcels 130026600, 130024700, 130035901, 130033500, 130038401, 130038500, 130038900, 130038100, and 130036302 from Transitional District to Exclusive Agriculture District.


Location Map
WRIGHTSTOWN RD
HASSELT RD
RIDGE CREEK CT
FARRELL RD
BODDE RD
US HY 41 SB
41 FRONTAGE RD
US HY 41 NB
TOWN CLUB RD
STATE RD 96
RIVER BEND DR
COUNTY RD JJ
PL202300339
Outagamie County
Current Zoning:
Proposed Rezoning:
Parcel Number(s):
Acreage:
Legend
PROPOSED REZONE SITE
Existing Zoning
LOCAL COMMERCIAL DISTRICT
RURAL DEVELOPMENT
EXCLUSIVE AGRICULTURE
GENERAL AGRICULTURAL DISTRICT
LIGHT INDUSTRIAL DISTRICT
TRANSITIONAL RESIDENTIAL

Outagamie County

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

Town (or Applicable Village):	Kaukauna
Request:	Rezoning ☑
Applicant or Petitioner Name:	Bob Van De Loo - Rezone
Applicant Contact Information (Preferred):	W976 Hasselt Road, Kaukauna, WI 54130- 920-858-2095
Site Parcel Number(s):	See Discription
Site Address (if applicable):	
Pre-Application Meeting Number (if applicable):	
Description of the Request: *(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)*	Bob Van De Loo is requesting to rezone approximatly 226.93 acres from Transitional Residential to Exclusive Agriculture. Parcels to rezone are: 130026600, ~~130034700~~ 130035901, 130033500, 130038401, 130038500, 130034700 130038900, 130038100 and 130036302.

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of Kaukauna ☑, at a legally convened meeting of the Board held on 07/18/2023, voted to Approve ☑ the Rezoning ☑ request:

Nikki Vandeloo — Clerk Signature

7-20-2023 — Date

Motion Outcome by a Vote of:	2	☑ For	0	☑ Against
General Comments/Reasons for the Decision: *(See next page for instructions. If needed, you may include additional pages.)*	Bob would like to rezone his land that is being farmed so he can collect the farm credits for the land if it is exclusive agriculture. This rezone is consistant with the Towns comp. plan and future land use map.			

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting TECHNOLOGIES

RECONSIDERATION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.



VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 74—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to enter into a new lease for office space and rental car ready return spots located in the Appleton International Airport's Consolidated Car Rental Facility with the following rental car companies: Midwestern Wheels DBA Avis Rent-A-Car and Budget Rent-A-Car; Broadway Rental Cars, Inc. DBA Hertz; Enterprise DBA Enterprise Rent-A-Car, National Car Rental, and Alamo Rent-A-Car, with no impact to the 2024 budget, as the estimated revenues are already included in the budget, as detailed on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Monfils, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 74—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 74—2023-24

Prop, Airport, Rec & Econ Dev Comm. Approve to enter into a new lease for office space and rental car ready **Passed With Majority of Full Membership**
Airport's Consolidated Car Rental Facility with the following rental car companies: Midwestern Wheels DBA Avis Rent-A-Car and Budget Rent-A-Car; Broadway Rental Cars, Inc. DBA Hertz; Enterprise DBA Enterprise Rent-A-Car, National Car Rental, and Alamo Rent-A-Car, with no impact to the 2024 budget.

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **12-12-23 County Board Meeting - December 12 2023 07:20:21 PM**
December 12, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 74—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Appleton International Airport (the Airport) desires to enter into a new lease for office space and rental car ready return spots located in the Airport's Consolidated Car Rental Facility (CCRF) with the following rental car companies:

- Midwestern Wheels DBA Avis Rent-A-Car and Budget Rent-A-Car
- Broadway Rental Cars, Inc. DBA Hertz
- Enterprise DBA Enterprise Rent-A-Car, National Car Rental, and Alamo Rent-A-Car

The term of the lease will be five (5) years commencing January 1, 2024 and ending December 31, 2028. The total estimated revenues due for the premises will consist of

- Privilege fee of the greater of 10% of Gross Revenues or the Concessionaire's Minimum Annual Guarantee (estimated revenues $971,850)
- Base rent for counter space in the CCRF (estimated revenues $194,177)
- Base rent for a block of ready return parking spaces (estimated revenues $416,160)
- A Customer Facility Charge collected from customers (estimated revenues $785,400)

There is no impact to the 2024 budget, as these estimated revenues are already included in the budget.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve entering into a new lease for office space and rental car ready return spots located in the Appleton International Airport's Consolidated Car Rental Facility (CCRF) with the following rental car companies: Midwestern Wheels DBA Avis Rent-A-Car and Budget Rent-A-Car; Broadway Rental Cars, Inc. DBA Hertz; Enterprise DBA Enterprise Rent-A-Car, National Car Rental, and Alamo Rent-A-Car, with no impact to the 2024 budget, as the estimated revenues are already included in the budget, as detailed in the attached Non-Exclusive Rental Car Concession Agreement and fiscal note, which are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Appleton International Airport Director.

Dated this 18th day of December 2023

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

Kelly M. Galt, Deputy Clerk
County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1661) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. Subject: Appleton International Airport Rental Car Office Space/Parking Lot Leases

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Appleton International Airport and the following rental car companies: Midwestern Wheels DBA Avis Rent-A-Car, and Budget Rent-A-Car, Broadway Rental Cars Inc, DBA Hertz and Enterprise Rent-A-Car DBA National Car Rental, Alamo Rent-A-Car and Enterprise Rent-A-Car desire to enter into a new lease for office space and rental car ready return spots located in the Airport's Consolidated Car Rental Facility (CCRF). The term of the lease will be 5 years commencing on January 1, 2024 and ending December 31, 2028. Total estimated revenues due for the premises will consist of a.) Privilege fee of the greater of 10% of Gross Revenues or the Concessionaire's Minimum Annual Guarantee (estimated revenues $971,850); b.) Base rent for counter space in the CCRF (estimated revenues $194,177); c.) Base rent for a block of ready return parking spaces (estimated revenues $416,160); and d.) A Customer Facility Charge collected from customers (estimated revenues $785,400). There is no impact on the 2024 budget as these estimated revenues are already included in the budget.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially () n/a ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (X) no ( )

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X) To be determined

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
No budget adjustment - revenues already included in 2024 budget			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0; Annual Revenue $1,951,427 (includes CFC)

Fiscal Note Prepared by: Abe Weber/Katie Horan

For Financial Services purposes only

Reviewed By: [signature]

Date: 11/3/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

OUTAGAMIE COUNTY, WISCONSIN

APPLETON INTERNATIONAL AIRPORT

CONCESSION AGREEMENT

NON-EXCLUSIVE RENTAL CAR CONCESSION AGREEMENT

between

County of Outagamie, Wisconsin

and

_____

Concessionaire

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OUTAGAMIE COUNTY, WISCONSIN

APPLETON INTERNATIONAL AIRPORT

RENTAL CAR CONCESSION AGREEMENT

THIS CONCESSION AGREEMENT ("**Agreement**"), made and entered into this ____ day of _____, 2023, by and between the County of Outagamie, (the "**County**"), a municipal corporation and existing under the laws of the State of Wisconsin, whose address is W6390 Challenger Drive, Suite 201, Appleton, Wisconsin 54914, hereinafter referred to as "County" and _____ operating as _____, (hereinafter referred to as "**Concessionaire**"), a _____ with its office and address being _____, with a mailing address of _____.

W I T N E S S E T H:

WHEREAS, County is owner and operator of Appleton International Airport (the "Airport") located in the Town of Greenville, County of Outagamie, State of Wisconsin, and has the right to lease portions of the Airport and to grant operating privileges thereon subject to the terms and conditions hereinafter set forth; and

WHEREAS, the County has determined it to be in the best interests of the public and the County to enter into this Agreement with Concessionaire to provide rental car concession services at the Airport pursuant and subject to the terms and conditions hereunder;

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants and considerations herein contained, County and Concessionaire agree as follows:

DEFINITIONS

The following terms and phrases shall have the following meanings for purposes of this Agreement:

1. **"ACDBE"** shall mean airport concession disadvantaged business enterprise as that term is defined by 49 CFR Part 23.

2. **"Airport Director"** shall mean the Airport Director of the County's Airport, or his or her designee.

3. **"Consolidated Car Rental Facility"** or **"CCRF"** shall mean the car rental building and ready return parking area located in front of the terminal building at the Airport.

4. **"County"** shall mean the public body corporation existing under the laws of the State of Wisconsin which controls, operates, and maintains the Appleton International Airport.

5. **"FBO"** shall mean the Appleton Flight Center fixed base operator facilities located on the south side of the Airport where the General Aviation facilities are located and where general

aviation customers are serviced.

6. **"Gross Revenues"** as used herein shall mean, as determined in the reasonable discretion of the County, all amounts charged to its customers by Concessionaire for or in connection with agreements it secures through its operations and business at the Airport, regardless of whether such amount is actually paid to or received by Concessionaire. Gross Revenues shall include all monies or other consideration of whatsoever nature paid or payable to Concessionaire by customers for all sales made and services performed for cash, credit or consideration in connection with automobile and vehicle rentals or other products or services provided to persons through Concessionaire's operations at the Airport, without regard to the ownership, area, fleet, or location assignment of vehicles and without regard to the manner in which or place at which the vehicles or other products or services are furnished to Concessionaire's customers and without regard to whether the vehicles or other products are returned to the Airport or to some other location.

   Gross Revenues may not be reduced by promotional or other discounts not given directly to the customer at the time of rental. The retroactive adjustment by Concessionaire of Gross Revenues designated as volume discounts or rebates, corporate discounts or rebates, or any other designation of any nature, or for any other purpose, is prohibited.

   Gross Revenues shall include anything and everything that is not specifically excluded. The only exclusions from Gross Revenues permitted under this Agreement shall be the specific exclusions set forth below:

   - Federal, state, county, city or municipal sales, use, or excise taxes now in effect or hereinafter levied on Concessionaire's operations which are separately stated on customers' rental contracts and collected from customers of Concessionaire;
   - Those fees referred to in this Agreement as Customer Facility Charges, "CFC's" which for the purpose of this Agreement shall include all customer facility charges, authorized pursuant to County Resolution, as may be amended;
   - Amounts received specifically for the actual loss of or damages of vehicles or other property of Concessionaire;
   - Amounts received from the sale of vehicles off-Airport premises; provided, however, any amounts paid in connection with automobile and vehicle rentals or other products or services provided to persons through Concessionaire's operations that are applied to or otherwise reimbursed as a result of the sale of a vehicle shall not be excluded from Gross Revenues; and
   - Reimbursements for amounts actually paid for windshield replacement, towing, tolls, parking tickets, impound fees, tolls and toll violations and other governmental fines and fees from its customers to pass through without markup to an independent third party with no amount being retained by Concessionaire. However, any amounts collected about the pass through amount shall be included as Gross Revenue under this Agreement.

7. **"Leasehold Improvements"** shall mean all improvements and equipment which are affixed to the Leased Premises and which cannot be removed without material damage to the Premises.

8. **"Operations Year"** shall mean January 1 through December 31 annually.

9. **"Personal Property"** shall mean all movable property of the Concessionaire not directly related to the rental car operations of the privileges granted hereunder, including, office furniture, office equipment, and office supplies.

10. **"Refurbish"** or **"Refurbishment"** shall mean the routine repainting or redecoration of public areas within the Leased Premises, as necessary, including the replacement or repair of worn carpet, tile, furniture, or furnishings.

11. **"Rental Car"** or **"Motor Vehicles"** shall mean motor vehicles designed primarily for the carriage of passengers and commonly classified as sedans, coupes, convertibles, four-wheel drive vehicles, passenger vans, sport utility vehicles, and pick-up trucks rated one-ton or less. Concessionaire shall not park, store or rent from Premises any vehicles except Motor Vehicles as defined herein that it owns or rents and are properly available for rental as provided herein.

12. **"Trade Fixtures"** shall mean all non-affixed items, except expendables and Personal Property, which can be removed without damage to the Leased Premises, including cash registers, safes, patron tables and chairs, display fixtures, and the like.

13. **"Transaction"** shall mean the execution of an agreement or contract for the rental of a Motor Vehicle; or, the payment of funds or completion of a cash or credit transaction for payment for rental of a Motor Vehicle; or delivery of a Motor Vehicle to a customer for use in exchange for cash, credit or any other consideration.

14. **"Transaction Day"** shall mean each twenty-four (24) hour period or portion thereof, for which a customer of a Rental Car concessionaire rents, or otherwise enters into a similar arrangement for the use of a Motor Vehicle and for which the Rental Car concessionaire collects revenue from the customer. Late returns (after twenty-four (24) hours) shall be considered a Transaction Day.

SECTION 1 – LEASED PREMISES

A. County hereby leases to Concessionaire and Concessionaire hereby agrees to lease from County the following premises, which, collectively, are hereinafter called the "Leased Premises": Six Hundred Twelve (612) square feet of counter/office/queuing area ____ in the Consolidated Car Rental Facility and Block #___ the ready return area containing approximately XX ready/return parking spaces outside and adjacent to the CCRF. Said Leased Premises is more particularly shown on **Exhibits A1 and A2** attached hereto and by this reference made a part hereof. Additionally, two (2) ready/return vehicle parking spaces at the FBO are included in the Leased Premises.

B. Concessionaire agrees that its Leased Premises have been inspected by Concessionaire and are accepted and will be occupied by Concessionaire on an "as is" basis. The

Concessionaire specifically waives any covenants or warranties regarding the Premises, including but not limited to any warranty of suitability and warranty of fitness.

SECTION 2 – TERM

The term of this Agreement is for a five (5) year period commencing on January 1, 2024 and terminating on December 31, 2028 unless sooner terminated or canceled as hereinafter provided.

Concessionaire acknowledges that this Agreement contains no renewal clause and is subject to the County's stated intent and obligation to expose the premises and rights granted hereunder to public competitive selection process at the expiration or termination of this term. If Concessionaire remains in occupancy and use of the premises after the expiration of this term with the consent of County, Concessionaire's interest in the premises from and after that date shall be deemed to be month-to-month, pursuant to the terms provided in Section 18 of this Agreement.

SECTION 3 – USES, PRIVILEGES, COBRANDING AND OBLIGATIONS

Concessionaire shall have the following uses, privileges, and obligations in connection with its use of the Leased Premises:

A. The non-exclusive right, privilege, and obligation to conduct and operate a rental car, van or truck rental concession at the Airport including all necessary and ancillary services customarily associated with car rental concessions at public airports within the United States of America or airport of similar size and capacity. Concessionaire shall furnish good, prompt and efficient service and shall at all times have available a sufficient number of Vehicles (a fleet of no fewer than thirty-five (35)) to meet all reasonably foreseeable demands of the traveling public. Co-Branding by parent Concessionaire is limited to two brands per concession space specifically those listed in their submitted proposal. Concessionaire shall be prohibited from operating at the Airport under any brand(s) other than the brand(s) it designated on its Qualifications Form. Any requests for changes to this arrangement will not be approved. It being understood that no more than two brands under rental car agencies who are owned by the same parent Concessionaire may operate from any one concession space during the term of this agreement. Concessionaire understands and agrees that it shall not engage in any other business on the Airport under this Agreement.

B. The right, privilege, and obligation to rent and check-in rental vehicles, including the right to offer for sale related collision damage waiver protection, personal injury and accident insurance, personal effects insurance, and such other travel or vehicle related coverage offered in connection with and incidental to the rental of a vehicle and occupy operations office, storage, and Ready and Return car parking spaces. It is the intent of this Agreement that the rental car customers of Concessionaire will operate the vehicle rented only from the ready spaces provided herein, and Concessionaire shall not engage in customer shuttle operations of any kind to, from, or on the Airport. This does not

prohibit the picking up of a customer from the Fixed Base Operator (FBO). No trucks larger than one ton pickup type/style will be allowed in the ready lot unless approved in writing in advance by the Airport Director.

C. The Premises shall be used only for the purposes specified in this Agreement.

D. The right of ingress and egress to and from the Premises, over Airport roadways, are subject to such reasonable rules and regulations as may be established by Airport as respecting such use and subject to law.

E. Concessionaire shall install no signs on or about the Premises without the prior written approval of the Airport Director, said approval being solely discretionary with the Airport Director. For purposes of this Section, signs shall include, but not necessarily be limited to, identification signs, company logos, advertising or promotions, photographs, art displays, and the like. Such signs shall be substantially uniform in size, types and location with those of other concessionaries, and subject to Director's approval, Rules and Regulations, and in compliance with all applicable laws and resolutions. No temporary signs or displays shall be permitted on the backwall or the counter surfaces without the prior written approval of the Airport Director. Handwritten, or hand lettered signs are prohibited. Concessionaire shall not place or install any racks, stands, trade fixtures, pedestal signs, or other displays of products outside the boundaries of the Leased Premises without the express prior written approval of the Airport Director.

F. The right for Concessionaire's employees, in common with other employees of tenants of the CCRF and terminal building, to use vehicular parking space provided by County, subject to the payment of reasonable charges therefore, as set by the County. Employee parking shall only be allowed in those areas designated by the Airport.

G. *Airport Concession Disadvantaged Business Enterprise Program*

1. This agreement is subject to the requirements of the U.S. Department of Transportation's regulations, 49 CFR Part 23 related to the airport concession disadvantaged business enterprises (ACDBE) program. The concessionaire or contractor agrees that it will not discriminate against any business owner because of the owner's race, color, national origin, or sex in connection with the award or performance of any concession agreement, management contract, or subcontract, purchase or lease agreement, or other agreement covered by 49 CFR Part 23.

2. The concessionaire or contractor agrees to include the above statements in any subsequent concession agreement or contract covered by 49 CFR Part 23, that it enters and cause those businesses to similarly include the statements in further agreements.

3. The Concessionaire shall on a quarterly basis, submit accurate reports on ACDBE utilization to the Airport by submitting form **ATW ACDBE-5** provided as Exhibit C. This report is due to the County sixty (60) days following the end of each quarter. Failure to submit the required quarterly report will

subject the Concessionaire to Operations Violations as provided for in Subsection 9.6.

H. Compliance with Federal Aviation Regulations and Security Requirements Parts 49 CFR Part 1542 and 14 CFR Part 139. Concessionaire agrees to comply with Federal Aviation Regulations, and 1542 (Airport Security) and the County's policies as outlined in County's Federal Aviation Administration approved Operations Plan and Airport Security Plan. Concessionaire further agrees that any fines levied upon the County or Concessionaire through enforcement of these regulations because of acts by Concessionaire's employees, agents, suppliers, guests, or patrons shall be borne by Concessionaire to the extent said acts contributed to said fines.

SECTION 4 – PRIVILEGE FEE, RENTS, FEES AND ACCOUNTING RECORDS

Subsection 4.1 Privilege Fee, Rent and Fees.

A. Privilege Fee. As consideration for the privilege of operating the concession hereunder, Concessionaire shall pay to County each Operations Year, for the full term of this Agreement, a Privilege Fee. Said Privilege Fee shall be the greater of either the guaranteed Minimum Annual Privilege Fee or the Percentage Fee applicable to Gross Revenues, hereinafter defined, as follows:

1. Privilege Fee – the greater of either:
   a. ten percent (10%) of the Concessionaire's annual Gross Revenues ("Percentage Privilege Fee");

OR

   b. the respective yearly amount shown below as the Concessionaire's Minimum Annual Guaranteed fee ("MAG"):

January 1, 2024 to December 31, 2024	$ _____
January 1, 2025 to December 31, 2025	$ _____
January 1, 2026 to December 31, 2026	$ _____
January 1, 2027 to December 31, 2027	$ _____
January 1, 2028 to December 31, 2028	$ _____

2. Monthly payment shall be the greater of 1/12th of the respective year's MAG or 10% of reported gross revenues for the previous month. The MAG payment shall be paid in advance on the first (1st) day of each month during each Operations Year, until such time as the Concessionaire has paid to the Airport an amount equal to the respective annual MAG identified in Section 4.1(a)(1)(b) above. On or before the 20th of each month the Concessionaire shall provide the Airport with: i) a signed and certified Report of Gross Revenues for the preceding month and ii) payment of any percentage Privilege Fee shown to be due for the preceding month, as designated on Exhibit B, attached hereto and made a part hereof. If Concessionaire is operating more than one brand under this Agreement,

it shall report Gross Revenues by each individual brand. Additionally, Concessionaire shall make reasonable efforts to report rentals and gross revenues attributable to the FBO separately from rentals and gross revenues attributable to the CCRF.

Once the sum of Privilege Fee payments remitted has reached the MAG in any given Operations Year, the Concessionaire may cease remittance of the 1/12th of the respective year's MAG on the first (1st) day of each month for the remainder of that Operations Year. The Concessionaire shall continue to report and remit each and every month after the annual MAG has been reached the full 10% of reported gross revenues for the previous month.

3. Concessionaire's Right of Abatement. In any Operations Year where the total deplanements at the Airport decline by 15% or more as compared to the prior Operations Year, the Concessionaire's MAG for such Operations Year shall be reduced proportionate to the decline in deplanements as part of the year-end reconciliation process. Where the County reasonably determines during any Operations Year that a MAG reduction is likely, the County may waive the Concessionaire's obligations to remit the monthly 1/12th MAG installment payments for any period of time the County deems appropriate in its sole discretion, but Concessionaire shall continue to remit the Percentage Privilege Fee each month regardless.

4. Concessionaire acknowledges that Privilege Fee payments by Concessionaire to County under this Agreement are for Concessionaire's privilege to use the Airport facilities and access the Airport market and are not fees imposed by County upon Concessionaire's customers. County does not require, but will not prohibit, a separate statement of and charge for the Privilege Fee on customer invoices or rental agreements ("Recovery Fee"), provided that such Recovery Fee meets all of the following conditions: (a) such Recovery Fee must be titled "Concession Recovery Fee," "Concession Recoupment Fee" or such other name first approved by the Airport Director in writing; (b) the Recovery Fee must be shown on the customer rental car agreement and invoiced with other Concessionaire charges (i.e. "above the line"); (c) the Recovery Fee as stated on the invoice and charged to the customer shall be no more than 11.11% of Gross Revenues and shall be specifically included in the Definition of Gross Revenues for purposes of remittance to County; (d) Concessionaire shall neither identify, treat, or refer to the Recovery Fee as a tax, nor imply that County is requiring the pass through of such fee; (e) Concessionaire shall comply with all applicable laws, including Federal Trade Commission requirements, the Wisconsin Consumer Act and any commitment to or contractual obligation by Concessionaire with any governmental agency or officer with authority over Concessionaire's activities.

B. Rent - All Rents set forth in this Section 4, Paragraph B, Subsection 1, are subject to Wisconsin sales tax and other applicable taxes which shall be collected by the County in addition to the rent listed in a, and b below:

1. Rent for Premises
   Concessionaire shall pay to the County, in advance, on the 1st day of each month the following rent:

   a. Counter/Office/Queuing space rent shall be calculated on a cost recovery basis to be shared equally by On-Airport Rental Car Concessionaires. The CCRF operation and maintenance (O&M) budget for calendar year 2024 is estimated to be $195,000. For the period commencing January 1, 2024 through December 31, 2024, Concessionaire shall pay the monthly sum of XXXXX Dollars ($X,XXX) for counter/office/queuing position in the CCRF.

   At the end of each calendar year, County shall provide a statement of expenses and reconcile the rents received to the actual expenses. The reconciliation will be completed within ninety (90) days following the completion of the County's annual audit. Concessionaire shall pay the balance of its proportionate share of the O&M costs (payable within twenty (20) days following receipt of the final accounting from the County) or receive a credit for any over payment toward the following year.

   CCRF operation and maintenance expenses will include all costs incurred by the County to operate and maintain the CCRF in good, clean and sanitary condition as it determines in its sole discretion. O&M expenses include, but are not limited to, utilities, supplies, maintenance and repairs, permits, assessments, security, insurance, land rent, professional services, landscaping, snow removal, depreciation and indirect costs.

   The CCRF operation and maintenance budgets for calendar years 2025 through 2028 will be estimated by the County and provided to the Concessionaires after adoption by the County.

   b. For the period commencing January 1, 2024 through December 31, 2028, Concessionaire shall pay the monthly sum of _____Dollars ($XX,XXX), per annum for Ready Return Block #__ as shown on Exhibit A2.

   c. For the period commencing January 1, 2024 through December 31, 2028, Concessionaire shall pay the monthly sum of One Hundred Twenty Dollars ($120), per stall per month for two (2) ready/return vehicle parking stalls at the FBO.

C. Additional Fees – All Fees set forth in this Section 5, Paragraph C, are subject to Wisconsin sales tax and other applicable taxes which shall be collected by the County in addition to the rent listed in a, and b below:

   1. The Concessionaire shall collect the CFC's on behalf of the Airport and remit to the Airport, in accordance with the County's CFC resolution, the full amount of the Transaction Day fee collected from each Rental Car customer.

2. If Concessionaire requests, in advance, to use overflow parking, the Concessionaire shall pay to the County a daily rate per vehicle determined by the County for overflow parking of its rental cars for use by Airport customers in a location determined by the Airport Director. Payment shall be due within thirty (30) days of invoice date.

3. Additional fees may include charges for special items or activities including, but not limited to, employee parking and badging fees. The County may assess reasonable, non-discriminatory charges for these special items or activities. All new charges will be reviewed with Concessionaire prior to implementation. Other charges payable by Concessionaire, shall be paid by Concessionaire to County no later than thirty (30) days following receipt by Concessionaire of billing therefor.

D. Any and all payments due to the County by Concessionaire shall be labeled "Airport Rental Car Concession" and remitted to the following address:

Outagamie County
Attn: Outagamie County Treasurer
320 South Walnut Street
Appleton, Wisconsin 54911

E. Year End Adjustments to Privilege Fees, Rents and Fees.

In the event the amount of payments made during the preceding Operations Year exceeds the total of any payments due for such Operations Year, the excess payment shall be credited against the payments for the next Operations Year, except that any excess payment during the final Operations Year of this Agreement will be returned to the Concessionaire within thirty (30) days after the Airport's acceptance of the final Certified Statement described in this Section. Concessionaire shall submit separate system generated reports for each brand name operated.

Subsection 4.2 Statements, Books, and Records; Delinquent Rentals.

A. Monthly Statements; Books and Records. Within twenty (20) days after the close of each calendar month of the term of this Agreement, Concessionaire shall submit to County, in such detail and on the statement form designated as Exhibit B or as may reasonably be specified by County, certain information, including but not limited to, the number of Transactions executed during the preceding month, the number of Transaction Days Motor Vehicles were rented during the preceding month, and the statement of its Gross Revenues during the preceding month upon which the percentage payments to County set forth in Subsection 4.1 A. (1) are to be computed, and said Exhibit B statement to be signed by a responsible accounting officer of Concessionaire. County reserves the right to change the form of the monthly statement and to require the submission by Concessionaire of other information pertaining to the Gross Revenues hereunder, and Concessionaire agrees to change the form of its statements to that requested by County

and to provide any such additional information County may reasonably request. Concessionaire shall keep full and accurate books and records showing all of its Gross Revenues hereunder, and County shall have the right, through its representatives and at reasonable times, at its own expense, to inspect, examine, copy and audit such books and records, including State of Wisconsin sales tax return records. Concessionaire hereby agrees that all such books and records will be made available to County for at least seven (7) years following the period covered by such books and records.

B. Annual Certified Statements. Each year during the term of this Agreement, Concessionaire shall provide to County a written statement, certified by an independent Certified Public Accountant under an audit or review engagement, to County stating that the Percentage Fees paid by Concessionaire to County during the preceding year pursuant to this Agreement were made in accordance with the terms of this Agreement. Said statement shall be submitted by Concessionaire, to be received by County within ninety (90) days of the end of each Operations Year. Such statement shall also contain a list of the Gross Revenues, by month, as shown on the books and records of Concessionaire and which were used to compute the Percentage Fee payments made to County during the period covered by said statement.

C. Delinquent Rentals and Fees. In the event Concessionaire fails to make payment when due under this Agreement, Concessionaire shall be obligated to pay a late charge in the amount of five percent (5%) of the past due amount. Payment of the late charge shall not constitute a waiver by the County of its other remedies under this Agreement on account of Concessionaire's failure to pay sums hereunder. Concessionaire shall also pay interest on all past due amounts at the rate of eighteen percent (18%) per annum from the due date, until paid.

Subsection 4.3 Audit. County reserves the right to audit Concessionaire's books and records pertaining to the Leased Premises, at its own expense, at any time for the purpose of verifying the Gross Revenues and Privilege Fee calculation hereunder for any period three (3) years prior to such audit. If, however, as a result of such audit, it is established that Concessionaire has understated the Gross Revenues received from all operations at the Leased Premises by two percent (2%) or more (after the deductions and exclusions herein), the entire expense of said audit shall be borne by Concessionaire. Any additional Privilege Fee due shall forthwith be paid by Concessionaire to County with interest thereon at one and one-half percent (1.5%) per month from the date such additional Privilege Fee became due.

SECTION 5 – ALTERATIONS AND IMPROVEMENTS

Subsection 5.1 Approval of Plans and Specifications; Provision of Drawings.

A. General. Any improvements to be made to or upon the Leased Premises by Concessionaire, and any subsequent alterations or additions to such improvements, shall be subject to the prior written approval of Airport Director. Full and complete plans and specifications for all work, facilities, improvements, and finishes, and the time required to complete same, shall be submitted to and receive the written

approval of Airport Director before any work or construction is commenced, which shall not be unreasonably withheld or delayed. First-class standards of design and construction shall be complied with in connection with all such work, facilities, and improvements; and all construction shall conform to the general architectural requirements of Airport Director as established for each improvement program. Two (2) copies of plans for all improvements or subsequent changes therein or alterations thereof shall be given to Airport Director for review prior to commencement of construction; after final approval by Airport Director, Airport Director shall return to Concessionaire one (1) approved copy for Concessionaire's records and shall retain one (1) approved copy as an official record thereof.

B. Improvements Conform to Statutes, Ordinances, Etc. All improvements, furniture, fixtures, equipment, and finishes, including the plans and specifications therefore, constructed or installed by Concessionaire, its agents, or contractors, shall conform in all respects to applicable statutes, ordinances, building codes, and rules and regulations, and public bidding laws. Any approval given by County shall not constitute a representation or warranty as to such conformity; responsibility therefore shall at all times remain with Concessionaire.

C. Approvals Extend to Architectural and Aesthetic Matters. Approval of County shall extend to and include architectural and aesthetic matters and County reserves the right to reasonably reject any layout or design proposals submitted and to require Concessionaire to resubmit any such layout or design proposals until they meet Airport Director approval.

D. Disapprovals. In the event of disapproval by County of any portion of any plans or specifications, Concessionaire shall promptly submit necessary modifications and revisions thereof for approval by Airport Director. County agrees to act promptly upon such plans and specifications and upon requests for approval of changes or alterations in said plans or specifications. No substantial changes or alterations shall be made in said plans or specifications after initial approval by County, and no alterations or improvements shall be made to or upon the Leased Premises without the prior written approval of Airport Director.

E. Provision of As-Built Drawings. Upon completion of any construction project, Concessionaire shall provide County two (2) completed sets of as-built drawings in reproducible form as specified by County. Concessionaire agrees that, upon the request of County, Concessionaire will inspect the Leased Premises jointly with County to verify the as-built drawings.

Subsection 5.2 Title to Improvements, Structural Alterations, Etc.

A. Title. All improvements made to the Leased Premises by Concessionaire, and any additions and alterations thereto made by Concessionaire, shall be and remain the property of Concessionaire until the termination of this Agreement (whether by expiration of the term, cancellation, forfeiture or otherwise), at which time said

improvements, except for Trade Fixtures, personal property, and expendables, shall become the property of County, at no cost to County.

B. Structural Alterations. Concessionaire shall make no structural alterations to the Leased Premises without the prior written consent of Airport Director.

C. Alterations and Improvements to Airport. Concessionaire acknowledges that from time to time County may undertake construction, repair, or other activities related to the operation, maintenance and repair of the CCRF which may temporarily affect Concessionaire's operations hereunder. Concessionaire agrees to accommodate County in such matters, even though Concessionaire's own activities may be inconvenienced, and Concessionaire agrees that no liability shall attach to County, its members, employees, or agents by reason of such inconvenience or impairment. It is agreed that in the event such activities of County substantially impair the operations of Concessionaire under this Agreement, the Minimum Annual Guarantee shall be waived during such period of substantial impairment, with what constitutes "substantial impairment" being reasonably determined by Airport Director after consultation with Concessionaire. Concessionaire agrees that if relocation is required that Concessionaire shall move its operations as reasonably directed by Airport Director and said move is at Concessionaire's sole cost and expense. If the County elects to relocate Concessionaire during the term of this Agreement, the County will reimburse reasonable and necessary costs associated with the relocation as determined by the County in advance of the relocation.

During the term of this Agreement, the County reserves the right to modify the Ready Return parking area including reducing the number of available parking stalls and adjusting the parking blocks as required. If such modifications are made, concessionaires will select their new blocks following the same rank order used for the initial space selection. The Ready Return block rent will be adjusted accordingly.

If, during the term of this Agreement, the County or Concessionaire determine the need exists to install electric vehicle charging stations on the Premises, the design and installation will be coordinated and approved in writing in advance with the County.

D. Removal and Demolition. Concessionaire shall not remove or demolish, in whole or in part, any Leasehold Improvements upon the Leased Premises without the prior written consent of County which may, at its sole discretion, condition such consent upon the obligation of Concessionaire, at Concessionaire's cost, to replace the same by an improvement specified in such consent.

SECTION 6 – MAINTENANCE OF PREMISES AND UTILITIES

Subsection 6.1 Airport Maintenance Obligations.

A. General Maintenance and Operation. County agrees that it will with reasonable diligence, maintain, operate, and keep in good repair the Airport, including the public

areas in the CCRF and all appurtenances, facilities, and services now or hereafter connected therewith.

B. Structural Maintenance. County shall provide, or cause to be provided, structural maintenance of the CCRF, or cause to be provided, the washing of all windows (on the outside of the CCRF only) in the Leased Premises at periodic intervals.

C. Maintain Access. County shall, throughout the term of this Agreement, maintain all airport-owned roads on the Airport giving access to the CCRF in good and adequate condition for use by cars and trucks and shall maintain free and uninterrupted access to the CCRF over said road at all times. County reserves the right to reasonably restrict access to the CCRF area for automobile deliveries during peak activity periods.

D. Ready/Return Block. County shall provide snow removal and general maintenance of the Ready/Return lot parking area. Concessionaire is expected to attend the pre-season snow removal meeting and coordinate with the Airport to ensure efficient snow removal operations in the ready/return parking area.

Subsection 6.2 Concessionaire's Maintenance Obligations.

A. Concessionaire's General Obligations. Except for maintenance of the public areas in the CCRF, as provided in Subsection 9.1, Concessionaire shall be obligated, without cost to County, to maintain the Leased Premises and every part thereof in good appearance, repair, and safe condition. Concessionaire shall maintain and repair all Leasehold Improvements on the Leased Premises and all furnishings, fixtures, and equipment therein, whether installed by Concessionaire or by others, including repainting or redecorating as necessary, and replacing or repairing worn carpet, tile, fixtures, or furnishings. All such maintenance and repairs shall be at least of quality equal to the original in materials and workmanship, and all work, including paint colors, shall be subject to the prior written approval of Airport Director. Concessionaire shall be obligated, without cost to County, to provide custodial service to Leased Premises.

B. Hazardous Conditions. Upon discovery, Concessionaire shall immediately give oral notice to County of any hazardous or potentially hazardous conditions in the Leased Premises or in the CCRF. Any hazardous or potentially hazardous condition in the Leased Premises shall be corrected immediately upon receipt of oral notice from the Airport Director. At the direction of said Director, Concessionaire shall close the Leased Premises until such hazardous or potentially hazardous condition is removed.

C. Trash and Refuse. County shall provide, at no cost to Concessionaire, a container for the adequate sanitary handling of all trash and other refuse caused as a result of the operation of the Leased Premises. Piling of boxes, cartons, barrels, or other similar items in view of a public area is prohibited. Concessionaire shall keep any areas used for trash and garbage storage prior to removal from Airport in a reasonably clean and orderly condition so as not to unduly attract rodents, pests, or birds, or create an

offensive odor.

D. Transporting Trash and Refuse. In transporting trash and refuse from the Leased Premises, Concessionaire shall ensure that trash is not strewn around while taking refuse to the dump site. Such disposal shall take place during hours as may be approved by the County.

Subsection 6.3 Utilities.

A. County shall provide the Leased Premises with heat and air-conditioning to keep the Leased Premises at reasonable temperatures for the conduct of Concessionaire's activities. County shall have the right to set, monitor, adjust and restrict thermostat settings to levels it determines to be appropriate.

B. County shall provide electricity to the Leased Premises by means of wiring installations, and Concessionaire shall make such connections as required and permitted by building code. At no time shall Concessionaire's use of electric current exceed the capacity of the wiring installation in place.

SECTION 7 – LIENS, PAYMENT, AND PERFORMANCE BONDS

Subsection 7.1 Construction Surety Bond. Concessionaire shall not allow any liens or encumbrances to be attached to the Leased Premises. Prior to the commencement of any construction or alteration hereunder which exceeds $10,000 in cost, Concessionaire or its contractor shall furnish to County, and without expense to County, a surety bond, issued by a surety company licensed to transact business in the State of Wisconsin and satisfactory to and approved by County with Concessionaire's contractor or contractors as principals, in a sum not less than one hundred percent (100%) of the total cost of the contract or contracts for the construction or alteration of the improvements and facilities mentioned herein. Said bond shall guarantee the prompt payment to all persons supplying labor, materials, provisions, supplies, and equipment used directly or indirectly by said contractor, subcontractor(s), and suppliers in the prosecution of the work provided for in said construction contract and shall protect County from any liability, losses, or damages arising there from.

Subsection 7.2 Security. During the term of this Agreement, the County shall require the Concessionaire to deliver (and thereafter maintain current for the entire term of this Agreement) an instrument of security in a form satisfactory to the County, in its sole discretion, in the amount of twenty-five percent (25%) of Concessionaire's Minimum Annual Guarantee for each year hereunder, in order to secure the performance of all of Concessionaire's obligations under this Agreement, including without limitation, the payment of all the percentages, minimums, fees, charges and costs set out herein. Said security may be in the form of a bond.

SECTION 8 – OPERATION OF LEASED PREMISES: HOURS AND DELIVERIES

Subsection 8.1 Hours of Operation. Concessionaire shall actively operate in the Leased

Premises and shall use a business-like operation therein. The Concessionaire shall be open to serve the public seven (7) days per week and hours of operation shall be such that passengers of flights arriving or departing from the terminal will be accommodated. Minimum counter operations hours are from one-half hour prior to the first scheduled arrival until one-half hour after the actual arrival time of the last flight. In no event shall the hours of operation be curtailed to an extent that the service contemplated under this Agreement shall be diminished. Except as otherwise stated herein, the hours of service shall be determined in light of changing public demands and airline operating schedules. Concessionaire may advise the Airport Director of Concessionaire's analysis of the optimum arrangements, but the final determination shall be made by the Airport Director based on his analysis of necessary service to the public.

Subsection 8.2 Delivery of Goods. Concessionaire shall arrange for the timely delivery of all Motor Vehicles and supplies, at such times, in such locations(s), and by such routes as determined by Airport Director. Concessionaire shall abide by all Transportation Security Administration (TSA) requirements for parking of Motor Vehicles near the CCRF and terminal building.

SECTION 9 – QUALITY AND CHARACTER OF SERVICE

Subsection 9.1 Type of Operation. Concessionaire shall maintain and operate the concession privileges granted hereunder in an orderly, proper, and first-class manner, which, in the sole judgment of Airport Director, does not unduly annoy, disturb, or offend others at the Airport.

Subsection 9.2 Services to the General Public. Concessionaire understands and agrees that its operation at the Airport necessitates the rendering of public services such as giving directions, and generally assisting the public.

Subsection 9.3 Additional Compliance. Concessionaire shall comply with all applicable governmental laws, ordinances, and regulations in the conduct of its operations under this Agreement.

Subsection 9.4 Personnel.

A. General. Concessionaire shall maintain a sufficient number of properly trained personnel to ensure that all customers of Concessionaire receive prompt and courteous service. All such personnel, while on or about the Leased Premises, shall be polite, clean, appropriately attired, and neat in appearance. Clothing will be neat and clean and present a professional appearance. Airport Director shall have the right to object to the demeanor, conduct, and appearance of any employee of Concessionaire, or any of its invitees or those doing business with it, whereupon Concessionaire shall take all steps necessary to remedy the cause of the objection. Concessionaire will ensure that its counter is staffed at all times during the posted hours of operation.

B. Manager. The management, maintenance, and operation of the Leased Premises and the concession conducted thereon shall be at all times during the term hereof under

the supervision and direction of an active, qualified, competent, and experienced manager, who shall at all times be authorized to represent and act for Concessionaire. Concessionaire shall cause such manager to be available during normal business hours, and Concessionaire will at all times during the absence of such manager assign, or cause to be assigned, a qualified subordinate to assume and be directly responsible for the carrying out of his or her duties.

Subsection 9.5 FBO Rentals. Concessionaire understands and agrees that its operation at the Airport shall include providing rental cars and customer service to passengers utilizing the FBO.

A. Within twenty (20) minutes of notification of the arrival of a customer at the FBO with a rental car reservation which the Concessionaire has been aware of for at least eight (8) hours, either through communication from the customer or from the FBO staff, Concessionaire shall either meet its customer at the FBO for pickup or deliver its rental car to the customer at the FBO. This requirement does not apply to arrivals outside of the Concessionaire's required hours of operation per Subsection 8.1.

B. Concessionaire will coordinate with County staff to deliver the vehicle to the FBO prior to the customer's arrival if Concessionaire is unable to pickup their customer or deliver the rental car to their customer within the required timeframe identified in Section 9.5(a) above. FBO staff will provide the customer the keys to the vehicle. Concessionaire shall pay the County Fifteen Dollars ($15), subject to change by the County, for each vehicle dropped off with County staff. FBO staff will not be responsible for the completion of any rental car contract.

C. Concessionaire will coordinate with FBO staff for FBO staff to deliver the Concessionaire's customer to the CCRF if the Concessionaire is unable to pickup the customer or deliver the rental car within the required timeframe identified in Section 9.5(a) above. Concessionaire shall pay the County One Hundred Dollars ($100), subject to change by the County, for each delivery of Concessionaire's customer to the CCRF. This service will be based on the availability of FBO staff.

D. Concessionaire will lease two (2) parking spaces at the FBO for the storage and staging of vehicles for FBO rental car customers. The location of the parking spaces will be assigned by the County.

Subsection 9.6 Operations Violations.
Concessionaire 's failure to adhere to the operating requirements set forth in this Agreement is reasonably anticipated to result in significant inconvenience to the public, adversely affect the overall commercial business of the Airport, and reduce the amount of rent to be paid to County. Additionally, County resources will be expended in dealing with violations of this Agreement by Concessionaire. The parties hereby agree that total damages sustained by to County for violations of the provisions of this Agreement addressing this subject matter could be significant, but would be difficult to determine and to track. Therefore, the parties hereto agree that the liquidated damages amounts, set forth below for violation of Agreement terms addressing the referenced subject matter are reasonable estimates of the loss anticipated to be suffered or incurred by County.

Concessionaire, therefore, hereby agrees that imposition of the liquidated damages set forth below is fair and reasonable and Concessionaire agrees to pay immediately upon demand by to County the following amounts as liquidated damages upon the occurrence of breaches, in any Operations Year, related to operation violations:

- $100 per occurrence - first occurrence
- $200 per occurrence – second occurrence
- $300 per occurrence - third occurrence
- $1,000 per occurrence thereafter

Liquidated damage amounts shall not be imposed unless the violation continues for more than three (3) calendar days after County has given Concessionaire written notice (and this written notice may be in the form of an email) of the violation; provided, however, after County has given Concessionaire notice of the same violation more than twice during any calendar year, the liquidated damage amount may be immediately imposed with no opportunity to cure in order to avoid the sanction.

For hours of operations violations, liquidated damages shall be as follows:

- $100 per hour or portion thereof, during which location is not open - first occurrence
- $200 per hour or portion thereof, during which location is not open - second occurrence
- $300 per hour or portion thereof, during which location is not open - third occurrence
- $1,000 per occurrence thereafter

For violations regarding the minimum hours of operation, the liquidated damages may be incurred immediately and without notice upon violation.

County's failure to impose liquidated damages for any violation of the requirements set forth above shall not waive any right or prohibit County from doing so for subsequent violations. After two (2) violations of the same type in the same calendar year, County reserves the right, at its sole option, not to impose the liquidated damage and instead seek any other remedies available to it for an event of Default, including termination of this Agreement.

SECTION 10 – NON-DISCRIMINATION

Subsection 10.1 General Civil Rights Provisions. In all its activities within the scope of its airport program, the Concessionaire agrees to comply with pertinent statutes, Executive Orders, and such rules as identified in Title VI List of Pertinent Nondiscrimination Acts and Authorities to ensure that no person shall, on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance.

This provision is in addition to that required by Title VI of the Civil Rights Act of 1964.

If the Concessionaire transfers its obligation to another, the transferee is obligated in the same manner as the Concessionaire. The above provision obligates the Concessionaire for the period during which the property is owned, used or possessed by the Concessionaire and the Airport remains obligated to the Federal Aviation Administration.

Subsection 10.2 Compliance with Nondiscrimination Requirements. During the performance of this Agreement, the Concessionaire, for itself, its assignees and successors in interest agrees as follows:

A. Compliance with Regulations: Concessionaire will comply with the Title VI List of Pertinent Nondiscrimination Acts and Authorities, as they may be amended from time to time, which are attached as Exhibit D and which are herein incorporated by reference and made a part of this Agreement.

B. Nondiscrimination: Concessionaire, with regard to the work performed by it during the Agreement, will not discriminate on the grounds of race, color, or national origin in the selection and retention of sub-contractors, including procurements of materials and leases of equipment. Concessionaire will not participate directly or indirectly in the discrimination prohibited by the Nondiscrimination Acts and Authorities, including employment practices when the Agreement covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

C. Solicitations for Subcontracts, including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding or negotiation made by the Concessionaire for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Concessionaire of the Concessionaire's obligations under this Agreement and the Nondiscrimination Acts and Authorities on the grounds of race, color or national origin.

D. Information and Reports: Concessionaire will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the sponsor or the FAA to be pertinent to ascertain compliance with such Nondiscrimination Acts and Authorities and instructions. Where any information required of Concessionaire is in the exclusive possession of another who fails or refuses to furnish the information, the Concessionaire will so certify to the sponsor or the FAA, as appropriate, and will set forth what efforts it has made to obtain the information.

E. Sanctions for Noncompliance: In the event of Concessionaire's noncompliance with the non-discrimination provisions of this Agreement, the County will impose such Agreement sanctions as it or the FAA may determine to be appropriate, including, but not limited to cancelling, terminating, or suspending this Agreement, in whole or in part.

F. Incorporation of Provisions: The Concessionaire will include the provisions of paragraphs 1 through 6 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant thereto. The Concessionaire will take action with respect to any subcontract or procurement as the sponsor or the FAA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Concessionaire becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Concessionaire may request the sponsor to enter into any litigation to protect the interests of the sponsor. In addition, the Concessionaire may request the United States to enter into the litigation to protect the interests of the United States.

Subsection 10.3 Clauses for Construction/Use/Access to Real Property Acquired Under the Activity, Facility or Program. The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by County pursuant to the provisions of the Airport Improvement Program grant assurances.

A. The Concessionaire for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the Concessionaire will use the premises in compliance with all other requirements imposed by or pursuant to the List of discrimination Acts And Authorities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Concessionaire will have the right to terminate the lease and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, County will there upon revert to and vest in and become the absolute property of County and its assigns.

SECTION 11 – IDEMNIFICATION AND INSURANCE

Subsection 11.1 Indemnification. To the fullest extent allowable by law, Concessionaire hereby indemnifies and shall defend and hold harmless, at Concessionaire's expense, County, its elected and appointed officials, committee members, officers, employees or authorized representatives or volunteers, from and against any and all suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, losses, interest, attorney's fees (including in-house counsel legal fees), costs and expenses of whatsoever kind, character or nature whether arising before, during, or after completion of the Agreement hereunder and in any manner directly or indirectly

caused or contributed to in whole or in part, by reason of any act, omission, fault, or negligence, whether active or passive of Concessionaire, or of anyone acting under its direction or control or on its behalf in connection with or incident to the performance of this Agreement, regardless if liability without fault is sought to be imposed on County. Concessionaire's aforesaid indemnity and hold harmless agreement shall not be applicable to any liability caused by the negligent or willful misconduct of County, its elected and appointed officials, officers, employees or authorized representatives or volunteers. Nothing in this Agreement shall be construed as County waiving its statutory limitation and/or immunities as set forth in the applicable Wisconsin Statutes or other applicable law. This indemnity provision shall survive the termination or expiration of this Agreement.

Concessionaire shall reimburse County, its elected and appointed officials, officers, employees or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Concessionaire's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by County, its elected and appointed officials, officers, employees or authorized representatives or volunteers.

Subsection 11.2 Concessionaire to Provide General Liability and Automobile Insurance. Concessionaire shall, at its sole expense, obtain and maintain in effect at all times during this Agreement the following insurance coverage:

A. Commercial General Liability Insurance of not less than $1,000,000 per occurrence for bodily injury, personal injury and property damage;

B. Automobile Insurance of not less than $1,000,000 per occurrence;

C. To the extent that Concessionaire employs any employees or as otherwise required by law, Workers' Compensation and Employers' Liability Insurance with Wisconsin statutory limits.

D. Umbrella or Excess Liability of not less than $5,000,000 from excess of the primary General Liability, Automobile Liability and Employers Liability Coverages.

Subsection 11.3 Concessionaire to Provide Property and Fire. Concessionaire, at its own expense, shall insure all Leasehold Improvements and furnishings, fixtures and equipment for fire, extended coverage, vandalism, and malicious mischief. Such insurance shall be in an amount equal to the full insurable replacement value of such improvements. All property insurance policies shall contain loss payable endorsements in favor of the parties as their respective interests may appear hereunder and shall contain a waiver of subrogation provision in favor of the County. Concessionaire and County agree that any payments received by either from such insuring companies by reason of loss under such policy or policies shall be applied toward repair and reconstruction of said Leasehold Improvements and repair or replacement of leasehold improvements, furnishings, fixtures and equipment.

Subsection 11.4 Both Concessionaire and County to Carry Fire Insurance. It is understood that the County carry insurance in the form of fire, extended coverage, vandalism, and malicious

mischief (hereinafter called "Insurance Coverage") on the leased structural part of the premises, permanent improvements and loss of income, (in the case of County). The Concessionaire will carry Insurance Coverage on Leasehold Improvements, furniture, furnishings, equipment, inventory and loss of income, (in the case of Concessionaire).

Subsection 11.5 Insurance Certificate. A certificate evidencing insurance required by Subsection 11.2 and 11.3, and listing the County of Outagamie as additional insured, shall be filed with County prior to the commencement of construction, furnishing and equipping of Leasehold Improvements by Concessionaire upon the Leased Premises, and such certificate shall provide that such Insurance Coverage will not be canceled or reduced without at least thirty (30) days prior written notice to County. At least ten (10) days prior to the expiration of any such policy, a certificate showing that such Insurance Coverage has been renewed shall be filed with County. If such Insurance Coverage is canceled or reduced, Concessionaire shall within fifteen (15) days after receipt of written notice from County of such cancellation or reduction in coverage, file with County a certificate showing that the required insurance has been reinstated or provided through another insurance company or companies.

Subsection 11.6 Concessionaire Failure to Provide Certificates. In the event that Concessionaire shall at any time fail to furnish County with the certificate or certificates required under this Section, County, upon written notice to Concessionaire of its intention so to do, shall have the right to obtain the required insurance, at the cost and expense of Concessionaire, and Concessionaire agrees to promptly reimburse County for the cost thereof, plus fifteen percent (15%) thereof for administrative overhead.

SECTION 12 – DAMAGE OR DESTRUCTION OF LEASED PREMISES

Subsection 12.1 Partial Damage. If all or a portion of the Leased Premises is partially damaged by fire, explosion, the elements, public enemy, or other casualty, but not rendered untenantable, the same will be repaired with due diligence by County subject to the limitations of Subsection 12.4; provided, however, to the extent that such damage or destruction is not covered by insurance, Concessionaire shall be responsible for reimbursing County for the cost and expenses insured in such repair to the extent that the damage is caused by the negligent act or omission of Concessionaire, its sublessees, agents, or employees.

Subsection 12.2 Extensive Damage. If the damages referred to in Subsection 12.1 shall be so extensive as to render the Leased Premises untenantable, but capable of being repaired in thirty (30) days, the same shall be repaired with due diligence by County subject to the limitations of Subsection 12.4; and the charges payable herein for the MAG and Rent under Section 4.1 shall abate from the time of such damage or destruction until such time as the said Leased Premises are fully restored and certified by County's Engineers as ready for occupancy; provided, however, the said fees and charges will not abate and to the extent that such damage or destruction is not covered by insurance, Concessionaire shall be responsible for reimbursing County for the cost and expenses incurred in such repair to the extent that the damage is caused by the negligent act or omission of Concessionaire, its sublessees, agents, or employees.

Subsection 12.3 Complete Destruction. In the event the Leased Premises are completely

destroyed by fire, explosion, the elements, the public enemy, or other casualty, or so damaged that they are untenantable and cannot be replaced for more than thirty (30) days, County shall undertake the repair, replacement, and reconstruction of said Leased Premises; and charges payable herein for the MAG and Rent under Section 4.1, shall abate as of the time of such damage or destruction until such time as the said Premises are fully restored and certified by County's Airport Director as ready for occupancy; provided, however, the said fees and charges will not abate and to the extent that such damage or destruction is not covered by insurance, Concessionaire shall be responsible for reimbursing County for the costs and expenses incurred in said repair to the extent that the damage is caused by the negligent act or omission of Concessionaire, its sublessees, agents, or employees; provided further, however, if within twelve (12) months after the time of such damage or destruction said Leased Premises shall not have been repaired or reconstructed, Concessionaire may cancel this Agreement in its entirety.

Subsection 12.4 Limits of County's Obligations Defined. It is understood that, in the application of the foregoing Subsections, County's obligations shall be limited to repair or reconstruction of the Leased Premises to the same extent and of equal quality as obtained at the commencement of operations hereunder, subject to funding and appropriation. Redecoration and replacement of furniture, fixtures, equipment, and supplies shall be the responsibility of Concessionaire and any such redecoration and refurnishing/re-equipping shall be of equivalent quality to that originally installed hereunder.

SECTION 13 – CANCELLATION

Subsection 13.1 Cancellation by Concessionaire. Concessionaire may cancel this Agreement and terminate all its obligations hereunder upon or after the happening of one or more of the following events and provided that Concessionaire is not in default in the payment of any fees or charges to County:

A. The abandonment of the Airport as an airline terminal or the removal of all certificated passenger airline service from the Airport for a period of no less than thirty (30) consecutive days.

B. The inability of Concessionaire to use the Airport for a period of longer than ninety (90) days, because of the issuance of any order, rule, or regulation by any competent governmental authority or court having jurisdiction over Concessionaire or County, preventing Concessionaire from operating its business; provided, however, that such inability or such order, rule, or regulation is not primarily due to any fault of Concessionaire.

C. The material breach by County in the performance of any covenant or agreement herein required to be performed by County and the failure of County to remedy such breach for a period of sixty (60) days after receipt from Concessionaire of written notice to remedy the same.

Subsection 13.2 Cancellation by County. County may cancel this Agreement and terminate all of its obligations hereunder at any time that County is not in default, upon or after the happening

of any of the following events:

A. Concessionaire shall file a voluntary petition in bankruptcy; or

B. Proceedings in bankruptcy shall be instituted against Concessionaire and Concessionaire is thereafter adjudicated bankrupt pursuant to such proceedings; or

C. A court shall take jurisdiction of Concessionaire and its assets pursuant to proceedings brought under the provisions of any federal reorganization act; or

D. A receiver of Concessionaire's assets shall be appointed; or

E. Concessionaire voluntarily abandons its conduct of its business at the Airport for a period of thirty (30) days, except if such is due to a labor strike or labor dispute in which Concessionaire is involved; or

F. Any assignment is made by Concessionaire for the benefit of its creditors; or

G. The material breach by Concessionaire of any of the covenants or agreements herein contained and the failure of Concessionaire to remedy such breach as hereinafter provided. In this regard it is understood that nonpayment of fees or charges hereunder is a material breach. In the event of such material breach, County shall give to Concessionaire notice in writing to correct such breach and if such breach shall continue for fifteen (15) days after the receipt of such notice by Concessionaire, County may, after the lapse of said fifteen (15) day period, cancel this Agreement, without forfeiture, waiver, or release of County's rights to any sum of money due or to become due under the provisions of this Agreement.

H. The lawful assumption by the United States Government, or any authorized agency thereof, of the operation, control or use of the Airport and facilities, or any substantial part or parts thereof, in such manner as to substantially restrict Concessionaire, for a period of at least thirty (30) days, from its Airport operation.

Subsection 13.3 Termination. Should an early termination of this Agreement occur pursuant to the terms of Subsection 13.2 hereof, County shall have the right to re-enter the Leased Premises, make repairs as necessary, and enter into another agreement for the Leased Premises and privileges, or any part thereof, for the remainder of the term hereof.

Subsection 13.4 Notice of Termination. If any of the events enumerated in Subsections 13.1 and 13.2 shall occur and after due notice the defaulting party has failed to cure or correct same, the complaining party may, at any time thereafter during the continuance of said default, terminate this Agreement by notice in writing, such cancellation and termination to be effective upon the date specified in such notice.

SECTION 14 – NONWAIVER OF RIGHTS

Continued performance by either party hereto pursuant to the terms of this Agreement after a default of any of the terms, covenants, and conditions herein contained to be performed, kept, or observed by the other party hereto shall not be deemed a waiver of any right to cancel this Agreement for any subsequent default; and no waiver of any such default shall be construed or act as a waiver of any subsequent default.

SECTION 15 – SURRENDER OF POSSESSION

Concessionaire shall, upon termination of this Agreement or cancellation, quit and deliver up the Leased Premises and privileges to County peaceably and quietly, with the Leased Premises being in as good order and condition as the same now are or may be hereafter improved by Concessionaire or County, reasonable use and wear thereof excepted. In addition to any lien provided by Wisconsin law, County shall have a specific lien on all property of Concessionaire, and related equipment on the Leased Premises as security for nonpayment. Concessionaire shall have the right to remove all of its trade fixtures and equipment installed or placed by it at its own expense, in, on or about the Premises; subject however, to any valid lien which County may have thereon for unpaid charges or fees.

SECTION 16 – TAXES AND LICENSES

Concessionaire shall obtain and pay for all licenses or permits necessary or required by law for the construction of improvements, the installation of equipment and furnishings, and any other licenses necessary for the conduct of its operations hereunder.

SECTION 17 – INSPECTION OF PREMISES

County or its duly authorized representatives, or agents, and other persons for it, may enter upon said Leased Premises at any and all reasonable times during the term of this Agreement for the purpose and conditions hereof or for any other purpose incidental to rights of County.

SECTION 18 – HOLDING OVER

Should Concessionaire holdover said Leased Premises after this Agreement has terminated in any manner, Concessionaire shall continue such holding over only at sufferance to County. In the event of such holding over, County shall be entitled to collect from Concessionaire, 1.10 times the amount of Year Five's minimum annual guarantee. All other terms and conditions in such holdover shall be the same as herein provided.

SECTION 19 – QUIET ENJOYMENT

County agrees that Concessionaire, upon payment of the fees and charges and all other payments to be paid by Concessionaire under the terms of this Agreement, and upon observing and keeping

the agreements and covenants of this Agreement on the part of Concessionaire to be observed and kept, shall lawfully and quietly hold, occupy, and enjoy the Leased Premises during the term of this Agreement.

SECTION 20 – NO LIENS

Concessionaire shall pay for all labor done or materials furnished in the repair, replacement, development, or improvement of the Premises by Concessionaire, and shall keep said Leased Premises and Concessionaire's possessory interest therein free and clear of any lien or encumbrance of any kind whatsoever created by Concessionaire's act or omission.

SECTION 21 – SECURITY AGREEMENTS

County shall provide, or cause to be provided, during the term of this Agreement, all proper and appropriate public fire and police protection similar to that afforded to other Landside tenants or licensees at the Airport, and it will issue and enforce rules and regulations with respect thereto for all portions of the Airport. Concessionaire shall comply with the Airport Security Plan and shall have the right, but shall not be obligated, to provide such additional or supplemental public protection as it may desire, but such right, whether or not exercised by Concessionaire, shall not in any way be construed to limit or reduce the obligations of County hereunder.

SECTION 22 – AGREEMENT SUBORDINATE TO AGREEMENTS WITH THE UNITED STATES

This Agreement is subject and subordinate to the terms, reservations, restrictions, and conditions of any existing or future agreements between the County and the United States, the execution of which has been or may be required as a condition precedent to the transfer of federal rights or property to the County for Airport purposes, and the expenditure of federal funds for the extension, expansion, or development of the Appleton International Airport. Should the effect of such Agreement with the United States government be to take any of the property under lease or substantially destroy the commercial value of such improvements, County shall terminate this Agreement.

SECTION 23 – RIGHTS AND PRIVILEGES OF COUNTY

A. County shall have the right to enforce, and adopt from time to time, reasonable rules and regulations, which Concessionaire agrees to observe and obey, with respect to the use of the Airport, Airport terminal building, CCRF and appurtenances, provided that such rules and regulations shall not be inconsistent with safety, current rules and regulations of the FAA, and any future changes prescribed from time to time by the FAA.

B. County's Airport Director and/or the Corporation Counsel are hereby designated as its

official representative for the enforcement of all provisions in this Agreement with full power to represent County with dealings with Concessionaire in connection with the rights herein granted.

C. County reserves the right to further plan, develop, improve, remodel and/or reconfigure the Airport, including the Leased Premises and existing vehicle and pedestrian traffic patterns, as the County deems appropriate, regardless of the desires or views of Concessionaire, and without interference or hindrance.

D. During the time of war or National Emergency, County shall have the right to lease the landing area of the Airport, or any part of Appleton International Airport, thereof, to the United States Government for military or national use, and if any lease is executed, the provisions of this instrument insofar as they are inconsistent with the provision of the lease to the Government, shall be suspended.

E. County hereby reserves for the use and benefit of the public, the right of aircraft to fly in the airspace overlying the land herein leased, together with the right of said aircraft to cause such noise as may be inherent in the operation of aircraft landing at, taking off from, or operating on or in the vicinity of Appleton International Airport, and the right to pursue all operations of the Appleton International Airport.

F. County reserves the right to take any action it considers necessary to protect the aerial approaches of the Airport against obstruction, together with the right to prevent Concessionaire from erecting, or permitting to be erected, any building or other structure on the Airport, which, in the opinion of the County, would limit the usefulness of the Airport, or constitute a hazard to aircraft.

G. County may from time to time increase the size or capacity of any such public aircraft facilities or passenger terminal building or common use portion of the Airport or make alterations thereto or reconstruct or relocate them or modify the design and type of construction thereof or close them or any portions of them, either temporarily or permanently, provided notice is given to Concessionaire.

H. This Agreement at any time may be reopened for renegotiation if Federal Aviation Administration (FAA) Airport Certification or Security Requirements, FAR Part 139 and CFR 1542 respectively, result in major expenditures to County due to Concessionaire's tenancy on the Appleton International Airport. If said renegotiation is desired, written notice must be given to Concessionaire sixty (60) days prior to such renegotiations.

SECTION 24 – ACCESS CONTROL

A. Concessionaire shall upon termination of this agreement return all issued keys to County. If all issued keys are not returned to County at the termination of this Agreement Concessionaire shall pay to County cost to re-core premises locks and cut new keys at the rate set at the time of such re-core.

B. Concessionaire is responsible for all keys issued to employees of Concessionaire. If a key is lost, Concessionaire shall immediately notify County and shall pay to County cost to re-core premises locks and cut new keys at the rate set at the time of such re-core.

C. Concessionaire is ultimately responsible for all access media issued to Concessionaire employees including all fees levied for failure to return said access media.

SECTION 25 – NO PERSONAL LIABILITY

Under no circumstances shall any trustee, officer, official, commissioner, Director, member, partner or employee of County have any personal liability arising out of this Agreement, and Concessionaire shall not seek or claim any such personal liability.

SECTION 26 – GOVERNING LAW

This Agreement and all questions and issues arising in connection herewith shall be governed by and construed in accordance with the laws of the State of Wisconsin. Venue for any action arising out of or in any way related to this Agreement shall be exclusively in Outagamie County, Wisconsin. Each party waives its right to challenge venue.

SECTION 27 – JURY TRIAL WAIVER

The parties hereby waive their respective rights to a jury trial on any claim or cause of action based upon or arising from or otherwise related to this Agreement. This waiver of right to trial by jury is given knowingly and voluntarily by the parties and is intended to encompass individually each instance and each issue as to which the right to a trial by jury would otherwise accrue. Each party is hereby authorized to file a copy of this section in any proceeding as conclusive evidence of this waiver by the other party.

SECTION 28 – NOTIFICATION

Concessionaire shall:

A. As soon as possible and in any event within a reasonable period of time after the occurrence of any default, notify County in writing of such default and set forth the details thereof and the action which is being taken or proposed to be taken by Concessionaire with respect thereto.

B. Promptly notify County of the commencement of any litigation or administrative

proceeding that would cause any representation and warranty of Concessionaire contained in this Agreement to be untrue.

C. Notify County, and provide copies, immediately, upon receipt, of any notice, pleading, citation, indictment, complaint, order or decree from any federal, state or local government agency or regulatory body, asserting or alleging a circumstance or condition that requires or may require a financial contribution by Concessionaire or any guarantor or an investigation, clean-up, removal, remedial action or other response by or on the part of Concessionaire or any guarantor under any environmental laws, rules, regulations, ordinances or which seeks damages or civil, criminal or punitive penalties from or against Concessionaire or any guarantor for an alleged violation of any environmental laws, rules, regulations or ordinances.

SECTION 29 – SEVERABILITY

The provisions of this Agreement are severable. If any provision or part of this Agreement or the application thereof to any person or circumstance shall be held by a court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provision or part thereof to other persons or circumstances shall not be affected thereby.

SECTION 30 – ASSIGNMENT, SUBLET, AND TRANSFER

Concessionaire shall not assign, sublet, or transfer its interests or obligations under the provisions of this Agreement without the prior written consent of County. This Agreement shall be binding on the heirs, successors, and assigns of each party hereto. Concessionaire shall provide not less than forty-five (45) days advance written notice of any intended assignment, sublet or transfer.

SECTION 31 – NO WAIVER

The failure of any party to insist, in any one or more instance, upon performance of any of the terms, covenants, or conditions of this Agreement shall not be construed as a waiver, or relinquishment of the future performance of any such term, covenant, or condition by any other party hereto but the obligation of such other party with respect to such future performance shall continue in full force and effect.

SECTION 32 – CONFLICTS OF INTEREST

Concessionaire covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. Concessionaire further covenants that in the performance of this Agreement no person having any conflicting interest shall be employed. Any interest on the part of

Concessionaire or its employee must be disclosed to County.

SECTION 33 – ENTIRE AND SUPERSEDING AGREEMENT

This writing, all Exhibits hereto, and the other documents and agreements referenced herein, constitute the entire Agreement between the parties with respect to the subject matter hereof, and all prior agreements, correspondences, discussions and understandings of the parties (whether written or oral) are merged herein and made a part hereof. This Agreement, however, shall be deemed and read to include and incorporate such minutes, approvals, plans, and specifications, as referenced in this Agreement, and in the event of a conflict between this Agreement and any action of County, granting approvals or conditions attendant with such approval, the specific action of County shall be deemed controlling.

SECTION 34 – AMENDMENT

This Agreement shall be amended only by formal written supplementary amendment. No oral amendment of this Agreement shall be given any effect. All amendments to this Agreement shall be in writing executed by both parties.

SECTION 35 – TIME COMPUTATION

Any period of time described in this Agreement by reference to a number of days includes Saturdays, Sundays, and any state or national holidays. Any period of time described in this Agreement by reference to a number of business days does not include Saturdays, Sundays or any state or national holidays. If the date or last date to perform any act or to give any notices is a Saturday, Sunday or state or national holiday, that act or notice may be timely performed or given on the next succeeding day which is not a Saturday, Sunday or state or national holiday.

SECTION 36 – NOTICES

NOTICES. Any notice, demand, certificate or other communication under this Agreement shall be given in writing and deemed effective: a) when personally delivered; b) three (3) days after deposit within the United States Postal Service, postage prepaid, certified, return receipt requested; or c) one (1) business day after deposit with a nationally recognized overnight courier service, addressed by name and to the party or person intended as follows:

To the County: Appleton International Airport
Attn: Airport Director
W6390 Challenger Drive, Suite 201
Appleton, WI 54914

Copy to: Attn. County Attorney
County of Outagamie
320 S. Walnut Street
Appleton, WI 54911

To the Concessionaire: _____

SECTION 37 – PUBLIC RECORD LAW

Concessionaire understands and acknowledges that County is subject to the Public Records Law of the State of Wisconsin. As such, Concessionaire agrees to retain all records as defined by Wisconsin Statute § 19.32(2) applicable to this Agreement for a period of not less than seven (7) years after the termination or expiration of this Agreement. Concessionaire agrees to assist County in complying with any public records request that County receives pertaining to this Agreement. Additionally, Concessionaire agrees to indemnify and hold harmless County, its elected and appointed officials, officers, employees, and authorized representatives for any liability, including without limitation, attorney fees related to or in any way arising from Concessionaire's actions or omissions which contribute to County's inability to comply with the Public Records Law. In the event that Concessionaire decides not to retain its records for a period of seven (7) years, then it shall provide written notice to County whereupon County shall take custody of said records assuming such records are not already maintained by County. This provision shall survive the termination of this Agreement.

SECTION 38 – CONSTRUCTION

This Agreement shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument to be drafted. This Agreement shall be deemed to have been drafted by the parties of equal bargaining strength. The captions appearing at the first of each numbered section of this Agreement are inserted and included solely for convenience but shall never be considered or given any effect in construing this Agreement with the duties, obligations, or liabilities of the respective parties hereto or in ascertaining intent, if any questions of intent should arise. All terms and words used in this Agreement, whether singular or plural and regardless of the gender thereof, shall be deemed to include any other number and any other gender as the context may require.

SECTION 39 – NO THIRD PARTY BENEFICIARY

Nothing contained in this Agreement, nor the performance of the parties hereunder, is intended to benefit, nor shall inure to the benefit of, any third party.

SECTION 40 – COMPLIANCE WITH LAW

The parties shall comply in all material respects with any and all applicable federal, state and local laws, regulations and ordinances.

SECTION 41 – FORCE MAJEURE

County shall not be responsible to Concessionaire and Concessionaire shall not be responsible to County for any resulting losses and it shall not be a default hereunder if the fulfillment of any of the terms of this Agreement is delayed or prevented by revolutions or other civil disorders, wars, acts of enemies, strikes, fires, floods, acts of God, adverse weather conditions, legally required environmental remedial actions, industry-wide shortage of materials, or by any other cause not within the control of the party whose performance was interfered with, and which exercise of reasonable diligence, such party is unable to prevent, whether of the class of causes hereinabove enumerated or not, and the time for performance shall be extended by the period of delay occasioned by any such cause.

SECTION 42 – GOOD STANDING

Concessionaire affirms that it is a company duly formed and validly existing and in good standing under the laws of the State of Wisconsin and has the power and all necessary licenses, permits and franchises to own its assets and properties and to carry on its business. Concessionaire is duly licensed or qualified to do business and is in good standing in the State of Wisconsin and in all other jurisdictions in which failure to do so would have a material adverse effect on its business or financial condition.

SECTION 43 – INDEPENDENT CONTRACTORS

The parties, their employees, agents, volunteers, and representative shall be deemed independent contractors of each other and shall in no way be deemed as a result of this Agreement to be employees of the other. The parties, their employees, agents, volunteers, and representatives are not entitled to any of the benefits that the other provides for its employees. The parties shall not be considered joint agents, joint venturers, or partners.

SECTION 44 – GOVERNMENTAL APPROVALS

Concessionaire acknowledges that various of the specific undertakings of County described in this Agreement may require approvals from the Outagamie County Board of Supervisors and/or other public bodies, some of which may require public hearings and other legal proceedings as conditions precedent thereto. Concessionaire further acknowledges that this Agreement is subject to appropriation by the Outagamie County Board of Supervisors. County's obligation to perform under this Agreement is conditioned upon obtaining all such approvals in the manner required by law. County cannot assure that all such approvals will be obtained, however, it agrees to use good faith efforts to obtain such approvals on a timely basis.

SECTION 45 – AUTHORITY

The persons signing this Agreement warrant that they have the authority to sign as, or on behalf of, the party for whom they are signing.

SECTION 46 – COUNTERPARTS

This Agreement may be executed in one or more counterparts, all of which shall be considered but one and the same agreements and shall become effective when one or more counterparts have been signed by each of the parties and delivered to the other party.

SECTION 47 – SURVIVAL

All express representations, indemnifications and limitations of liability included in this Agreement will survive its completion or termination for any reason.

SECTION 48 – MORE FAVORABLE TERMS

In the event the County shall enter into any lease or agreement with any other rental car operator within the CCRF, that agreement will not contain more favorable terms than this Agreement, unless the same rights, privileges, and more favorable terms are concurrently made available to Concessionaire.

IN WITNESS WHEREOF, the parties or their duly authorized representatives have signed the Rental Car Concession Agreement the day and year first written above.

CONCESSIONAIRE:

By: _____

Title: _____

Date: _____

COUNTY OF OUTAGAMIE:

By: _____

Title: County Executive

Date: _____

Approved as to Form:

By: _____
Board Chairperson

By: _____
Corporation Counsel

By: _____
County Clerk

EXHIBIT A1 – CCRF COUNTER/OFFICE/QUEUING AREAS



EXHIBIT A2 – READY/RETURN BLOCKS

EXHIBIT B – MONTHLY REPORTING FORM

APPLETON INTERNATIONAL AIRPORT
RENTAL CAR MONTHLY REPORT OF GROSS REVENUES

FOR THE MONTH OF _____

CONCESSIONAIRE _____

Gross Revenue:	
Time and Mileage	$
Fuel	$
Insurance	$
Ancillary Charges (GPS, Car Seats, Etc)	$
Airport Recoup Fee	$
Miscellaneous	$
Less: Refunds, Discounts, Coupons, Other credits	$
Subtotal	$
Privilege Fee Due - 10%	$
Less: Monthly Guarantee paid 1st of month:	$
Privilege Fee Balance Due (1)	$
Total Number of Rental Contracts	
Total Number of Rental Days	
CFC Due (2)	$
Amount Due with this Report (1) + (2)	$

Concessionaire Official Signing and Certifying accuracy of information on this report:

Signature _____

Typed Name & Title _____

Date Signed _____

Phone Number: _____

Email Address: _____

REMIT THIS FORM AND PAYMENT TO: OUTAGAMIE COUNTY TREASURER
320 SOUTH WALNUT STREET
APPLETON, WI 54911

39

EXHIBIT C – ACDBE REPORTING FORMS

EXHIBIT D – TITLE VI LIST OF PERTINENT NONDISCRIMINATION ACTS AND AUTHORITIES

During the performance of this Agreement, the Concessionaire, for itself, its assignees, and successors in interest (hereinafter referred to as the "Concessionaire") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);

- 49 CFR part 21 (Non-discrimination in Federally-assisted programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964);

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 USC § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);

- Section 504 of the Rehabilitation Act of 1973 (29 USC § 794 et seq.), as amended (prohibits discrimination on the basis of disability); and 49 CFR part 27;

- The Age Discrimination Act of 1975, as amended (42 USC § 6101 et seq.) (prohibits discrimination on the basis of age);

- Airport and Airway Improvement Act of 1982 (49 USC § 471, Section 47123), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);

- The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 USC §§ 12131 – 12189) as implemented by U.S. Department of Transportation regulations at 49 CFR parts 37 and 38;

- The Federal Aviation Administration's Nondiscrimination statute (49 USC § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 USC 1681 et seq).

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 75—2023-24 – Public Safety Committee. Approve the Emergency Management Department to accept and expend the Hazardous Materials Emergency Preparedness (HMEP) Grant for $8,200, to offer specialized training opportunities, as noted on the attachments, and to increase the line items of EM Grants Intergovernmental Revenues and the EM Grants Purchased Services by $8,200 each, as detailed on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Lamers, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 75—2023-24 IS ADOPTED.



VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 75—2023-24

Public Safety Committee. Approve the Emergency Management Department to accept and expend the Hazar Grant for $8,200, to offer specialized training opportunities, as noted on the attachments, and to increase the line items of EM Grants Intergovernmental Revenues and the EM Grants Purchased Services by $8,200 each, as detailed on the attached fiscal note.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:20:51 PM OpenMeeting

December 12, 2023 County Board Meeting

RESOLUTION NO.: 75—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Emergency Management Department has been awarded a Hazardous Materials Emergency Preparedness (HMEP) Grant in the amount of $8,200. The Department will use the funds to bring two specialized training opportunities to the County. "Training the Hazmat Community" will teach students chemical and physical properties related to good air monitoring, along with training on meters and detection equipment. "Risk-Based Response to Battery Emergencies" will focus on transportation related incidents. The grant will be a pass-through with the City of Appleton. The budget adjustment requested is to increase Purchased Services and Intergovernmental Revenue by $8,200 each. No additional county levy is required at this time.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Emergency Management Department to accept and expend the Hazardous Materials Emergency Preparedness (HMEP) Grant in the amount of $8,200 in order to offer specialized training opportunities as noted on the attached Wisconsin Emergency Management Hazardous Materials Emergency Preparedness (HMEP) Grant Summary Sheet and attachments, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the EM Grants Intergovernmental Revenues line item and the EM Grants Purchased Services line item by $8,200 each as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Emergency Management Director and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Katrin Patience

Christine Lamers

Christine Lamers

Michael Smith

Michael Smith

Timothy Hermes

Timothy Hermes

Chad Cooke

Chad Cooke

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

Kelly M. Gust, Deputy Clerk
County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____
County Executive

WISCONSIN EMERGENCY MANAGEMENT
Hazardous Materials Emergency Preparedness (HMEP)
Grant Summary Sheet

Grantee or Unit of Government: **Outagamie County**

Project Name: **Hazardous Materials Emergency Preparedness/HMEP Core & Specialized HazMat Training FFY2023**

Address: **Outagamie County Emergency Management, 320 South Walnut Street, Appleton, Wisconsin 54911-5918**

Project Director: **Chrissi Lowery**

Phone number: **920-832-5148**

Signing Official: **Jeff Nooyen, County Board Chair, Outagamie County, 410 South Walnut Street, Appleton, Wisconsin 54911**

Amount of Award: **$8,200**

SUMMARY OF GRANT:

Outagamie County will use funds from this Grant to bring 2 training opportunities to the area. The first opportunity, "Training the Hazmat Community", provides specialized training for Outagamie County area responders. The students will learn how chemical and physical properties relate to good monitoring techniques, use research databases to identify hazards and predict chemical effects, and will have a good understanding of meters and detection equipment. The second opportunity is an 8 hour Risk-Based Response to Battery Emergencies with a focus on transportation related incidents. This training will provide our hazmat responders the opportunity to learn more about battery trends, construction and hazards for both primary and secondary batteries.

Name of Program Manager: **Anita Smith**

Phone number: **715-635-2498**

STATE OF WISCONSIN

DEPARTMENT OF MILITARY AFFAIRS

DIVISION OF EMERGENCY MANAGEMENT

Greg Engle
Administrator

Tony Evers
Governor

October 6, 2023

Chrissi Lowery, EM Specialist
Outagamie County Emergency Management
320 South Walnut Street
Appleton, WI 54911-5918

RE: Hazardous Materials Emergency Preparedness/HMEP Core & Specialized HazMat Training FFY2023
WEM Grant Number: 2023-HMEP-FED-01-13357

Dear Chrissi Lowery:

Congratulations! I have approved a grant award to Outagamie County in the amount of $8,200. These funds are from WEM's Hazardous Materials Emergency Preparedness Program available through the State of Wisconsin. This grant supports the Outagamie County Hazardous Materials Emergency Preparedness/HMEP Core & Specialized HazMat Training FFY2023 project.

To accept this award, have the authorized official initial the bottom right corner of Attachments A and B, and sign the *Signatory Page, Certified Assurances, and OMB Standard Form 424B* (Attachment C). The Project Director should sign the *Acknowledgement Notice*. Once signed, return to WEM via email at Anita.Smith@widma.gov and keep a copy for your records. Funds cannot be released until all signed documents are received by WEM.

As Project Director, you will be responsible for all reporting requirements outlined in the grant award and seeing that funds are administered according to the approved application materials and certifications enclosed. We look forward to a collaborative working relationship with you.

Sincerely,

Greg Engle, Administrator
Wisconsin Emergency Management

2400 Wright St. PO Box 7865 Madison, WI 53707-7865 24 Hour Emergency HotLine 1-800-943-0003

STATE OF WISCONSIN

DEPARTMENT OF MILITARY AFFAIRS

DIVISION OF EMERGENCY MANAGEMENT

Greg Engle
Administrator

Tony Evers
Governor

FFY23 Hazardous Materials Emergency Preparedness Grant Award for SFY24
Hazardous Materials Emergency Preparedness/HMEP Core & Specialized HazMat Training FFY2023
2023-HMEP-FED-01-13357

Wisconsin Emergency Management (WEM), hereby awards to **Outagamie County**, (hereinafter referred to as the **Grantee**), the amount of **$8,200** for programs or projects pursuant to the federal Hazardous Materials Emergency Preparedness Grant Program.

This grant may be used until **March 31, 2024** for the programs consistent with the budget and general conditions in Attachment A, subject to any limitations or conditions set forth in Attachments B and/or C, if included.

The Grantee shall administer the programs or projects for which this grant is awarded in accordance with the applicable rules, regulations, and conditions of WEM. The submitted application is hereby incorporated by reference into this award.

This grant shall become effective, and funds may be obligated (unless otherwise specified in Attachments A and/or B) when the Grantee signs and returns one copy of this grant award to Wisconsin Emergency Management.

BY: _____ Date: 10/6/2023

Greg Engle
Administrator
Wisconsin Emergency Management

The Grantee, **Outagamie County**, hereby signifies its acceptance of the above-described grant on the terms and conditions set forth above or incorporated by reference therein.

GRANTEE: **Outagamie County**

BY: _____ Date: _____

NAME: **Jeff Nooyen**

TITLE: **County Board Chair**

WISCONSIN EMERGENCY MANAGEMENT
ATTACHMENT A

APPROVED FFY23 HMEP GRANT PROGRAM BUDGET FOR SFY24

Grantee: **Outagamie County**

Project Title: **Hazardous Materials Emergency Preparedness/HMEP Core & Specialized HazMat Training FFY2023**

Grant Period: From **October 1, 2023** To **March 31, 2024**

Grant Number: **2023-HMEP-FED-01-13357** Authorized Listing No. (ALN): **20.703** *(Single Audit number)*

APPROVED BUDGET

		Federal & Match
Personnel		
Employee Benefits		
Travel (Including Training)		
Equipment		
Supplies & Operating Expenses		
Consultants		$8,200.00
Other		
FEDERAL/STATE TOTAL	$8,200.00	
LOCAL CASH MATCH		
TOTAL APPROVED BUDGET	**$8,200.00**	**$8,200.00**

AWARD GENERAL CONDITIONS

1. Federal funds cannot be used to supplant local funds. They must increase the amount of funds that would otherwise be available from local resources. Award recipients may be required to demonstrate and document that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

2. Any changes to the grant require prior approval from WEM through a modification submitted and approved in Egrants. Changes requiring a modification may include but are not limited to Budget, Scope of Project, Period of Performance, Project Director, Fiscal Manager, and/or Performance Measures.

3. Recipients and subrecipients shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in the Procurement Standards Sections of 2 CFR § 200.318-326.

4. Grant funds will be disbursed by WEM upon completion of approved Program Report(s), Fiscal Report(s), and satisfaction of Special Conditions. The Fiscal Report is considered your Request for Reimbursement and must include copies of detailed/itemized vendor invoices, necessary supporting documentation which may include proof of payment and a Reimbursement Request form generated from Egrants and signed by your agency's Project Director and Fiscal Contact as approved in Egrants.

5. To be allowable under a grant program, costs must match the sub-grant's approved budget. In addition, all expenses must be obligated (purchase order issued or class scheduled) and activity completed (class complete and supplies/equipment received) during the grant performance period. All expenses must be paid prior to requesting reimbursement in Egrants, and final reimbursement must be requested within 30 days of the grant period end date. Reimbursement for travel (i.e., mileage, meals, and lodging) is limited to applicable state rates and timeframes.

6. All income generated as a direct result of a grant-funded project shall be deemed program income. Program income must be used for the purpose and under the conditions applicable to the award. Program income should be used as earned and expended as soon as possible. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income. All program income must be reported to WEM on the Reimbursement Request Form.

7. All allocations and use of funds under this grant shall be in accordance with the Hazardous Materials Emergency Preparedness (HMEP) Grant Program Expenditures and Activities Guide located at https://www.phmsa.dot.gov/grants/hazmat/hmep-expenditures-guide-pdf.

Signing official initials _____

WISCONSIN EMERGENCY MANAGEMENT
ATTACHMENT B

Award Special Conditions

1. **Position Description/Contract**
   If funds are used to hire an independent consultant or contractor, submit a copy of the contract detailing job specifications and deliverables. If funds are used to hire personnel, submit the position description. Upload the document into the Project Document Attachment section when completing the first quarterly program report.

2. **Minimum Enrollment**
   Minimum class enrollment is 15 persons with a breakdown by discipline (minimally Emergency Management, EMS, Fire Service, Law Enforcement, or Other). Any exceptions may be considered on a case-by-case basis and must be approved prior to the start of training session. Indicate the number of persons trained by discipline in the Service Information report section.

3. **Roster**
   A class roster is required for each course funded under this award. Upload the document into the Attachments section in the Egrants program report.

4. **Evaluations**
   Class Evaluation forms or a summary of the Evaluation Forms (by personnel other than instructors) is required. Upload the documents into the Attachments section in the Egrants program report.

Signing official initials _____

WISCONSIN DEPARTMENT OF MILITARY AFFAIRS
ATTACHMENT C

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), which prohibits discrimination on the basis of sex;

(c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

Previous Edition Usable **Authorized for Local Reproduction** **Standard Form 424B (Rev. 7-97) Prescribed by OMB Circular A-102**

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.	12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.	13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).	14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance. 15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance. 16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead- based paint in construction or rehabilitation of residence structures. 17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations. 18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Previous Edition Usable **Standard Form 424B (Rev. 7-97)**
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SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE **County Board Chair**
APPLICANT ORGANIZATION **Outagamie County Emergency Management**	DATE SUBMITTED

ACKNOWLEDGEMENT NOTICE

Date: October 04, 2023

Grantee: **Outagamie County** Grant No. **2023-HMEP-FED-01-13357**

Project Title: **Hazardous Materials Emergency Preparedness/HMEP Core & Specialized HazMat Training FFY2023**

The following regulations and obligations (referenced below) apply to your grant award.

☒ **PROGRESS REPORTS** must be submitted on a scheduled basis into the Egrants system. Narrative reports on the status of your project are due on:

01/12/2024 **4/30/2024 Final**

☒ **FINANCIAL REPORTS (Reimbursement Requests)** must be submitted quarterly. When requesting reimbursement required attachments include itemized receipts/invoices, supporting documentation and a signed Reimbursement Request Form. An Egrants Job Aid for submitting a Fiscal Report is available on WEM's website https://wem.wi.gov/admin-tools/

01/12/2024 **4/30/2024 Final**

PROGRESS REPORTS & FINANCIAL REPORTS NOTE:
Quarterly Reports due 04/12 include January, February and March program activity.
Quarterly Reports due 07/12 include April, May and June program activity.
Quarterly Reports due 10/12 include July, August and September program activity.
Quarterly Reports due 01/12 include October, November and December program activity

Reimbursements and grant modifications will be held if there are late program reports.

☐ **INVENTORY REPORT** should reflect final inventory in your records. All equipment purchases must be received, paid for, installed, and deployed before submitting report. Report is due in Egrants on or before:

☐ Complete and return a W-9 *Taxpayer Identification Number Verification Form* (enclosed).

☐ OTHER:

ACKNOWLEDGEMENT

The materials referenced above were received and reviewed by the appropriate members of this organization. I also acknowledge receipt of the Grant Award and any attached Special Conditions. I understand that this grant is awarded subject to our compliance with all Conditions, Regulations, and Obligations described in the above materials.

Date Chrissi Lowery , Project Director

Agreement Articles for Federal Fiscal Year 2023 HMEP Awards

Article I. Summary Description of Award

The Hazardous Materials Transportation Safety and Security Reauthorization Act of 2005 authorizes the U.S. Department of Transportation (DOT) to provide assistance to public sector employees through training and planning grants to States, Territories, and Native American tribes for emergency response. The purpose of this grant program is to increase State, Territorial, Tribal, and local effectiveness in safely and efficiently handling hazardous materials accidents and incidents, enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), and encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations. This grant consists of Hazardous Materials Emergency Preparedness (HMEP) funds from the Pipeline and Hazardous Materials Safety Administration (PHMSA) under **Federal Award Identification Number (FAIN) 693JK32240051HMEP.**

Article II. Assurances for Non-Construction Programs

Recipients must complete Office of Management and Budget (OMB) Standard Form 424B (Assurances- Non-Construction Programs), included herein as Attachment C.

Article III. Uniform Administrative Requirements and Cost Principles for Federal Awards

The administration of this award will be based on the following Federal statutory and regulatory requirements:

(a) The authorizing language of 49 U.S.C. 5116 *et seq.*
(b) The regulations outlined at 49 CFR Part 110.
(c) 2 CFR Part 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
(d) Any other applicable Federal statutes and regulations.

Article IV. Audit Requirements for Federal Awards

As required by 2 CFR § 200.51 Audit Requirements, recipients that expend $750,000 or more in Federal awards, during the non-federal entity's fiscal year, must have a single or program-specific audit conducted for that year in accordance with the provisions of the regulation. Recipients are expected to review and fully comply with the audit requirements formerly located in OMB Circular A-133 and now located at 2 CFR Part 200, Subpart F.

Article V. Allowable Costs

The allowability of costs incurred by the recipient is determined using the cost principles in 2 CFR Part 200, Subpart E, and HMEP-specific program requirements.

Article VI. Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 for information and guidance.

Article VII. Record retention and access to records

Grant-related financial and programmatic records, supporting documents, statistical records, and other records must be maintained as provided in 2 CFR § 200.333 Retention Requirements for Records and 2 CFR § 200.336 Access to Records. DOT, PHMSA, and DMA/WEM, through its staff or authorized representatives, may conduct desk reviews and site visits, at reasonable times, to review project accomplishments, management control systems and provide guidance as may be requested or required. The recipient is required to provide, electronically or via postal service, all requested records. All reviews will be performed in a manner to not unduly delay work activity under the award.

Article VIII. Restrictions on Use of Funds for Lobbying, Support of Litigation, or Direct Advocacy

The Recipient and its contractors may not use grant funds for lobbying in direct support of litigation, or in direct advocacy for, or against, a pipeline construction or expansion project. The Recipient and its contractors may not conduct political lobbying, as defined in the statutes, regulations, and 2 CFR 200.450 – "Lobbying," within the Federally-supported project. The Recipient and its contractors may not use Federal funds for lobbying specifically to obtain grants and cooperative agreements. The Recipient and its contractors must comply with 49 CFR 20, U.S. Department of Transportation "New Restrictions on Lobbying." 49 CFR 20 is incorporated by reference into this award.

Article IX. Nondiscrimination

The Recipient must comply with Title VI of the Civil Right Act of 1964, which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, be subject to

discrimination under any program or activity receiving Federal financial assistance. The Recipient must comply with 49 CFR 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964". 49 CFR 21 is incorporated by reference into this award.

Article X. Government-wide Debarment and Suspension (Non-procurement)

In accordance with 2 CFR § 200.212, all recipients must comply with Executive Orders 12549 and 12689, and 2 CFR Part 180 as supplemented by 2 CFR Part 1200, which provide protection against waste, fraud and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal Government

Article XI. Drug-Free Workplace

The Recipient must comply with the provisions of Public Law 100-690, Title V, Subtitle D, "Drug-Free Workplace Act of 1988," which require the Recipient to take steps to provide a drug-free workplace. The Recipient must comply with 49 CFR 32, "Government-wide Requirements for Drug Free Workplace (Financial Assistance)" which is incorporated by reference into this award.

Article XII. Contracting with Small Businesses, Small Minority-Disadvantaged Businesses, and Small Businesses which are Women-Owned, Veteran-Owned, Disabled Veteran-Owned or located in HubZone Areas

In keeping with 2 CFR § 200.321, recipients are encouraged to take all necessary affirmative steps to assure that small, minority-owned, women-owned, veteran-owned, and HubZone business firms are used when possible. It is the Department of Transportation (DOT) policy to award a fair share of contracts to small businesses, small minority-disadvantaged business, and small businesses which are women-owned, veteran-owned, disabled veteran-owned or located in a HubZone. DOT is strongly committed to the objectives of this policy and encourages all Recipients of its Grants and Cooperative Agreements to take affirmative steps to ensure such fairness on the awarding of any subcontracts.

(a) The Recipient and any Sub-recipients are encouraged to take all necessary affirmative steps to assure that small businesses, small minority-disadvantaged businesses, and small businesses which are women-owned, veteran-owned, disabled veteran-owned, or located in a HUBZone are used when possible.

(b) Affirmative steps include:

(i) Placing qualified small businesses, small minority-disadvantaged businesses, and small businesses which are women owned, veteran-owned, disabled veteran-owned, or located in a HUBZone on solicitation lists;

(ii) Assuring that small businesses, small minority-disadvantaged businesses, and small businesses which are women-owned, veteran-owned, disabled veteran owned or located in a HUBZone are solicited whenever they are potential sources;

(iii) Dividing total requirements, when economically feasible, into small tasks or quantities to permit maximum participation by small businesses, small minority-disadvantaged businesses, and small businesses which are women owned, veteran-owned, disabled veteran-owned, or located in a HUBZone;

(iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; and Using the services and assistance of the U.S. Small Business Administration and the Office of the Small and Disadvantaged Business Utilization of the Department of Transportation, as appropriate.

Article XIII. Seat Belt Use Policies and Programs

In accordance with Executive Order 13043, the Recipient is encouraged to adopt on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this presidential initiative. For information on how to implement such a program or for statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at www nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in Washington, D.C. dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to help with technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 85 percent seat belt use. NETS can be contacted at 1-888-221-0045 or visit its website at www.trafficsafety.org.

Article XIV. Ban on Text Messaging While Driving

In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, financial assistance recipients and subrecipients of grants and cooperative agreements are encouraged to:

(a) Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving—

(i) Company-owned or -rented vehicles or Government-owned, leased or rented vehicles; or

(ii) Privately-owned vehicles when on official Government business or when performing any work for or on behalf of the Government.

(b) Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as

(i) Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and

(ii) Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

(c) *Assistance Awards.* All recipients and subrecipients of financial assistance to include: grants, cooperative agreements, loans and other types of assistance, shall insert the substance of this clause, including this paragraph (c), in all assistance awards.

Article XV. Copyright

PHMSA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for federal government purposes: the copyright in any work developed under a grant, subaward, or contract under a grant or subaward; and any rights of copyright to which a recipient, subrecipient a contractor purchases ownership with grant support.

Article XVI. Reporting Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XVII. Rights in Technical Data

Rights to intangible property under this agreement are governed in accordance with **2 CFR 200.315** - "Intangible Property."

Article XVIII. Notice of News Releases, Public Announcements, and Presentations

The Recipient must have the PAO's prior approval for all press releases, formal announcements, or other planed written issuance containing news or information concerning this Agreement before issuance.

Article XIX. 811, Call Before You Dig Program

Damage to pipelines during excavation is a leading cause of accidents resulting in serious injuries and fatalities, but these accidents are preventable, and you can help in preventing them. 811 is designated as the national call-before-you-dig number. Every state has a one-call law requiring excavators to have underground utilities marked before digging. There are five steps to safer digging:

(a) Make a free call to 811 a few days before digging.
(b) Wait the required time – which is prescribed in state law but generally two to three days.
(c) Locate/mark the utilities accurately. (This step applies to underground facility/utility owners.)
(d) Respect the marks.
(e) Dig with care.

The recipient is encouraged to adopt the "811, Call Before You Dig" program for its employees when digging on company-owned, leased, or personally owned property. For information on how to implement such a program please visit the 811 – Call Before You Dig section of Pipeline and Hazardous Materials Safety Administration's (PHMSA's) website at www.phmsa.dot.gov.

Article XX. Access to Electronic and Information Technology

Each Electronic and Information Technology (EIT) product or service, furnished under this award, must be in compliance with the Electronic and Information Technology Accessibility Standard (36 CFR 1194), which implements Section 508 of the Rehabilitation Act of 1973, codified at 29 U.S.C. § 794d.

Article XXI. Combating Trafficking in Persons

PHMSA may terminate grants, cooperative agreements, or take any of the other remedial actions authorized under 22 U.S.C. 7104(g), without penalty, if the grantee or any subgrantee, engages in, or uses labor recruiters, brokers, or other agents who engage in

(a) severe forms of trafficking in persons;
(b) the procurement of a commercial sex act during the period of time that the grant, or cooperative agreement is in effect;
(c) the use of forced labor in the performance of the grant or cooperative agreement; or
(d) acts that directly support or advance trafficking in persons, including the following acts:

(i) Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents.

(ii) Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless-

1) exempted from the requirement to provide or pay for such return transportation by the Federal department or agency providing or entering into the grant, or cooperative agreement; or
2) the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action.

(iii) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment.

(iv) Charging recruited employees unreasonable placement or recruitment fees, such as fees equal to or greater than the employee's monthly salary, or recruitment fees that violate the laws of the country from which an employee is recruited.

(v) Providing or arranging housing that fails to meet the host country housing and safety standards.

Article XXII. Prohibition on Awarding to Entities that Require Certain Internal Confidentiality Agreements

(a) The Recipient shall not require employees or subcontractors seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud or abuse to a designated investigative or law enforcement representative of a federal department or agency authorized to receive such information.

(b) The Recipient shall notify employees that the prohibitions and restrictions of any internal confidentiality agreements covered herein are no longer in effect.

(c) The prohibition in paragraph (a) above does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

(d) In accordance with section 743 of Division E, Title VII, of the Consolidated and Further Continuing Resolution Appropriations Act, 2015 (P.L. 113-235), use of funds appropriated (or otherwise made available) under that or any other Act may be prohibited, if the Government determines that the Recipient is not in compliance with the provisions herein.

The Government may seek any available remedies in the event the Recipient fails to comply with the provisions herein.

Article XXIII. Reporting Fraud, Waste, or Abuse

The DOT Inspector General maintains a toll-free hotline for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Such reports are kept confidential and callers may decline to give their names if they choose to remain anonymous. The number is: (800) 424-9071.

The mailing address is:
DOT Inspector General Hotline
1200 New Jersey Ave SE
West Bldg 7th Floor
Washington, DC 20590
Email: hotline@oig.dot.gov
Web: http://www.oig.dot.gov/Hotline

Article XXIV. False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S. Code (U.S.C.) § 3729, which sets forth that no recipient of federal payments shall submit a false claim for payment. 38 U.S.C § 3801-3812 details the administrative remedies for false claims and statements made.

Article XXV. Acceptance of Post-Award Changes

In the event that DOT or PHMSA determines that changes are necessary to WEM's award after this award has been made, including changes to the period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award.

Article XXVI. Universal Identifier and System for Award Management

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article XXVII. Training Certification Requirement

The recipient agrees to use HMEP training funds in accordance with the authorizing language at 49 U.S.C.§ 5116 *et seq* to provide emergency responders with the training capabilities required to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence of responders to accidents and incidents involving hazardous materials.

Article XXVIII. WEM Conditions

(a) The recipient and any sub-recipient(s) must comply with the Grant Announcement used to announce the funding opportunity.
(b) The recipient and any sub-recipient(s) must comply with the Grant Award Documents.
(c) The recipient and any sub-recipient(s) must cooperate with the WEM Compliance Monitors.

Article XXIX. Compliance with Award Terms and Conditions

Submission of a signed Request for Reimbursement (payment request) form constitutes the Recipient's agreement to comply with and spend funds consistent with all the terms and conditions of this award. If DMA, WEM and/or PHMSA determines that noncompliance by the sub-recipient cannot be remedied by imposing additional conditions, WEM may take one or more of the following actions, as appropriate in the circumstances:

(a) Temporarily withhold cash payments pending correction of the deficiency by the Recipient.
(b) Disallow all, or part of, the cost of the activity or action not in compliance.
(c) Wholly or partly suspend or terminate the Federal award.
(d) Initiate suspension or debarment proceedings as authorized under 2 CFR part 180.
(e) Withhold further Federal awards for the project or program.
(f) Take other remedies that may be legally available.

Article XXX. Termination of Agreement

This grant award may be terminated in whole or in part as follows:

(a) DMA/WEM may terminate this grant award at any time for cause by delivering thirty (30) days written notice to the Recipient. Upon termination, the awarding agency's liability will be limited to the pro rata cost of the services performed as of the date of termination plus expenses incurred with the prior written approval of the awarding agency.
(b) DMA/WEM may terminate this grant award at will effective upon delivery of written notice to the Recipient, under any of the following conditions:
  (i) If the awarding agency's funding from federal, state, or other sources is not obtained and/or continued at levels sufficient to allow for purchases of the indicated quantity of services, the grant may be modified to accommodate a reduction or increase in funds.
  (ii) If federal or state laws, rules, regulations, or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this grant or are no longer eligible for the funding proposed for payments by this grant.
  (iii) If any license or certification required by law or regulation to be held by the Recipient to provide the services required by this grant award is for any reason denied, revoked, or not renewed.

Any termination of this grant award shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

As the duly authorized representative, I hereby certify that the recipient will comply with the above certifications and conditions, and has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal portion of project costs) to ensure proper planning, management, and completion of the project as described in the application.

Grantee Name and Address: Outagamie County, 410 South Walnut Street, Appleton, WI 54911

Grant no. 13357 HMEP Core & Specialized HazMat Training FFY2023
Application Number and Project Name

Jeff Nooyen, County Board Chair
Typed Name of Authorized Representative

Signature _____ Date _____

NOTE: The original signature of the chief executive is required. Substitute signing or stamping is not accepted.

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completec by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request to accept and expend Hazardous Materials Emergency Preparedness (HMEP) Grant and related budget adjustment.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)
Outagamie County will use funds from HMEP to bring 2 specialized training opportunities to the county. "Training the Hazmat Community" will teach students chemical & physical properties related to good air monitoring, along with training on meters and detection equipment. "Risk-based Response to Battery Emergencies" will focus on transportation related incidents. The grant will be a pass-through with the City of Appleton. The budget adjustment requested is an increase in Purchased Services of $8200 with an offsetting increase in Intergovernmental Revenue of $8200. No additional county levy is needed.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item?x yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
EM Grants	Intergovernmental Revenues	2100600.4240.08	8,200
EM Grants	Purchased Services	2100600.5500	8,200

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Paula Van De Leygraaf

For Financial Services purposes only	
Reviewed By: [signature]	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 10/23/23	
Comments:	

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Est. 1851 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.



VOTE RESULTS

35 YES | 0 NO | 0 ABSTAIN | 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 76 —2023-24 – Public Safety Committee. Approve the request to transfer the following line items for the vacated EM Program and EPCRA Manager position: $20,000 from the Small Department Vacation/Sick Leave Payout Fund to the Emergency Management Salaries for $15,000 and Fringe Benefits for $5,000, and increase the Fund Balance Applied by $20,000 and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by $20,000, and increase the Fund Balance Unassigned by $20,000, as detailed on the attachments.

Supervisor Patience moved, seconded by Supervisor Smith, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 76—2023-24 IS ADOPTED.



VOTE RESULTS — 35 YES | 0 NO | 0 ABSTAIN | 1 ABSENT

Resolution No. 76—2023-24

Public Safety Committee. Approve the request to transfer the following line items for the vacated EM Prograr … Small Department Vacation/Sick Leave Payout Fund to the Emergency Management Salaries for $15,000 and Fringe Benefits for $5,000, and increase the Fund Balance Applied by $20,000 and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by $20,000, and increase the Fund Balance Unassign...

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 Vacant ABSENT	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 12-12-23 County Board Meeting - December 12 2023 07:21:26 PM — December 12, 2023 County Board Meeting — OpenMeeting

RESOLUTION NO.: 76—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Emergency Management (EM) Department is a small department with three (3) full-time employees and one (1) part-time employee. The EM operational budget does not have additional funds to cover an unexpected payout of accrued sick time / vacation time for the EM Program and EPCRA Manager position. The EM Plan of Work Requirements are due by the end of December, and Department staff is currently working on several large projects that are part of grant requirements for 2024. It will take several months to onboard and train a new employee, which will take away time to complete the grant deliverables for 2023 and 2024. The EM Department relies on grant funding to supplement the department's operations, and if grant deliverables are not completed on time, there is risk of losing state and federal funding.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the request to transfer $20,000 from the Small Department Vacation/Sick Leave Payout Fund to the Emergency Management Salaries line item for $15,000 and Fringe Benefits line item for $5,000, and increase the Fund Balance Applied line item by $20,000 and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts line item by $20,000, and increase the Fund Balance Unassigned line item by $20,000 as noted on the attached fiscal note and Small Departments Vacation and Sick Leave Payout Budget Request Form, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Emergency Management Director and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Katrin Patience

Christine Lamers

Christine Lamers

Michael Smith

Michael Smith

Timothy Hermes

Timothy Hermes

Chad Cooke

Chad Cooke

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

Kelley M. Curtis, Deputy Clerk
County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for transfer from small department sick and vacation payout fund for Emergency Management

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Emergency Management is a small department with 3 full-time and one part-time employee. The EM operational budget does not have the additional funds to cover this unexpected payout of accrued sick time/vacation for the EM Program and EPCRA Manager position. Our Plan of Work requirements are due by the end of December and we are currently working on several large projects that are part of our grant requirements for 2024. We will need several months to onboard and train a new employee, which will already take away time to complete our grant deliverables for 2023 and 2024. Our department relies on grant funding to supplement the department's operations and if grant deliverables are not completed on time, we will lose funding. If not allowed to fill the vacancy in the department until vacation and sick payout is recovered on a budgetary basis, we risk losing both state and federal funding.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [x] Expenses (Cost) [ ] None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below yes (x) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

Emergency Management	Salaries	1003600.5100	15,000
Emergency Management	Fringe	1003600.5200	5,000
General Funds Applied	Fund Balance Applied	1002223.8955	20,000
BALANCE SHEET ENTRY - 2023			
General Fund	Committed Fund Balance for Small Dpts Vac/Sick Payouts	1000000.3870	(20,000)
General Fund	Fund Balance Unassigned	1000000.3891	20,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Paula Van De Leygraaf/

For Financial Services purposes only

Reviewed By: Kay L Hamilton

Date: 10/23/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

SMALL DEPARTMENTS VACATION AND SICK LEAVE PAYOUT BUDGET REQUEST FORM

Department	Emergency Management
Department Head	Paula Van De Leygraaf
Date	10-17-23
Position Vacated	EM Program and EPCRA Manager (Deputy Director in 2024)
Vacation and Sick Payout Estimate	$22,439
Budgeted Transfer Request Amount	$20,000

Operational Impact (i.e. risks, productivity, cost, etc) if not allowed to fill the vacated position until the vacation and sick payout is recovered on a budgetary basis:

Emergency Management is a small department with 3 full-time and one part-time employee. I don't have extra money in my operational budget to cover this unexpected payout. Our Plan of Work requirements are due by the end of December and we have several large projects that we have begun work on that are part of our grant requirements for next year. We will need several months to onboard and train a new employee which will already take away time to get our grant deliverables completed.

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 77—2023-24 – Public Safety Committee. Approve the County Sheriff's Office to apply for, accept, and expend the 2024 County/Tribal Law Enforcement Program grant issued by the Wisconsin Department of Justice for $30,205, to be split equally with the Oneida Tribe of Indians, and, authorize and approve to increase the following 2024 Patrol line items: Intergovernmental Revenue by $30,205.00; Supplies by $15,102.50; Purchased Services by $15,102.50, as detailed in the attached fiscal note.

Supervisor Cooke moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 77—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 77—2023-24

Public Safety Committee. Approve the County Sheriff's Office to apply for, accept, and expend the 2024 Cour... by the Wisconsin Department of Justice for $30,205, to be split equally with the Oneida Tribe of Indians, and, authorize and approve to increase the following 2024 Patrol line items: Intergovernmental Revenue by $30,205.00; Supplies by $15,102.50; Purchased Services by $15,102.50, as detailed in the attached fisc...

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:22:05 PM

December 12, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 77—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Wisconsin Department of Justice is accepting grant applications for the 2024 County/Tribal Law Enforcement Program. Applications must satisfy the requirements found in Wisconsin State Statute §165.90. The submitted plan must be jointly agreed upon by the County Board and Tribal Governing body, and must clearly describe planned activities, objectives, and expected results. The grant award will be approximately $30,205. The award will be split equally, as in the past, with the Oneida Tribe of Indians. The Sheriff's Department will be using $15,102.50 to purchase a drone. The drone is similar to the most recent purchase and far more capable than the previous generation. It offers various high performance sensors integrated into a single advanced camera for easier piloting and an extended battery life. It can be deployed in heavy rain, high wind, snow and extreme cold. The Oneida Police Department will receive $15,102.50 and plans to use the funds for the replacement of uniforms, officer equipment/supplies and promotional items for their department. A resolution from the County Board supporting the program plan is required. There is no county match required for the grant, and any excess costs will come from previously budgeted funds. This adjustment is for the 2024 budget.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Outagamie County Sheriff's Office to apply for, accept, and expend the 2024 County/Tribal Law Enforcement Program grant issued by the Wisconsin Department of Justice in the amount of $30,205, said amount to be split equally with the Oneida Tribe of Indians, and,

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the following 2024 Patrol line items: Intergovernmental Revenue by $30,205.00; Supplies by $15,102.50; Purchased Services by $15,102.50 as detailed in the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____ Board Chairperson

Kelly M. Court, Deputy Clerk
County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Sheriff's Department to apply, accept and expend 2024 County/Tribal Law Enforcement Grant through Department of Justice.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Wisconsin Department of Justice is accepting grant applications for the 2024 County/Tribal Law Enforcement Program. Applications must satisfy the requirements found in § 165.90, Wis. Stats. The submitted plan must be jointly agreed upon by the County Board and Tribal Governing body, and must clearly describe planned activities, objective and expected results. The grant award will be approximately $30,205. The award will be split equally, as in the past, with the Oneida Tribe of Indians. The Sheriff's Department will be using $15,102.50 to purchase a drone. The drone is similar to our most recent purchase and far more capable than the previous generation. It offers various high performance sensors integrated into a single advanced camera for easier piloting and an extended battery life. It can be deployed in heavy rain, high wind, snow and extreme cold. The Oneida Police Department will receive $15,102.50 and plans to use the for the replacement of uniforms, officer equipment/supplies and promotional items for their department. A resolution from the county board supporting the program plan is required. There is no county match required for the grant, and any excess costs will come from previously budgeted funds. This adjustment is for the 2024 budget.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Patrol	Intergovernmental Revenue	1008007.4230.02	30,205.00
Patrol	Supplies	1008007.5400	15,102.50
Patrol	Purchased Services	1008007.5500	15,102.50

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Lisa VandenLangenberg

For Financial Services purposes only

Reviewed By: [signature]

Date: 10/23/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount
1008007.5420.291	15,102.50
1008007.5525.04	15,102.50

Comments:

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Est. 1851 **12-12-23 County Board Meeting - December 12 2023 07:42:36 PM**

December 12, 2023 County Board Meeting

OpenMeeting Technologies

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 78—2023-24 – Legislative/Audit and Human Resources Committee. Approve the full-time staff in the Clerk of Circuit Courts office to work a 40 hour work week effective December 17, 2023, with no budget adjustment necessary and included in the 2024 budget.

Supervisor Spears moved, seconded by Supervisor Croatt, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 78—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 78—2023-24

Legislative/Audit and Human Resources Committee. Approve the full-time staff in the Clerk of Circuit Courts December 17, 2023, with no budget adjustment necessary and included in the 2024 budget.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:22:40 PM

December 12, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 78—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Full-time staff in the Outagamie County Clerk of Circuit Courts office currently work a 37.5 hour work week. This resolution approves full-time staff in the Outagamie County Clerk of Circuit Courts office work a 40 hour work week effective December 17, 2023. There is no budget adjustment necessary, as monies have been included in the 2024 budget for this request.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby and herewith authorize and approve the full-time staff in the Outagamie County Clerk of Circuit Courts office work a 40 hour work week effective December 17, 2023, with no budget adjustment necessary, as monies have been included in the 2024 budget for this request, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Payroll Manager, the Outagamie County Clerk of Circuit Courts, and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Curt Konetzke

Sara MacDonald

Ryan Ferguson

Joe Santonato

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____ Kelly M. Court, Deputy Clerk
Board Chairperson County Clerk

Approved: 12-13-23 Vetoed: _____

Signed: _____
County Executive

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS

35 YES | 0 NO | 0 ABSTAIN | 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Wisconsin 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS

35 YES | 0 NO | 0 ABSTAIN | 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 79—2023-24 – Legislative/Audit and Human Resources Committee. Approve to support pending legislation that will allow a juvenile court or comparable place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and Juvenile Justice Code while defining "like-kin" for the purposes of such placement to be an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal tradition, custom or resolution, code, or law, while not including a current or former foster parent of a child for placement purposes.

Supervisor Krueger moved, seconded by Supervisor Gabrielson, for adoption.

ROLL CALL: 34 yes, 1 abstain (Koury), 1 vacant. RESOLUTION NO. 79—2023-24 IS ADOPTED.



RESOLUTION NO.: 79—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Under current law, a court with jurisdiction under Ch. 48, Stats. (Children's Code), or Ch. 938 Stats. (Juvenile Justice Code), may place a child or juvenile respectively in out-of-home care (OHC) with someone other than a parent. One of the OHC placement options is with a relative who is not a parent. A relative other than a parent is not generally required to be licensed in order for a child or juvenile to be placed in OHC with that relative.

There is pending legislation that will allow a juvenile court or comparable place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and Juvenile Justice Code. The proposed legislation defines "like-kin" for the purposes of such placement to be an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal tradition, custom or resolution, code, or law. Under the proposal, "like-kin" does not include a current or former foster parent of a child for placement purposes.

Under current law, a relative other than a parent who is providing care and maintenance for a child under a court order may receive monthly kinship care payments from the Department of Children and Families or a county department of human or social services. The bill includes as those who may receive kinship care payments first cousins once removed and like-kin persons and changes the term used to refer to these persons from "kinship care relatives" to "kinship care providers."

Currently, the statutes contain a definition of "like-kin" that is used in the Children's Code and Juvenile Justice Code for the limited purposes of permanency planning when a child is placed in OHC at a qualified residential treatment program. Specifically, if a child is placed in OHC at a qualified residential treatment program, the agency that placed the child in such care or is assigned primary responsibility for providing services to that child must invite specified persons close to the child, including all appropriate biological family members, relatives, and like-kin of the child, as determined by the agency. This definition of "like-kin" may include the child's current or former licensed foster parent to participate in the permanency planning process when a child is placed in OHC at a qualified residential treatment center.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that will allow a juvenile court or comparable place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and Juvenile Justice Code while defining "like-kin" for the purposes of such placement to be an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal tradition, custom or resolution, code, or law, while not including a current or former foster parent of a child for placement purposes, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Wisconsin Counties Association and the Outagamie County Lobbyist for distribution to the State Senators and State Representatives representing Outagamie County and the Governor of the State of Wisconsin.

Dated this 12th day of December 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

Joe Santonato

(Vacant)

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____ County Executive

2023 - 2024 LEGISLATURE

LRB-4019/1
EHS:wlj&amn

2023 SENATE BILL 520

October 16, 2023 - Introduced by Senators BALLWEG, JAMES, CARPENTER, HESSELBEIN, L. JOHNSON, LARSON, ROYS, SMITH, SPREITZER and TOMCZYK, cosponsored by Representatives SNYDER, ARMSTRONG, BALDEH, BEHNKE, BILLINGS, CALLAHAN, CONLEY, CONSIDINE, DITTRICH, DONOVAN, DOYLE, GOEBEN, GUSTAFSON, HONG, JOERS, KITCHENS, MURSAU, NOVAK, O'CONNOR, OHNSTAD, PALMERI, RATCLIFF, RETTINGER, ROZAR, SAPIK, SNODGRASS, STUBBS and SUBECK. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

AN ACT ***to amend*** 48.02 (15), 48.028 (2) (e), 48.028 (2) (f), 48.207 (1) (b), 48.207 (1) (f), 48.33 (4) (intro.), 48.335 (3g) (intro.), 48.335 (3j) (intro.), 48.345 (3) (a) (intro.), 48.345 (3) (a) 1., 48.345 (3) (a) 2., 48.345 (4) (a), 48.355 (4) (b) (intro.), 48.366 (1) (a), 48.371 (1) (intro.), 48.371 (1) (a), 48.371 (3) (intro.), 48.371 (3) (d), 48.371 (5), 48.38 (2) (intro.), 48.38 (3m) (a), 48.38 (4) (f) (intro.), 48.38 (4m) (b), 48.38 (4m) (d), 48.38 (5) (b), 48.38 (5) (bm) 1., 48.38 (5) (e), 48.38 (5m) (b), 48.38 (5m) (c) 1., 48.38 (5m) (e), 48.385 (intro.), 48.40 (1m), 48.427 (3m) (a) 5., 48.43 (5) (b) 1., 48.43 (5) (b) 3., 48.43 (5m), 48.57 (3m) (a) 1. b., 48.57 (3m) (a) 2., 48.57 (3m) (am) (intro.), 48.57 (3m) (am) 1., 48.57 (3m) (am) 1m., 48.57 (3m) (am) 4., 48.57 (3m) (am) 4m., 48.57 (3m) (am) 5., 48.57 (3m) (am) 5m., 48.57 (3m) (am) 6., 48.57 (3m) (ap) 1., 48.57 (3m) (ap) 2., 48.57 (3m) (ap) 3., 48.57 (3m) (b) 2., 48.57 (3m) (cm), 48.57 (3m) (h), 48.57 (3m) (i) 1., 48.57 (3n) (a) 1. b., 48.57 (3n) (a) 2., 48.57 (3n) (am) (intro.), 48.57 (3n) (am) 1., 48.57 (3n) (am) 2., 48.57 (3n) (am) 4., 48.57 (3n) (am) 4m., 48.57 (3n) (am) 5., 48.57 (3n) (am) 5m., 48.57 (3n)

(am) 5r., 48.57 (3n) (am) 6. (intro.), 48.57 (3n) (am) 6. c., 48.57 (3n) (am) 6. d., 48.57 (3n) (am) 6. e., 48.57 (3n) (ap) 1., 48.57 (3n) (ap) 2., 48.57 (3n) (ap) 3., 48.57 (3n) (b) 2., 48.57 (3n) (cm), 48.57 (3n) (h), 48.57 (3p) (h) 3. (intro.), 48.57 (3p) (h) 3. b., 48.57 (3p) (h) 4., 48.60 (2) (a), 48.62 (2), 48.64 (1), 48.64 (1m), 48.64 (2), 48.64 (4) (a), 48.64 (4) (c), 48.67 (4) (b), 49.155 (1m) (a) 1m. b., 118.175 (1), 767.57 (1m) (cm), 767.57 (2), 938.02 (15), 938.028 (2) (c), 938.207 (1) (b), 938.207 (1) (f), 938.33 (4) (intro.), 938.335 (3g) (intro.), 938.335 (3j) (intro.), 938.34 (3) (a) (intro.), 938.34 (3) (a) 1., 938.34 (3) (a) 2., 938.355 (4) (am) (intro.), 938.357 (6) (a) (intro.), 938.357 (6) (b), 938.365 (5) (b) (intro.), 938.366 (1) (a), 938.371 (1) (intro.), 938.371 (1) (a), 938.371 (3) (intro.), 938.371 (5), 938.38 (2) (intro.), 938.38 (3m) (a), 938.38 (4) (f) (intro.), 938.38 (4m) (b), 938.38 (4m) (d), 938.38 (5) (b), 938.38 (5) (bm) 1., 938.38 (5) (e), 938.38 (5m) (b), 938.38 (5m) (c) 1., 938.38 (5m) (e) and 938.385 (intro.); and ***to create*** 48.02 (12c) and 938.02 (12c) of the statutes; **relating to:** inclusion of like-kin as an option for with whom children may be placed out of their home under certain circumstances and who may receive kinship care payments.

Analysis by the Legislative Reference Bureau

Under current law, a juvenile court may place a child in certain placements that provide out-of-home care under the Children's Code and the Juvenile Justice Code. Under current law, those placements include specific types of licensed facilities, a licensed foster home, or the home of a relative other than a parent. Under current law, a relative other than a parent does not typically need to acquire a license in order to receive a relative child. This bill allows a juvenile court to similarly place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and the Juvenile Justice Code.

The bill defines "like-kin" for the purposes of such a placement to be an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal

tradition, custom or resolution, code, or law. Under the bill, "like-kin" does not include a current or former foster parent of a child for placement purposes.

Under current law, a relative other than a parent who is providing care and maintenance for a child under a court order may receive monthly kinship care payments from the Department of Children and Families or a county department of human or social services. The bill includes as those who may receive kinship care payments first cousins once removed and like-kin persons and changes the term used to refer to these persons from "kinship care relatives" to "kinship care providers."

Under current law, for the purposes of permanency planning, a family permanency team may include like-kin. The current law definition of "like-kin," for the purpose of determining the family permanency team, is similar to the definition of "like-kin" for placement purposes in the bill, except that the current law definition 1) does not exclude a current or former foster parent and 2) does not include individuals identified by the child's tribe if the child is an Indian child. Under the bill, the definition of "like-kin" for determining a family permanency team does not exclude a current or former foster parent but does include individuals identified by the child's tribe if the child is an Indian child.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.02 (12c) of the statutes is created to read:

48.02 **(12c)** "Like-kin" means an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and who is not and has not previously been the child's licensed foster parent. For an Indian child, "like-kin" includes individuals identified by the child's tribe according to tribal tradition, custom or resolution, code, or law.

SECTION 2. 48.02 (15) of the statutes is amended to read:

48.02 **(15)** "Relative" means a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, first cousin once removed, 2nd cousin, nephew, niece, uncle, aunt, stepuncle, stepaunt, or any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any

person named in this subsection, even if the marriage is terminated by death or divorce. For purposes of the application of s. 48.028 and the federal Indian Child Welfare Act, 25 USC 1901 to 1963, "relative" includes an extended family member, as defined in s. 48.028 (2) (am), whether by blood, marriage, or adoption, including adoption under tribal law or custom. For purposes of placement of a child, "relative" also includes a parent of a sibling of the child who has legal custody of that sibling.

SECTION 3. 48.028 (2) (e) of the statutes is amended to read:

48.028 **(2)** (e) "Out-of-home care placement" means the removal of an Indian child from the home of his or her parent or Indian custodian for temporary placement in a foster home, group home, residential care center for children and youth, or shelter care facility, in the home of a relative other than a parent, in the home of like-kin, or in the home of a guardian, from which placement the parent or Indian custodian cannot have the child returned upon demand. "Out-of-home care placement" does not include an adoptive placement, a preadoptive placement, a delegation of powers, as described in par. (d) 5., an emergency change in placement under s. 48.357 (2) (b), or holding an Indian child in custody under ss. 48.19 to 48.21.

SECTION 4. 48.028 (2) (f) of the statutes is amended to read:

48.028 **(2)** (f) "Preadoptive placement" means the temporary placement of an Indian child in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in the home of a guardian after a termination of parental rights but prior to or in lieu of an adoptive placement. "Preadoptive placement" does not include an emergency change in placement under s. 48.437 (2).

SECTION 5. 48.207 (1) (b) of the statutes is amended to read:

48.207 **(1)** (b) The home of a relative or like-kin, except that a child may not be held under this paragraph in the home of a ~~relative if the relative~~ person who has been convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, unless the person making the custody decision determines by clear and convincing evidence that the placement would be in the best interests of the child. The person making the custody decision shall consider the wishes of the child in making that determination.

SECTION 6. 48.207 (1) (f) of the statutes is amended to read:

48.207 **(1)** (f) The home of a person not a relative or like-kin, if the placement does not exceed 30 days, though the placement may be extended for an additional 30 days for cause by the court, and if the person has not had a license under s. 48.62 refused, revoked, or suspended within the last 2 years.

SECTION 7. 48.33 (4) (intro.) of the statutes is amended to read:

48.33 **(4)** OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending placement of an adult expectant mother outside of her home shall be in writing. A report recommending placement of a child in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised independent living arrangement shall be in writing and shall include all of the following:

SECTION 8. 48.335 (3g) (intro.) of the statutes is amended to read:

48.335 **(3g)** (intro.) At hearings under this section, if the agency, as defined in s. 48.38 (1) (a), is recommending placement of the child in a foster home, group home, or residential care center for children and youth, in the home of a relative other than

a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised independent living arrangement, the agency shall present as evidence specific information showing all of the following:

SECTION 9. 48.335 (3j) (intro.) of the statutes is amended to read:

48.335 **(3j)** (intro.) At hearings under this section involving an Indian child, if the agency, as defined in s. 48.38 (1) (a), is recommending removal of the Indian child from the home of his or her parent or Indian custodian and placement of the Indian child in a foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent or in the home of like-kin, the agency shall present as evidence specific information showing all of the following:

SECTION 10. 48.345 (3) (a) (intro.) of the statutes is amended to read:

48.345 **(3)** (a) (intro.) The home of a parent ~~or~~, other relative, or like-kin of the child, except that the judge may not designate any of the following as the child's placement, unless the judge determines by clear and convincing evidence that the placement would be in the best interests of the child or, in the case of an Indian child, the best interests of the Indian child as described in s. 48.01 (2):

SECTION 11. 48.345 (3) (a) 1. of the statutes is amended to read:

48.345 **(3)** (a) 1. The home of a parent ~~or~~, other relative, or like-kin if the parent ~~or~~, other relative, or like-kin has been convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside, or vacated. In determining whether a placement under this subdivision would be in the best interests of the child, the judge shall consider the wishes of the child.

SECTION 12. 48.345 (3) (a) 2. of the statutes is amended to read:

48.345 **(3)** (a) 2. The home of a relative other than the parent of a child or the home of like-kin if the judge finds that the relative or like-kin has been convicted of, has pleaded no contest to, or has had a charge dismissed or amended as a result of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or a similar law of another state.

SECTION 13. 48.345 (4) (a) of the statutes is amended to read:

48.345 **(4)** (a) A relative or like-kin of the child.

SECTION 14. 48.355 (4) (b) (intro.) of the statutes is amended to read:

48.355 **(4)** (b) (intro.) Except as provided under s. 48.368, an order under this section or s. 48.357 or 48.365 made before the child reaches 18 years of age that places or continues the placement of the child in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement shall terminate on the latest of the following dates, unless the judge specifies a shorter period or the judge terminates the order sooner:

SECTION 15. 48.366 (1) (a) of the statutes is amended to read:

48.366 **(1)** (a) The person is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement under an order under s. 48.355, 48.357, or 48.365 that terminates as provided in s. 48.355 (4) (b) 1., 2., or 3., 48.357 (6) (a) 1., 2., or 3., or 48.365 (5) (b) 1., 2., or 3. on or after the person attains 18 years of age.

SECTION 16. 48.371 (1) (intro.) of the statutes is amended to read:

48.371 **(1)** (intro.) If a child is placed in a foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent or in the home of like-kin, including a placement under s. 48.205 or 48.21, the agency, as defined in s. 48.38 (1) (a), that placed the child or arranged for the placement of the child shall provide the following information to the foster parent, relative, like-kin, or operator of the group home or residential care center for children and youth at the time of placement or, if the information has not been provided to the agency by that time, as soon as possible after the date on which the agency receives that information, but not more than 2 working days after that date:

SECTION 17. 48.371 (1) (a) of the statutes is amended to read:

48.371 **(1)** (a) Results of an HIV test, as defined in s. 252.01 (2m), of the child, as provided under s. 252.15 (3m) (d) 15., including results included in a court report or permanency plan. At the time that the HIV test results are provided, the agency shall notify the foster parent, relative, like-kin, or operator of the group home or residential care center for children and youth of the confidentiality requirements under s. 252.15 (6).

SECTION 18. 48.371 (3) (intro.) of the statutes is amended to read:

48.371 **(3)** (intro.) At the time of placement of a child in a foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent or in the home of like-kin or, if the information is not available at that time, as soon as possible after the date on which the court report or permanency plan has been submitted, but no later than 7 days after that date, the agency, as defined in s. 48.38 (1) (a), responsible for preparing the child's permanency plan shall provide to the foster parent, relative, like-kin, or operator of the group home or residential care center for children and youth information contained in the

court report submitted under s. 48.33 (1), 48.365 (2g), 48.425 (1), 48.831 (2), or 48.837 (4) (c) or permanency plan submitted under s. 48.355 (2e), 48.38, 48.43 (1) (c) or (5) (c), 48.63 (4) or (5) (c), or 48.831 (4) (e) relating to findings or opinions of the court or agency that prepared the court report or permanency plan relating to any of the following:

SECTION 19. 48.371 (3) (d) of the statutes is amended to read:

48.371 **(3)** (d) Any involvement of the child, whether as victim or perpetrator, in sexual intercourse or sexual contact in violation of s. 940.225, 948.02, 948.025, or 948.085, prostitution in violation of s. 944.30 (1m), trafficking in violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, sexual exploitation of a child in violation of s. 948.05, trafficking of a child in violation of s. 948.051, or causing a child to view or listen to sexual activity in violation of s. 948.055, if the information is necessary for the care of the child or for the protection of any person living in the foster home, group home, or residential care center for children and youth or in the home of the relative or like-kin.

SECTION 20. 48.371 (5) of the statutes is amended to read:

48.371 **(5)** Except as permitted under s. 252.15 (6), a foster parent, relative, like-kin, or operator of a group home or residential care center for children and youth that receives any information under sub. (1) or (3), other than the information described in sub. (3) (e), shall keep the information confidential and may disclose that information only for the purposes of providing care for the child or participating in a court hearing or permanency review concerning the child.

SECTION 21. 48.38 (2) (intro.) of the statutes is amended to read:

48.38 **(2)** PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3), for each child living in a foster home, group home, residential care center for children

and youth, juvenile detention facility, shelter care facility, qualifying residential family-based treatment facility with a parent, or supervised independent living arrangement, the agency that placed the child or arranged the placement or the agency assigned primary responsibility for providing services to the child under s. 48.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following conditions exists, and, for each child living in the home of a guardian ~~or~~, a relative other than a parent, or like-kin, that agency shall prepare a written permanency plan, if any of the conditions specified in pars. (a) to (e) exists:

SECTION 22. 48.38 (3m) (a) of the statutes is amended to read:

48.38 **(3m)** (a) All appropriate biological family members, relatives, and like-kin of the child, as determined by the agency. Notwithstanding s. 48.02 (12c), in this paragraph, "like-kin" may include an individual who is or previously was the child's licensed foster parent.

SECTION 23. 48.38 (4) (f) (intro.) of the statutes is amended to read:

48.38 **(4)** (f) (intro.) A description of the services that will be provided to the child, the child's family, and the child's foster parent, the operator of the facility where the child is living, or the relative or like-kin with whom the child is living to carry out the dispositional order, including services planned to accomplish all of the following:

SECTION 24. 48.38 (4m) (b) of the statutes is amended to read:

48.38 **(4m)** (b) At least 10 days before the date of the hearing the court shall notify the child; any parent, guardian, and legal custodian of the child; any foster parent, or other physical custodian described in s. 48.62 (2) of the child, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living; and, if the child is an Indian child, the Indian child's Indian custodian

and tribe of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they shall have a right to be heard at the hearing.

SECTION 25. 48.38 (4m) (d) of the statutes is amended to read:

48.38 **(4m)** (d) The court shall give a foster parent, other physical custodian described in s. 48.62 (2), operator of a facility, ~~or~~ relative, or like-kin who is notified of a hearing under par. (b) a right to be heard at the hearing by permitting the foster parent, other physical custodian, operator, ~~or~~ relative, or like-kin to make a written or oral statement during the hearing, or to submit a written statement prior to the hearing, relevant to the issues to be determined at the hearing. The foster parent, other physical custodian, operator of a facility, ~~or~~ relative, or like-kin does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 26. 48.38 (5) (b) of the statutes is amended to read:

48.38 **(5)** (b) The court or the agency shall notify the child; the child's parent, guardian, and legal custodian; the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living; and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe of the time, place, and purpose of the review, of the issues to be determined as part of the review, and of the fact that they shall have a right to be heard at the review as provided in par. (bm) 1. The court or agency shall notify the person representing the interests of the public, the child's counsel, the child's guardian ad litem, the child's court-appointed special advocate, and the child's school of the time, place, and purpose of the review, of the issues to be determined as part of the review, and of the fact that they may have an opportunity to be heard at the review as provided in par. (bm) 1. The notices under

this paragraph shall be provided in writing not less than 30 days before the review and copies of the notices shall be filed in the child's case record. The notice to the child's school shall also include the name and contact information for the caseworker or social worker assigned to the child's case.

SECTION 27. 48.38 (5) (bm) 1. of the statutes is amended to read:

48.38 **(5)** (bm) 1. A child, parent, guardian, legal custodian, foster parent, operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the review under par. (b) shall have a right to be heard at the review by submitting written comments relevant to the determinations specified in par. (c) not less than 10 working days before the date of the review or by participating at the review. A person representing the interests of the public, counsel, guardian ad litem, court-appointed special advocate, or school who is provided notice of the review under par. (b) may have an opportunity to be heard at the review by submitting written comments relevant to the determinations specified in par. (c) not less than 10 working days before the date of the review. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives notice of a review under par. (b) and a right to be heard under this subdivision does not become a party to the proceeding on which the review is held solely on the basis of receiving that notice and right to be heard.

SECTION 28. 48.38 (5) (e) of the statutes is amended to read:

48.38 **(5)** (e) Within 30 days, the agency shall prepare a written summary of the determinations under par. (c) and shall provide a copy to the court that entered the order; the child or the child's counsel or guardian ad litem; the person representing the interests of the public; the child's parent, guardian, or legal custodian; the child's court-appointed special advocate; the child's foster parent, the operator of the facility where the child is living, or the relative or like-kin with whom

the child is living; and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe.

SECTION 29. 48.38 (5m) (b) of the statutes is amended to read:

48.38 **(5m)** (b) The court shall notify the child; the child's parent, guardian, and legal custodian; and the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they shall have a right to be heard at the hearing as provided in par. (c) 1. The court shall notify the child's counsel, the child's guardian ad litem, and the child's court-appointed special advocate; the agency that prepared the permanency plan; the child's school; the person representing the interests of the public; and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they may have an opportunity to be heard at the hearing as provided in par. (c) 1. The notices under this paragraph shall be provided in writing not less than 30 days before the hearing. The notice to the child's school shall also include the name and contact information for the caseworker or social worker assigned to the child's case.

SECTION 30. 48.38 (5m) (c) 1. of the statutes is amended to read:

48.38 **(5m)** (c) 1. A child, parent, guardian, legal custodian, foster parent, operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the hearing under par. (b) shall have a right to be heard at the hearing by submitting written comments relevant to the determinations specified in sub. (5) (c) not less than 10 working days before the date of the hearing or by participating at the hearing. A

counsel, guardian ad litem, court-appointed special advocate, agency, school, or person representing the interests of the public who is provided notice of the hearing under par. (b) may have an opportunity to be heard at the hearing by submitting written comments relevant to the determinations specified in sub. (5) (c) not less than 10 working days before the date of the hearing or by participating at the hearing. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives notice of a hearing under par. (b) and a right to be heard under this subdivision does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 31. 48.38 (5m) (e) of the statutes is amended to read:

48.38 **(5m)** (e) After the hearing, the court shall make written findings of fact and conclusions of law relating to the determinations under sub. (5) (c) and shall provide a copy of those findings of fact and conclusions of law to the child; the child's parent, guardian, and legal custodian; the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living; the child's court-appointed special advocate; the agency that prepared the permanency plan; the person representing the interests of the public; and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe. The court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances specific to the child and shall document or reference the specific information on which those findings are based in the findings of fact and conclusions of law prepared under this paragraph. Findings of fact and conclusions of law that merely reference sub. (5) (c) 7. without documenting or referencing that specific information in the findings of fact and conclusions of law or amended findings of fact and conclusions

of law that retroactively correct earlier findings of fact and conclusions of law that do not comply with this paragraph are not sufficient to comply with this paragraph.

SECTION 32. 48.385 (intro.) of the statutes is amended to read:

48.385 Plan for transition to independent living. (intro.) During the 90 days immediately before a child who is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement attains 18 years of age or, if the child is placed in such a placement under an order under s. 48.355, 48.357, or 48.365 that terminates under s. 48.355 (4) (b) after the child attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 48.366 (3) that terminates under s. 48.366 (3) (a) after the child attains 18 years of age, during the 90 days immediately before the termination of the order or agreement, the agency primarily responsible for providing services to the child under the order or agreement shall do all of the following:

SECTION 33. 48.40 (1m) of the statutes is amended to read:

48.40 **(1m)** "Kinship care ~~relative~~ provider" means a person receiving payments under s. 48.57 (3m) (am) for providing care and maintenance for a child.

SECTION 34. 48.427 (3m) (a) 5. of the statutes is amended to read:

48.427 **(3m)** (a) 5. A relative with whom the child resides, if the relative has filed a petition to adopt the child or if the relative is a kinship care ~~relative~~ provider or is receiving payments under s. 48.62 (4) for providing care and maintenance for the child.

SECTION 35. 48.43 (5) (b) 1. of the statutes is amended to read:

48.43 **(5)** (b) 1. The court shall hold a hearing to review the permanency plan within 30 days after receiving a report under par. (a). At least 10 days before the date

of the hearing, the court shall provide notice of the time, place, and purpose of the hearing to the agency that prepared the report, the child's guardian, the child, and the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living.

SECTION 36. 48.43 (5) (b) 3. of the statutes is amended to read:

48.43 **(5)** (b) 3. The court shall give a foster parent, operator of a facility, or relative or like-kin who is notified of a hearing under subd. 1. a right to be heard at the hearing by permitting the foster parent, operator, or relative or like-kin to make a written or oral statement during the hearing, or to submit a written statement prior to the hearing, relevant to the issues to be determined at the hearing. The foster parent, operator of a facility, or relative or like-kin does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 37. 48.43 (5m) of the statutes is amended to read:

48.43 **(5m)** Either the court or the agency that prepared the permanency plan shall furnish a copy of the original plan and each revised plan to the child, if he or she is 12 years of age or over, to the child's guardian, to the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living, and, if the order under sub. (1) involuntarily terminated parental rights to an Indian child, to the Indian child's tribe.

SECTION 38. 48.57 (3m) (a) 1. b. of the statutes is amended to read:

48.57 **(3m)** (a) 1. b. The person is under 21 years of age, the person is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent, an individualized education program under s. 115.787 is in effect for the person, and the person is placed in the home of the kinship care ~~relative~~ provider

under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 48.366 (3) or 938.366 (3).

SECTION 39. 48.57 (3m) (a) 2. of the statutes is amended to read:

48.57 **(3m)** (a) 2. "Kinship care ~~relative~~ provider" means a relative other than a parent, an extended family member, as defined in s. 48.028 (2) (am), or like-kin.

SECTION 40. 48.57 (3m) (am) (intro.) of the statutes, as affected by Wisconsin Act 19, is amended to read:

48.57 **(3m)** (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md), (me), and (s), the department shall reimburse counties having populations of less than 750,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 750,000 or more. Subject to par. (ap), a county department and, in a county having a population of 750,000 or more, the department shall make payments per month in the amount of $375 beginning on January 1, 2024, to a kinship care ~~relative~~ provider who is providing care and maintenance for a child if all of the following conditions are met:

SECTION 41. 48.57 (3m) (am) 1. of the statutes is amended to read:

48.57 **(3m)** (am) 1. The kinship care ~~relative~~ provider applies to the county department or department for payments under this subsection and, if the child is placed in the home of the kinship care ~~relative~~ provider under a court order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., for a license to operate a foster home.

SECTION 42. 48.57 (3m) (am) 1m. of the statutes is amended to read:

48.57 **(3m)** (am) 1m. The county department or department determines that there is a need for the child to be placed with the kinship care ~~relative~~ provider and that the placement with the kinship care ~~relative~~ provider is in the best interests of the child.

SECTION 43. 48.57 (3m) (am) 4. of the statutes is amended to read:

48.57 **(3m)** (am) 4. The county department or department conducts a background investigation under sub. (3p) of the kinship care ~~relative~~ provider, any employee and prospective employee of the kinship care ~~relative~~ provider who has or would have regular contact with the child for whom the payments would be made and any other adult resident of the kinship care ~~relative's~~ provider's home to determine if the kinship care ~~relative~~ provider, employee, prospective employee or adult resident has any arrests or convictions that could adversely affect the child or the kinship care ~~relative's~~ provider's ability to care for the child.

SECTION 44. 48.57 (3m) (am) 4m. of the statutes is amended to read:

48.57 **(3m)** (am) 4m. Subject to sub. (3p) (fm) 1. and 2., the kinship care ~~relative~~ provider states that he or she does not have any arrests or convictions that could adversely affect the child or the kinship care ~~relative's~~ provider's ability to care for the child and that no adult resident, as defined in sub. (3p) (a), and no employee or prospective employee of the kinship care ~~relative~~ provider who would have regular contact with the child has any arrests or convictions that could adversely affect the child or the kinship care ~~relative's~~ provider's ability to care for the child.

SECTION 45. 48.57 (3m) (am) 5. of the statutes is amended to read:

48.57 **(3m)** (am) 5. The kinship care ~~relative~~ provider cooperates with the county department or department in the application process, including applying for other forms of assistance for which the child may be eligible.

SECTION 46. 48.57 (3m) (am) 5m. of the statutes is amended to read:

48.57 **(3m)** (am) 5m. The kinship care ~~relative~~ provider is not receiving payments under sub. (3n) with respect to the child.

SECTION 47. 48.57 (3m) (am) 6. of the statutes is amended to read:

48.57 **(3m)** (am) 6. The child for whom the kinship care ~~relative~~ provider is providing care and maintenance is not receiving supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

SECTION 48. 48.57 (3m) (ap) 1. of the statutes is amended to read:

48.57 **(3m)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a county having a population of 750,000 or more, the department may make payments under par. (am) to a kinship care ~~relative~~ provider who is providing care and maintenance for a child who is placed in the home of the kinship care ~~relative~~ provider under a court order for no more than 60 days after the date on which the county department or department received under par. (am) 1. the completed application of the kinship care ~~relative~~ provider for a license to operate a foster home or, if the application is approved or denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure within those 60 days, until the date on which the application is approved or denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

SECTION 49. 48.57 (3m) (ap) 2. of the statutes is amended to read:

48.57 **(3m)** (ap) 2. If the application specified in subd. 1. is not approved or denied or the kinship care ~~relative~~ provider is not otherwise determined to be ineligible for licensure within 60 days after the date on which the county department or department received the completed application for any reason other than an act or omission of the kinship care ~~relative~~ provider, the county department or

department may make payments under par. (am) for 4 months after the date on which the county department or department received the completed application or, if the application is approved or denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure within those 4 months, until the date on which the application is approved or denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

SECTION 50. 48.57 (3m) (ap) 3. of the statutes is amended to read:

48.57 **(3m)** (ap) 3. Notwithstanding that an application of a kinship care ~~relative~~ provider specified in subd. 1. is denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure, the county department or, in a county having a population of 750,000 or more, the department may make payments under par. (am) to the kinship care ~~relative~~ provider for as long as the conditions specified in par. (am) 1. to 6. continue to apply if the county department or department submits to the court information relating to the background investigation specified in par. (am) 4., an assessment of the safety of the kinship care ~~relative's~~ provider's home and the ability of the kinship care ~~relative~~ provider to care for the child, and a recommendation that the child remain in the home of the kinship care ~~relative~~ provider and the court, after considering that information, assessment, and recommendation, orders the child to remain in the kinship care ~~relative's~~ provider's home. If the court does not order the child to remain in the kinship care ~~relative's~~ provider's home, the court shall order the county department or department to request a change in placement under s. 48.357 (1) (am) or 938.357 (1) (am). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request a change in placement.

SECTION 51. 48.57 (3m) (b) 2. of the statutes is amended to read:

48.57 **(3m)** (b) 2. When any kinship care ~~relative~~ provider of a child applies for or receives payments under this subsection, any right of the child or the child's parent to support or maintenance from any other person accruing during the time that payments are made under this subsection is assigned to the state. If a child who is the beneficiary of a payment under this subsection is also the beneficiary of support under a judgment or order that includes support for one or more children who are not the beneficiaries of payments under this subsection, any support payment made under the judgment or order is assigned to the state in the amount that is the proportionate share of the child who is the beneficiary of the payment made under this subsection, except as otherwise ordered by the court on the motion of a party.

SECTION 52. 48.57 (3m) (cm) of the statutes is amended to read:

48.57 **(3m)** (cm) A kinship care ~~relative~~ provider who receives a payment under par. (am) for providing care and maintenance for a child is not eligible to receive a payment under sub. (3n) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

SECTION 53. 48.57 (3m) (h) of the statutes is amended to read:

48.57 **(3m)** (h) A county department or, in a county having a population of 750,000 or more, the department may recover an overpayment made under par. (am) from a kinship care ~~relative~~ provider who continues to receive payments under par. (am) by reducing the amount of the kinship care ~~relative's~~ provider's monthly payment. The department may by rule specify other methods for recovering overpayments made under par. (am). A county department that recovers an overpayment under this paragraph due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

SECTION 54. 48.57 (3m) (i) 1. of the statutes is amended to read:

48.57 **(3m)** (i) 1. Rules to provide assessment criteria for determining whether a kinship care ~~relative~~ provider who is providing care and maintenance for a child is eligible to receive payments under par. (am). The rules shall also provide that any criteria established under the rules shall first apply to applications for payments under par. (am) received, and to reviews under par. (d) conducted, on the effective date of those rules.

SECTION 55. 48.57 (3n) (a) 1. b. of the statutes is amended to read:

48.57 **(3n)** (a) 1. b. The person is under 21 years of age, the person is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent, an individualized education program under s. 115.787 is in effect for the person, and the person is placed in the home of the long-term kinship care ~~relative~~ provider under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 48.366 (3) or 938.366 (3).

SECTION 56. 48.57 (3n) (a) 2. of the statutes is amended to read:

48.57 **(3n)** (a) 2. "Long-term kinship care ~~relative~~ provider" means a relative other than a parent, an extended family member, as defined in s. 48.028 (2) (am), or like-kin.

SECTION 57. 48.57 (3n) (am) (intro.) of the statutes, as affected by Wisconsin Act 19, is amended to read:

48.57 **(3n)** (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md), (me), and (s), the department shall reimburse counties having populations of less than 750,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 750,000 or more. Subject

to par. (ap), a county department and, in a county having a population of 750,000 or more, the department shall make monthly payments for each child per month in the amount of $375 beginning on January 1, 2024, to a long-term kinship care ~~relative~~ provider who is providing care and maintenance for that child if all of the following conditions are met:

SECTION 58. 48.57 (3n) (am) 1. of the statutes is amended to read:

48.57 **(3n)** (am) 1. The long-term kinship care ~~relative~~ provider applies to the county department or department for payments under this subsection, provides proof that he or she has been appointed as the guardian of the child, and, if the child is placed in the home of the long-term kinship care ~~relative~~ provider under a court order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., applies to the county department or department for a license to operate a foster home.

SECTION 59. 48.57 (3n) (am) 2. of the statutes is amended to read:

48.57 **(3n)** (am) 2. The county department or department inspects the long-term kinship care ~~relative's~~ provider's home, interviews the long-term kinship care ~~relative~~ provider and determines that long-term placement with the long-term kinship care ~~relative~~ provider is in the best interests of the child.

SECTION 60. 48.57 (3n) (am) 4. of the statutes is amended to read:

48.57 **(3n)** (am) 4. The county department or department conducts a background investigation under sub. (3p) of the long-term kinship care ~~relative~~ provider, the employees and prospective employees of the long-term kinship care ~~relative~~ provider who have or would have regular contact with the child for whom the payments would be made and any other adult resident, as defined in sub. (3p) (a), of the long-term kinship care ~~relative's~~ provider's home to determine if the long-term kinship care ~~relative~~ provider, employee, prospective employee or adult

resident has any arrests or convictions that are likely to adversely affect the child or the long-term kinship care ~~relative's~~ provider's ability to care for the child.

SECTION 61. 48.57 (3n) (am) 4m. of the statutes is amended to read:

48.57 **(3n)** (am) 4m. Subject to sub. (3p) (fm) 1m. and 2m., the long-term kinship care ~~relative~~ provider states that he or she does not have any arrests or convictions that could adversely affect the child or the long-term kinship care ~~relative's~~ provider's ability to care for the child and that, to the best of the long-term kinship care ~~relative's~~ provider's knowledge, no adult resident, as defined in sub. (3p) (a), and no employee or prospective employee of the long-term kinship care ~~relative~~ provider who would have regular contact with the child has any arrests or convictions that could adversely affect the child or the long-term kinship care ~~relative's~~ provider's ability to care for the child.

SECTION 62. 48.57 (3n) (am) 5. of the statutes is amended to read:

48.57 **(3n)** (am) 5. The long-term kinship care ~~relative~~ provider cooperates with the county department or department in the application process, including applying for other forms of assistance for which the child may be eligible.

SECTION 63. 48.57 (3n) (am) 5m. of the statutes is amended to read:

48.57 **(3n)** (am) 5m. The long-term kinship care ~~relative~~ provider is not receiving payments under sub. (3m) with respect to the child.

SECTION 64. 48.57 (3n) (am) 5r. of the statutes is amended to read:

48.57 **(3n)** (am) 5r. The child for whom the long-term kinship care ~~relative~~ provider is providing care and maintenance is not receiving supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

SECTION 65. 48.57 (3n) (am) 6. (intro.) of the statutes is amended to read:

48.57 **(3n)** (am) 6. (intro.) The long-term kinship care ~~relative~~ provider and the county department or department enter into a written agreement under which the long-term kinship care ~~relative~~ provider agrees to provide care and maintenance for the child and the county department or department agrees, subject to sub. (3p) (hm), to make monthly payments to the long-term kinship care ~~relative~~ provider at the rate specified in sub. (3m) (am) (intro.) until the earliest of the following:

SECTION 66. 48.57 (3n) (am) 6. c. of the statutes is amended to read:

48.57 **(3n)** (am) 6. c. The date on which the child is placed outside the long-term kinship care ~~relative's~~ provider's home under a court order or under a voluntary agreement under s. 48.63 (1) (a) or (b) or (5) (b).

SECTION 67. 48.57 (3n) (am) 6. d. of the statutes is amended to read:

48.57 **(3n)** (am) 6. d. The date on which the child ceases to reside with the long-term kinship care ~~relative~~ provider.

SECTION 68. 48.57 (3n) (am) 6. e. of the statutes is amended to read:

48.57 **(3n)** (am) 6. e. The date on which the long-term kinship ~~care's~~ care provider's guardianship under s. 48.977 terminates.

SECTION 69. 48.57 (3n) (ap) 1. of the statutes is amended to read:

48.57 **(3n)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a county having a population of 750,000 or more, the department may make payments under par. (am) to a long-term kinship care ~~relative~~ provider who is providing care and maintenance for a child who is placed in the home of the long-term kinship care ~~relative~~ provider for no more than 60 days after the date on which the county department or department received under par. (am) 1. the completed application of the long-term kinship care ~~relative~~ provider for a license to operate a foster home or, if the application is approved or denied or the long-term kinship care ~~relative~~

provider is otherwise determined to be ineligible for licensure within those 60 days, until the date on which the application is approved or denied or the long-term kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

SECTION 70. 48.57 (3n) (ap) 2. of the statutes is amended to read:

48.57 **(3n)** (ap) 2. If the application specified in subd. 1. is not approved or denied or the long-term kinship care ~~relative~~ provider is not otherwise determined to be ineligible for licensure within 60 days after the date on which the county department or department received the completed application for any reason other than an act or omission of the long-term kinship care ~~relative~~ provider, the county department or department may make payments under par. (am) for 4 months after the date on which the county department or department received the completed application or, if the application is approved or denied or the long-term kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure within those 4 months, until the date on which the application is approved or denied or the long-term kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

SECTION 71. 48.57 (3n) (ap) 3. of the statutes is amended to read:

48.57 **(3n)** (ap) 3. Notwithstanding that an application of a long-term kinship care ~~relative~~ provider specified in subd. 1. is denied or the long-term kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure, the county department or, in a county having a population of 750,000 or more, the department may make payments under par. (am) to the long-term kinship care ~~relative~~ provider until an event specified in par. (am) 6. a. to f. occurs if the county department or department submits to the court information relating to the background investigation specified in par. (am) 4., an assessment of the safety of the long-term

kinship care ~~relative's~~ provider's home and the ability of the long-term kinship care ~~relative~~ provider to care for the child, and a recommendation that the child remain in the home of the long-term kinship care ~~relative~~ provider and the court, after considering that information, assessment, and recommendation, orders the child to remain in the long-term kinship care ~~relative's~~ provider's home. If the court does not order the child to remain in the kinship care ~~relative's~~ provider's home, the court shall order the county department or department to request a change in placement under s. 48.357 (1) (am) or 938.357 (1) (am) or to request a termination of the guardianship order under s. 48.977 (7). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request a change in placement and any person who is authorized to file a petition for the appointment of a guardian for the child may also request a termination of the guardianship order.

SECTION 72. 48.57 (3n) (b) 2. of the statutes is amended to read:

48.57 **(3n)** (b) 2. When any long-term kinship care ~~relative~~ provider of a child applies for or receives payments under this subsection, any right of the child or the child's parent to support or maintenance from any other person accruing during the time that payments are made under this subsection is assigned to the state. If a child is the beneficiary of support under a judgment or order that includes support for one or more children who are not the beneficiaries of payments under this subsection, any support payment made under the judgment or order is assigned to the state in the amount that is the proportionate share of the child who is the beneficiary of the payment made under this subsection, except as otherwise ordered by the court on the motion of a party.

SECTION 73. 48.57 (3n) (cm) of the statutes is amended to read:

48.57 **(3n)** (cm) A long-term kinship care ~~relative~~ provider who receives a payment under par. (am) for providing care and maintenance for a child is not eligible to receive a payment under sub. (3m) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

SECTION 74. 48.57 (3n) (h) of the statutes is amended to read:

48.57 **(3n)** (h) A county department or, in a county having a population of 750,000 or more, the department may recover an overpayment made under par. (am) from a long-term kinship care ~~relative~~ provider who continues to receive payments under par. (am) by reducing the amount of the long-term kinship care ~~relative's~~ provider's monthly payment. The department may by rule specify other methods for recovering overpayments made under par. (am). A county department that recovers an overpayment under this paragraph due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

SECTION 75. 48.57 (3p) (h) 3. (intro.) of the statutes is amended to read:

48.57 **(3p)** (h) 3. (intro.) The director of the county department, the person designated by the governing body of an Indian tribe or, in a county having a population of 750,000 or more, the person designated by the secretary shall review the denial of payments or the prohibition on employment or being an adult resident to determine if the conviction record on which the denial or prohibition is based includes any arrests, convictions, or penalties that are likely to adversely affect the child or the ability of the kinship care ~~relative~~ provider to care for the child. In reviewing the denial or prohibition, the director of the county department, the person designated by the governing body of the Indian tribe or the person designated by the secretary shall consider all of the following factors:

SECTION 76. 48.57 (3p) (h) 3. b. of the statutes is amended to read:

48.57 **(3p)** (h) 3. b. The nature of the violation or penalty and how that violation or penalty affects the ability of the kinship care ~~relative~~ provider to care for the child.

SECTION 77. 48.57 (3p) (h) 4. of the statutes is amended to read:

48.57 **(3p)** (h) 4. If the director of the county department, the person designated by the governing body of the Indian tribe or, in a county having a population of 750,000 or more, the person designated by the secretary determines that the conviction record on which the denial of payments or the prohibition on employment or being an adult resident is based does not include any arrests, convictions, or penalties that are likely to adversely affect the child or the ability of the kinship care ~~relative~~ provider to care for the child, the director of the county department, the person designated by the governing body of the Indian tribe, or the person designated by the secretary may approve the making of payments under sub. (3m) or may permit a person receiving payments under sub. (3m) to employ a person in a position in which that person would have regular contact with the child for whom payments are being made or permit a person to be an adult resident.

SECTION 78. 48.60 (2) (a) of the statutes is amended to read:

48.60 **(2)** (a) A relative or like-kin, guardian, or person delegated care and custody of a child under s. 48.979 who provides care and maintenance for such children.

SECTION 79. 48.62 (2) of the statutes is amended to read:

48.62 **(2)** A relative or like-kin, a guardian of a child, or a person delegated care and custody of a child under s. 48.979 who provides care and maintenance for the child is not required to obtain the license specified in this section. The department, county department, or licensed child welfare agency as provided in s. 48.75 may issue a license to operate a foster home to a relative or like-kin who has no duty of support

under s. 49.90 (1) (a) and who requests a license to operate a foster home for a specific child who is either placed by court order or who is the subject of a voluntary placement agreement under s. 48.63. The department, a county department, or a licensed child welfare agency may, at the request of a guardian appointed under s. 48.977, 48.978, or 48.9795, ch. 54, 2017 stats., or ch. 880, 2003 stats., license the guardian's home as a foster home for the guardian's minor ward who is living in the home and who is placed in the home by court order. Relatives and like-kin with no duty of support and guardians appointed under s. 48.977, 48.978, or 48.9795, ch. 54, 2017 stats., or ch. 880, 2003 stats., who are licensed to operate foster homes are subject to the department's licensing rules.

SECTION 80. 48.64 (1) of the statutes is amended to read:

48.64 **(1)** DEFINITION. In this section, "agency" means the department, the department of corrections, a county department under s. 46.215, 46.22, or 46.23, or a licensed child welfare agency authorized to place children in foster homes, group homes, or shelter care facilities approved under s. 938.22 (2) (c) ~~or~~, in the homes of relatives other than a parent, or in the homes of like-kin.

SECTION 81. 48.64 (1m) of the statutes is amended to read:

48.64 **(1m)** OUT-OF-HOME CARE AGREEMENTS. If an agency places a child in a foster home or group home or in the home of a relative other than a parent or in the home of like-kin under a court order or places a child in a foster home, group home, or shelter care facility approved under s. 938.22 (2) (c) under a voluntary agreement under s. 48.63, the agency shall enter into a written agreement with the head of the home or facility. The agreement shall provide that the agency shall have access at all times to the child and the home or facility, and that the child will be released to the agency whenever, in the opinion of the agency placing the child or the

department, the best interests of the child require release to the agency. If a child has been in a foster home or group home or in the home of a relative other than a parent or in the home of like-kin for 6 months or more, the agency shall give the head of the home written notice of intent to remove the child, stating the reasons for the removal. The child may not be removed from a foster home, group home, or home of a relative other than a parent or the home of like-kin before completion of the hearing under sub. (4) (a) or (c), if requested, or 30 days after the receipt of the notice, whichever is later, unless the safety of the child requires it or, in a case in which the reason for removal is to place the child for adoption under s. 48.833, unless all of the persons who have the right to request a hearing under sub. (4) (a) or (c) sign written waivers of objection to the proposed removal. If the safety of the child requires earlier removal, s. 48.19 applies. If an agency removes a child from an adoptive placement, the head of the home shall have no claim against the placing agency for the expense of care, clothing, or medical treatment.

SECTION 82. 48.64 (2) of the statutes is amended to read:

48.64 **(2)** SUPERVISION OF OUT-OF-HOME CARE PLACEMENTS. Every child who is placed in a foster home, group home, or shelter care facility approved under s. 938.22 (2) (c) shall be under the supervision of an agency. Every child who is placed in the home of a relative other than a parent or in the home of like-kin under a court order shall be under the supervision of an agency.

SECTION 83. 48.64 (4) (a) of the statutes is amended to read:

48.64 **(4)** (a) Except as provided in par. (d), any decision or order issued by an agency that affects the head of a foster home or group home, the head of the home of a relative other than a parent or the home of like-kin in which a child is placed, or the child involved may be appealed to the department under fair hearing

procedures established under rules promulgated by the department. Upon receipt of an appeal, the department shall give the head of the home reasonable notice and an opportunity for a fair hearing. The department may make any additional investigation that the department considers necessary. The department shall give notice of the hearing to the head of the home and to the departmental subunit, county department, or child welfare agency that issued the decision or order. Each person receiving notice is entitled to be represented at the hearing. At all hearings conducted under this paragraph, the head of the home, or a representative of the head of the home, shall have an adequate opportunity, notwithstanding s. 48.78 (2) (a), to examine all documents and records to be used at the hearing at a reasonable time before the date of the hearing as well as during the hearing, to bring witnesses, to establish all pertinent facts and circumstances, and to question or refute any testimony or evidence, including an opportunity to confront and cross-examine adverse witnesses. The department shall grant a continuance for a reasonable period of time when an issue is raised for the first time during a hearing. This requirement may be waived with the consent of the parties. The decision of the department shall be based exclusively on evidence introduced at the hearing. A transcript of testimony and exhibits, or an official report containing the substance of what transpired at the hearing, together with all papers and requests filed in the proceeding, and the findings of the hearing examiner shall constitute the exclusive record for decision by the department. The department shall make the record available at any reasonable time and at an accessible place to the head of the home or his or her representative. Decisions by the department shall specify the reasons for the decision and identify the supporting evidence. No person participating in an agency action being appealed may participate in the final administrative decision on

that action. The department shall render its decision as soon as possible after the hearing and shall send a certified copy of its decision to the head of the home and to the departmental subunit, county department, or child welfare agency that issued the decision or order. The decision shall be binding on all parties concerned.

SECTION 84. 48.64 (4) (c) of the statutes is amended to read:

48.64 **(4)** (c) Except as provided in par. (d), the circuit court for the county where the dispositional order placing a child in a foster home or group home or in the home of a relative other than a parent or in the home of like-kin was entered or the voluntary agreement under s. 48.63 placing a child in a foster home or group home was made has jurisdiction upon petition of any interested party over the child who is placed in the foster home, group home, or home of the relative or like-kin. The circuit court may call a hearing, at which the head of the home and the supervising agency under sub. (2) shall be present, for the purpose of reviewing any decision or order of that agency involving the placement and care of the child. If the child has been placed in a foster home or in the home of a relative other than a parent or in the home of like-kin, the foster parent ~~or~~, relative, or like-kin may present relevant evidence at the hearing. The petitioner has the burden of proving by clear and convincing evidence that the decision or order issued by the agency is not in the best interests of the child.

SECTION 85. 48.67 (4) (b) of the statutes is amended to read:

48.67 **(4)** (b) The training under par. (a) shall be available to a kinship care ~~relative~~ provider, as defined in s. 48.40 (1m), upon request of the kinship care ~~relative~~ provider.

SECTION 86. 49.155 (1m) (a) 1m. b. of the statutes is amended to read:

49.155 **(1m)** (a) 1m. b. The individual has not yet attained the age of 18 years and the individual resides with his or her custodial parent or with a kinship care ~~relative~~ provider under s. 48.57 (3m) or with a long-term kinship care ~~relative~~ provider under s. 48.57 (3n) or is in a foster home licensed under s. 48.62, a subsidized guardianship home under s. 48.623, a group home, or an independent living arrangement supervised by an adult.

SECTION 87. 118.175 (1) of the statutes is amended to read:

118.175 **(1)** This section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11) or 938.02 (11), or who is cared for by a kinship care ~~relative~~ provider, as defined in s. 48.57 (3m) (a) 2.

SECTION 88. 767.57 (1m) (cm) of the statutes is amended to read:

767.57 **(1m)** (cm) A kinship care ~~relative~~ provider or a long-term kinship care ~~relative~~ provider of the child who is entitled to the support money has applied for or is receiving kinship care payments or long-term kinship care payments for that child and there is an assignment to the state under s. 48.57 (3m) (b) 2. or (3n) (b) 2. of the child's right to the support money.

SECTION 89. 767.57 (2) of the statutes is amended to read:

767.57 **(2)** PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to maintenance or support, or both, is receiving public assistance under ch. 49, the party may assign the party's right to support or maintenance to the county department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment shall be approved by order of the court granting the maintenance or support. The assignment may not be terminated if there is a delinquency in the amount to be paid to the assignee of maintenance and support previously ordered without the written consent of the assignee or upon notice to the assignee and a hearing. When an

assignment of maintenance or support, or both, has been approved by the order, the assignee shall be deemed a real party in interest within s. 803.01 solely for the purpose of securing payment of unpaid maintenance or support ordered to be paid, by participating in proceedings to secure the payment of unpaid amounts. Notwithstanding assignment under this subsection, and without further order of the court, the department or its designee, upon receiving notice that a party or a minor child of the parties is receiving aid under s. 48.645 or public assistance under ch. 49 or that a kinship care ~~relative~~ provider or long-term kinship care ~~relative~~ provider of the minor child is receiving kinship care payments or long-term kinship care payments for the minor child, shall forward all support assigned under s. 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

SECTION 90. 938.02 (12c) of the statutes is created to read:

938.02 **(12c)** "Like-kin" means an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and who is not and has not previously been the child's licensed foster parent. For an Indian child, "like-kin" includes individuals identified by the child's tribe according to tribal tradition, custom or resolution, code, or law.

SECTION 91. 938.02 (15) of the statutes is amended to read:

938.02 **(15)** "Relative" means a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, 2nd cousin, first cousin once removed, nephew, niece, uncle, aunt, stepuncle, stepaunt, or any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or

divorce. For purposes of the application of s. 938.028 and the federal Indian Child Welfare Act, 25 USC 1901 to 1963, "relative" includes an extended family member, as defined in s. 938.028 (2) (a), whether by blood, marriage, or adoption, including adoption under tribal law or custom. For purposes of placement of a juvenile, "relative" also includes a parent of a sibling of the juvenile who has legal custody of that sibling.

SECTION 92. 938.028 (2) (c) of the statutes is amended to read:

938.028 **(2)** (c) "Out-of-home care placement" means the removal of an Indian juvenile from the home of his or her parent or Indian custodian for temporary placement in a foster home, group home, residential care center for children and youth, or shelter care facility, in the home of a relative other than a parent, in the home of like-kin, or in the home of a guardian, from which placement the parent or Indian custodian cannot have the juvenile returned upon demand. "Out-of-home care placement" does not include an emergency change in placement under s. 938.357 (2) (b) or holding an Indian juvenile in custody under ss. 938.19 to 938.21.

SECTION 93. 938.207 (1) (b) of the statutes is amended to read:

938.207 **(1)** (b) The home of a relative or like-kin, except that a juvenile may not be held in the home of a ~~relative if the relative~~ person who has been convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of the juvenile, and the conviction has not been reversed, set aside or vacated, unless the person making the custody decision determines by clear and convincing evidence that the placement would be in the best interests of the juvenile. The person making the custody decision shall consider the wishes of the juvenile in making that determination.

SECTION 94. 938.207 (1) (f) of the statutes is amended to read:

938.207 **(1)** (f) The home of a person not a relative or like-kin if the person has not had a license under s. 48.62 refused, revoked, or suspended within the previous 2 years. A placement under this paragraph may not exceed 30 days, unless the placement is extended by the court for cause for an additional 30 days.

SECTION 95. 938.33 (4) (intro.) of the statutes is amended to read:

938.33 **(4)** OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending placement in a foster home, group home, or nonsecured residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised independent living arrangement shall be in writing, except that the report may be presented orally at the dispositional hearing if all parties consent. A report that is presented orally shall be transcribed and made a part of the court record. The report shall include all of the following:

SECTION 96. 938.335 (3g) (intro.) of the statutes is amended to read:

938.335 **(3g)** REASONABLE EFFORTS FINDING. (intro.) At hearings under this section, if the agency, as defined in s. 938.38 (1) (a), is recommending placement of the juvenile in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised independent living arrangement, the agency shall present as evidence specific information showing all of the following:

SECTION 97. 938.335 (3j) (intro.) of the statutes is amended to read:

938.335 **(3j)** INDIAN JUVENILE; ACTIVE EFFORTS FINDING. (intro.) At hearings under this section involving an Indian juvenile who is the subject of a proceeding under s. 938.13 (4), (6), (6m), or (7), if the agency, as defined in s. 938.38 (1) (a), is

recommending removal of the Indian juvenile from the home of his or her parent or Indian custodian and placement of the Indian juvenile in a foster home, group home, or residential care center for children and youth ~~or~~, in the home of a relative other than a parent, or in the home of like-kin, the agency shall present as evidence specific information showing all of the following:

SECTION 98. 938.34 (3) (a) (intro.) of the statutes is amended to read:

938.34 **(3)** (a) (intro.) The home of a parent ~~or~~, other relative, or like-kin of the juvenile, except that the court may not designate any of the following as the juvenile's placement, unless the court determines by clear and convincing evidence that the placement would be in the best interests of the juvenile or, in the case of an Indian juvenile, the best interests of the Indian juvenile as described in s. 938.01 (3):

SECTION 99. 938.34 (3) (a) 1. of the statutes is amended to read:

938.34 **(3)** (a) 1. The home of a parent ~~or~~, other relative, or like-kin of the juvenile if the parent ~~or~~, other relative, or like-kin has been convicted of the homicide of a parent of the juvenile under s. 940.01 or 940.05, and the conviction has not been reversed, set aside, or vacated. In determining whether a placement under this subdivision would be in the best interests of the juvenile, the court shall consider the wishes of the juvenile.

SECTION 100. 938.34 (3) (a) 2. of the statutes is amended to read:

938.34 **(3)** (a) 2. The home of a relative other than the parent of the juvenile or the home of like-kin if the court finds that the relative or like-kin has been convicted of, has pleaded no contest to, or has had a charge dismissed or amended as a result of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081,

948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or a similar law of another state.

SECTION 101. 938.355 (4) (am) (intro.) of the statutes is amended to read:

938.355 **(4)** (am) (intro.) Except as provided in par. (b) or s. 938.368, an order under this section or s. 938.357 or 938.365 made before the juvenile attains 18 years of age that places or continues the placement of the juvenile in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement shall terminate on the latest of the following dates, unless the court specifies a shorter period or the court terminates the order sooner:

SECTION 102. 938.357 (6) (a) (intro.) of the statutes is amended to read:

938.357 **(6)** (a) (intro.) No change in placement may extend the expiration date of the original dispositional order, except that if the change in placement is from a placement in the juvenile's home to a placement in a foster home, group home, or residential care center for children and youth, in the home of a relative who is not a parent, in the home of like-kin, or in a supervised independent living arrangement, the court may extend the expiration date of the original dispositional order to the latest of the following dates, unless the court specifies a shorter period:

SECTION 103. 938.357 (6) (b) of the statutes is amended to read:

938.357 **(6)** (b) If the change in placement is from a placement in a foster home, group home, or residential care center for children and youth or in the home of a relative or like-kin to a placement in the juvenile's home and if the expiration date of the original dispositional order is more than one year after the date on which the change-in-placement order is granted, the court shall shorten the expiration date of the original dispositional order to the date that is one year after the date on which

the change-in-placement order is granted or to an earlier date as specified by the court.

SECTION 104. 938.365 (5) (b) (intro.) of the statutes is amended to read:

938.365 **(5)** (b) (intro.) Except as provided in s. 938.368, an order under this section that continues the placement of a juvenile in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement shall be for a specified length of time not to exceed the latest of the following dates:

SECTION 105. 938.366 (1) (a) of the statutes is amended to read:

938.366 **(1)** (a) The person is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement under an order under s. 938.355, 938.357, or 938.365 that terminates as provided in s. 938.355 (4) (am) 1., 2., or 3., 938.357 (6) (a) 1., 2., or 3., or 938.365 (5) (b) 1., 2., or 3. on or after the person attains 18 years of age.

SECTION 106. 938.371 (1) (intro.) of the statutes is amended to read:

938.371 **(1)** MEDICAL INFORMATION. (intro.) If a juvenile is placed in a foster home, group home, residential care center for children and youth, or juvenile correctional facility ~~or~~, in the home of a relative other than a parent, or in the home of like-kin, including a placement under s. 938.205 or 938.21, the agency, as defined in s. 938.38 (1) (a), that placed the juvenile or arranged for the placement of the juvenile shall provide the following information to the foster parent, relative, like-kin, or operator of the group home, residential care center for children and youth, or juvenile correctional facility at the time of placement or, if the information has not been provided to the agency by that time, as soon as possible after the date

on which the agency receives that information, but not more than 2 working days after that date:

SECTION 107. 938.371 (1) (a) of the statutes is amended to read:

938.371 **(1)** (a) Results of an HIV test, as defined in s. 252.01 (2m), of the juvenile as provided under s. 252.15 (3m) (d) 15., including results included in a court report or permanency plan. At the time that the test results are provided, the agency shall notify the foster parent, relative, like-kin, or operator of the group home, residential care center for children and youth, or juvenile correctional facility of the confidentiality requirements under s. 252.15 (6).

SECTION 108. 938.371 (3) (intro.) of the statutes is amended to read:

938.371 **(3)** OTHER INFORMATION. (intro.) At the time of placement of a juvenile in a foster home, group home, residential care center for children and youth, or juvenile correctional facility or in the home of a relative other than a parent or in the home of like-kin or, if the information is not available at that time, as soon as possible after the date on which the court report or permanency plan has been submitted, but no later than 7 days after that date, the agency, as defined in s. 938.38 (1) (a), responsible for preparing the juvenile's permanency plan shall provide to the foster parent, relative, like-kin, or operator of the group home, residential care center for children and youth, or juvenile correctional facility information contained in the court report submitted under s. 938.33 (1) or 938.365 (2g) or permanency plan submitted under s. 938.355 (2e) or 938.38 relating to findings or opinions of the court or agency that prepared the court report or permanency plan relating to any of the following:

SECTION 109. 938.371 (5) of the statutes is amended to read:

938.371 **(5)** CONFIDENTIALITY OF INFORMATION. Except as permitted under s. 252.15 (6), a foster parent, treatment foster parent, relative, like-kin, or operator of a group home, residential care center for children and youth, or juvenile correctional facility that receives any information under sub. (1) or (3), other than the information described in sub. (3) (e), shall keep the information confidential and may disclose that information only for the purposes of providing care for the juvenile or participating in a court hearing or permanency review concerning the juvenile.

SECTION 110. 938.38 (2) (intro.) of the statutes is amended to read:

938.38 **(2)** PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3), for each juvenile living in a foster home, group home, residential care center for children and youth, juvenile detention facility, shelter care facility, or supervised independent living arrangement, the agency that placed the juvenile or arranged the placement or the agency assigned primary responsibility for providing services to the juvenile under s. 938.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following conditions exists, and, for each juvenile living in the home of a guardian or a relative other than a parent or in the home of like-kin, that agency shall prepare a written permanency plan, if any of the conditions under pars. (a) to (e) exists:

SECTION 111. 938.38 (3m) (a) of the statutes is amended to read:

938.38 **(3m)** (a) All appropriate biological family members, relatives, and like-kin of the juvenile, as determined by the agency. Notwithstanding s. 938.02 (12c), in this paragraph, "like-kin" may include an individual who is or previously was the child's licensed foster parent.

SECTION 112. 938.38 (4) (f) (intro.) of the statutes is amended to read:

938.38 **(4)** (f) (intro.) A description of the services that will be provided to the juvenile, the juvenile's family, and the juvenile's foster parent, the operator of the facility where the juvenile is living, or the relative or like-kin with whom the juvenile is living to carry out the dispositional order, including services planned to accomplish all of the following:

SECTION 113. 938.38 (4m) (b) of the statutes is amended to read:

938.38 **(4m)** (b) At least 10 days before the date of the hearing the court shall notify the juvenile; any parent, guardian, and legal custodian of the juvenile; any foster parent, or other physical custodian described in s. 48.62 (2) of the juvenile, the operator of the facility in which the juvenile is living, or the relative or like-kin with whom the juvenile is living; and, if the juvenile is an Indian juvenile who is or is alleged to be in need of protection or services under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they shall have a right to be heard at the hearing.

SECTION 114. 938.38 (4m) (d) of the statutes is amended to read:

938.38 **(4m)** (d) The court shall give a foster parent, other physical custodian described in s. 48.62 (2), operator of a facility, ~~or~~ relative, or like-kin who is notified of a hearing under par. (b) a right to be heard at the hearing by permitting the foster parent, other physical custodian, operator, ~~or~~ relative, or like-kin to make a written or oral statement during the hearing, or to submit a written statement prior to the hearing, relevant to the issues to be determined at the hearing. The foster parent, other physical custodian, operator of a facility, ~~or~~ relative, or like-kin does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 115. 938.38 (5) (b) of the statutes is amended to read:

938.38 **(5)** (b) The court or the agency shall notify the juvenile; the juvenile's parent, guardian, and legal custodian; the juvenile's foster parent, the operator of the facility in which the juvenile is living, or the relative or like-kin with whom the juvenile is living; and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the review, of the issues to be determined as part of the review, and of the fact that they shall have a right to be heard at the review as provided in par. (bm) 1. The court or agency shall notify the person representing the interests of the public, the juvenile's counsel, the juvenile's guardian ad litem, and the juvenile's school of the time, place, and purpose of the review, of the issues to be determined as part of the review, and of the fact that they may have an opportunity to be heard at the review as provided in par. (bm) 1. The notices under this paragraph shall be provided in writing not less than 30 days before the review and copies of the notices shall be filed in the juvenile's case record. The notice to the juvenile's school shall also include the name and contact information for the caseworker or social worker assigned to the juvenile's case.

SECTION 116. 938.38 (5) (bm) 1. of the statutes is amended to read:

938.38 **(5)** (bm) 1. A juvenile, parent, guardian, legal custodian, foster parent, operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the review under par. (b) shall have a right to be heard at the review by submitting written comments relevant to the determinations specified in par. (c) not less than 10 working days before the date of the review or by participating at the review. A person representing the interests of the public, counsel, guardian ad litem, or school who is

provided notice of the review under par. (b) may have an opportunity to be heard at the review by submitting written comments relevant to the determinations specified in par. (c) not less than 10 working days before the date of the review. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives notice of a review under par. (b) and a right to be heard under this subdivision does not become a party to the proceeding on which the review is held solely on the basis of receiving that notice and right to be heard.

SECTION 117. 938.38 (5) (e) of the statutes is amended to read:

938.38 **(5)** (e) Within 30 days, the agency shall prepare a written summary of the determinations under par. (c) and shall provide a copy to the court that entered the order; the juvenile or the juvenile's counsel or guardian ad litem; the person representing the interests of the public; the juvenile's parent, guardian, or legal custodian; the juvenile's foster parent, the operator of the facility where the juvenile is living, or the relative or like-kin with whom the juvenile is living; and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe.

SECTION 118. 938.38 (5m) (b) of the statutes is amended to read:

938.38 **(5m)** (b) The court shall notify the juvenile; the juvenile's parent, guardian, and legal custodian; and the juvenile's foster parent, the operator of the facility in which the juvenile is living, or the relative or like-kin with whom the juvenile is living of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they shall have a right to be heard at the hearing as provided in par. (c) 1. The court shall notify the juvenile's counsel and the juvenile's guardian ad litem; the agency that prepared the permanency plan;

the juvenile's school; the person representing the interests of the public; and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they may have an opportunity to be heard at the hearing as provided in par. (c) 1. The notices under this paragraph shall be provided in writing not less than 30 days before the hearing. The notice to the juvenile's school shall also include the name and contact information for the caseworker or social worker assigned to the juvenile's case.

SECTION 119. 938.38 (5m) (c) 1. of the statutes is amended to read:

938.38 **(5m)** (c) 1. A juvenile, parent, guardian, legal custodian, foster parent, operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the hearing under par. (b) shall have a right to be heard at the hearing by submitting written comments relevant to the determinations specified in sub. (5) (c) not less than 10 working days before the date of the hearing or by participating at the hearing. A counsel, guardian ad litem, agency, school, or person representing the interests of the public who is provided notice of the hearing under par. (b) may have an opportunity to be heard at the hearing by submitting written comments relevant to the determinations specified in sub. (5) (c) not less than 10 working days before the date of the hearing or by participating at the hearing. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives notice of a hearing under par. (b) and a right to be heard under this subdivision does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 120. 938.38 (5m) (e) of the statutes is amended to read:

938.38 **(5m)** (e) After the hearing, the court shall make written findings of fact and conclusions of law relating to the determinations under sub. (5) (c) and shall provide a copy of those findings of fact and conclusions of law to the juvenile; the juvenile's parent, guardian, and legal custodian; the juvenile's foster parent, the operator of the facility in which the juvenile is living, or the relative or like-kin with whom the juvenile is living; the agency that prepared the permanency plan; the person representing the interests of the public; and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe. The court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances specific to the juvenile and shall document or reference the specific information on which those findings are based in the findings of fact and conclusions of law prepared under this paragraph. Findings of fact and conclusions of law that merely reference sub. (5) (c) 7. without documenting or referencing that specific information in the findings of fact and conclusions of law or amended findings of fact and conclusions of law that retroactively correct earlier findings of fact and conclusions of law that do not comply with this paragraph are not sufficient to comply with this paragraph.

SECTION 121. 938.385 (intro.) of the statutes is amended to read:

938.385 Plan for transition to independent living. (intro.) During the 90 days immediately before a juvenile who is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement attains 18 years of age or, if the juvenile is placed in such a placement under an order under s. 938.355, 938.357, or 938.365 that terminates under s. 938.355 (4) (am) after

the juvenile attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 938.366 (3) that terminates under s. 938.366 (3) (a) after the juvenile attains 18 years of age, during the 90 days immediately before the termination of the order or agreement, the agency primarily responsible for providing services to the juvenile under the order or agreement shall do all of the following:

SECTION 122. Nonstatutory provisions.

(1) If, prior to July 1, 2024, the department of children and families determines that there is sufficient funding allocated under s. 49.175 (1) (s) to fund the expansion of the kinship care and long-term kinship care programs under this act, the department shall submit to the legislative reference bureau for publication in the Wisconsin Administrative Register a notice specifying the date of that determination.

SECTION 123. Effective date.

(1) This act takes effect on the date specified in the notice published in the Wisconsin Administrative Register under SECTION 122 (1) of this act, or on July 1, 2025, whichever is earlier.

(END)

2023 - 2024 LEGISLATURE

LRB-4691/1
EHS:wlj&amn

2023 ASSEMBLY BILL 557

October 26, 2023 - Introduced by Representatives SNYDER, ARMSTRONG, BALDEH, BEHNKE, BILLINGS, CALLAHAN, CONLEY, CONSIDINE, DITTRICH, DONOVAN, DOYLE, GOEBEN, GUSTAFSON, HONG, JOERS, KITCHENS, MURSAU, NOVAK, O'CONNOR, OHNSTAD, PALMERI, RATCLIFF, RETTINGER, ROZAR, SAPIK, SNODGRASS, STUBBS, SUBECK, PLUMER, SINICKI, CLANCY and JACOBSON, cosponsored by Senators BALLWEG, JAMES, CARPENTER, HESSELBEIN, L. JOHNSON, LARSON, ROYS, SMITH, SPREITZER and TOMCZYK. Referred to Committee on Children and Families.

AN ACT ***to amend*** 48.02 (15), 48.028 (2) (e), 48.028 (2) (f), 48.207 (1) (b), 48.207 (1) (f), 48.33 (4) (intro.), 48.335 (3g) (intro.), 48.335 (3j) (intro.), 48.345 (3) (a) (intro.), 48.345 (3) (a) 1., 48.345 (3) (a) 2., 48.345 (4) (a), 48.355 (4) (b) (intro.), 48.366 (1) (a), 48.371 (1) (intro.), 48.371 (1) (a), 48.371 (3) (intro.), 48.371 (3) (d), 48.371 (5), 48.38 (2) (intro.), 48.38 (3m) (a), 48.38 (4) (f) (intro.), 48.38 (4m) (b), 48.38 (4m) (d), 48.38 (5) (b), 48.38 (5) (bm) 1., 48.38 (5) (e), 48.38 (5m) (b), 48.38 (5m) (c) 1., 48.38 (5m) (e), 48.385 (intro.), 48.40 (1m), 48.427 (3m) (a) 5., 48.43 (5) (b) 1., 48.43 (5) (b) 3., 48.43 (5m), 48.57 (3m) (a) 1. b., 48.57 (3m) (a) 2., 48.57 (3m) (am) (intro.), 48.57 (3m) (am) 1., 48.57 (3m) (am) 1m., 48.57 (3m) (am) 4., 48.57 (3m) (am) 4m., 48.57 (3m) (am) 5., 48.57 (3m) (am) 5m., 48.57 (3m) (am) 6., 48.57 (3m) (ap) 1., 48.57 (3m) (ap) 2., 48.57 (3m) (ap) 3., 48.57 (3m) (b) 2., 48.57 (3m) (cm), 48.57 (3m) (h), 48.57 (3m) (i) 1., 48.57 (3n) (a) 1. b., 48.57 (3n) (a) 2., 48.57 (3n) (am) (intro.), 48.57 (3n) (am) 1., 48.57 (3n) (am) 2., 48.57 (3n) (am) 4., 48.57 (3n) (am) 4m., 48.57 (3n) (am) 5., 48.57 (3n) (am) 5m., 48.57 (3n)

(am) 5r., 48.57 (3n) (am) 6. (intro.), 48.57 (3n) (am) 6. c., 48.57 (3n) (am) 6. d., 48.57 (3n) (am) 6. e., 48.57 (3n) (ap) 1., 48.57 (3n) (ap) 2., 48.57 (3n) (ap) 3., 48.57 (3n) (b) 2., 48.57 (3n) (cm), 48.57 (3n) (h), 48.57 (3p) (h) 3. (intro.), 48.57 (3p) (h) 3. b., 48.57 (3p) (h) 4., 48.60 (2) (a), 48.62 (2), 48.64 (1), 48.64 (1m), 48.64 (2), 48.64 (4) (a), 48.64 (4) (c), 48.67 (4) (b), 49.155 (1m) (a) 1m. b., 118.175 (1), 767.57 (1m) (cm), 767.57 (2), 938.02 (15), 938.028 (2) (c), 938.207 (1) (b), 938.207 (1) (f), 938.33 (4) (intro.), 938.335 (3g) (intro.), 938.335 (3j) (intro.), 938.34 (3) (a) (intro.), 938.34 (3) (a) 1., 938.34 (3) (a) 2., 938.355 (4) (am) (intro.), 938.357 (6) (a) (intro.), 938.357 (6) (b), 938.365 (5) (b) (intro.), 938.366 (1) (a), 938.371 (1) (intro.), 938.371 (1) (a), 938.371 (3) (intro.), 938.371 (5), 938.38 (2) (intro.), 938.38 (3m) (a), 938.38 (4) (f) (intro.), 938.38 (4m) (b), 938.38 (4m) (d), 938.38 (5) (b), 938.38 (5) (bm) 1., 938.38 (5) (e), 938.38 (5m) (b), 938.38 (5m) (c) 1., 938.38 (5m) (e) and 938.385 (intro.); and ***to create*** 48.02 (12c) and 938.02 (12c) of the statutes; **relating to:** inclusion of like-kin as an option for with whom children may be placed out of their home under certain circumstances and who may receive kinship care payments.

Analysis by the Legislative Reference Bureau

Under current law, a juvenile court may place a child in certain placements that provide out-of-home care under the Children's Code and the Juvenile Justice Code. Under current law, those placements include specific types of licensed facilities, a licensed foster home, or the home of a relative other than a parent. Under current law, a relative other than a parent does not typically need to acquire a license in order to receive a relative child. This bill allows a juvenile court to similarly place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and the Juvenile Justice Code.

The bill defines "like-kin" for the purposes of such a placement to be an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal

tradition, custom or resolution, code, or law. Under the bill, "like-kin" does not include a current or former foster parent of a child for placement purposes.

Under current law, a relative other than a parent who is providing care and maintenance for a child under a court order may receive monthly kinship care payments from the Department of Children and Families or a county department of human or social services. The bill includes as those who may receive kinship care payments first cousins once removed and like-kin persons and changes the term used to refer to these persons from "kinship care relatives" to "kinship care providers."

Under current law, for the purposes of permanency planning, a family permanency team may include like-kin. The current law definition of "like-kin," for the purpose of determining the family permanency team, is similar to the definition of "like-kin" for placement purposes in the bill, except that the current law definition 1) does not exclude a current or former foster parent and 2) does not include individuals identified by the child's tribe if the child is an Indian child. Under the bill, the definition of "like-kin" for determining a family permanency team does not exclude a current or former foster parent but does include individuals identified by the child's tribe if the child is an Indian child.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.02 (12c) of the statutes is created to read:

48.02 **(12c)** "Like-kin" means an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and who is not and has not previously been the child's licensed foster parent. For an Indian child, "like-kin" includes individuals identified by the child's tribe according to tribal tradition, custom or resolution, code, or law.

SECTION 2. 48.02 (15) of the statutes is amended to read:

48.02 **(15)** "Relative" means a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, first cousin once removed, 2nd cousin, nephew, niece, uncle, aunt, stepuncle, stepaunt, or any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any

person named in this subsection, even if the marriage is terminated by death or divorce. For purposes of the application of s. 48.028 and the federal Indian Child Welfare Act, 25 USC 1901 to 1963, "relative" includes an extended family member, as defined in s. 48.028 (2) (am), whether by blood, marriage, or adoption, including adoption under tribal law or custom. For purposes of placement of a child, "relative" also includes a parent of a sibling of the child who has legal custody of that sibling.

SECTION 3. 48.028 (2) (e) of the statutes is amended to read:

48.028 **(2)** (e) "Out-of-home care placement" means the removal of an Indian child from the home of his or her parent or Indian custodian for temporary placement in a foster home, group home, residential care center for children and youth, or shelter care facility, in the home of a relative other than a parent, in the home of like-kin, or in the home of a guardian, from which placement the parent or Indian custodian cannot have the child returned upon demand. "Out-of-home care placement" does not include an adoptive placement, a preadoptive placement, a delegation of powers, as described in par. (d) 5., an emergency change in placement under s. 48.357 (2) (b), or holding an Indian child in custody under ss. 48.19 to 48.21.

SECTION 4. 48.028 (2) (f) of the statutes is amended to read:

48.028 **(2)** (f) "Preadoptive placement" means the temporary placement of an Indian child in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in the home of a guardian after a termination of parental rights but prior to or in lieu of an adoptive placement. "Preadoptive placement" does not include an emergency change in placement under s. 48.437 (2).

SECTION 5. 48.207 (1) (b) of the statutes is amended to read:

48.207 **(1)** (b) The home of a relative or like-kin, except that a child may not be held under this paragraph in the home of a ~~relative if the relative~~ person who has been convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, unless the person making the custody decision determines by clear and convincing evidence that the placement would be in the best interests of the child. The person making the custody decision shall consider the wishes of the child in making that determination.

SECTION 6. 48.207 (1) (f) of the statutes is amended to read:

48.207 **(1)** (f) The home of a person not a relative or like-kin, if the placement does not exceed 30 days, though the placement may be extended for an additional 30 days for cause by the court, and if the person has not had a license under s. 48.62 refused, revoked, or suspended within the last 2 years.

SECTION 7. 48.33 (4) (intro.) of the statutes is amended to read:

48.33 **(4)** OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending placement of an adult expectant mother outside of her home shall be in writing. A report recommending placement of a child in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised independent living arrangement shall be in writing and shall include all of the following:

SECTION 8. 48.335 (3g) (intro.) of the statutes is amended to read:

48.335 **(3g)** (intro.) At hearings under this section, if the agency, as defined in s. 48.38 (1) (a), is recommending placement of the child in a foster home, group home, or residential care center for children and youth, in the home of a relative other than

a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised independent living arrangement, the agency shall present as evidence specific information showing all of the following:

SECTION 9. 48.335 (3j) (intro.) of the statutes is amended to read:

48.335 **(3j)** (intro.) At hearings under this section involving an Indian child, if the agency, as defined in s. 48.38 (1) (a), is recommending removal of the Indian child from the home of his or her parent or Indian custodian and placement of the Indian child in a foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent or in the home of like-kin, the agency shall present as evidence specific information showing all of the following:

SECTION 10. 48.345 (3) (a) (intro.) of the statutes is amended to read:

48.345 **(3)** (a) (intro.) The home of a parent ~~or~~, other relative, or like-kin of the child, except that the judge may not designate any of the following as the child's placement, unless the judge determines by clear and convincing evidence that the placement would be in the best interests of the child or, in the case of an Indian child, the best interests of the Indian child as described in s. 48.01 (2):

SECTION 11. 48.345 (3) (a) 1. of the statutes is amended to read:

48.345 **(3)** (a) 1. The home of a parent ~~or~~, other relative, or like-kin if the parent ~~or~~, other relative, or like-kin has been convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside, or vacated. In determining whether a placement under this subdivision would be in the best interests of the child, the judge shall consider the wishes of the child.

SECTION 12. 48.345 (3) (a) 2. of the statutes is amended to read:

48.345 **(3)** (a) 2. The home of a relative other than the parent of a child or the home of like-kin if the judge finds that the relative or like-kin has been convicted of, has pleaded no contest to, or has had a charge dismissed or amended as a result of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or a similar law of another state.

SECTION 13. 48.345 (4) (a) of the statutes is amended to read:

48.345 **(4)** (a) A relative or like-kin of the child.

SECTION 14. 48.355 (4) (b) (intro.) of the statutes is amended to read:

48.355 **(4)** (b) (intro.) Except as provided under s. 48.368, an order under this section or s. 48.357 or 48.365 made before the child reaches 18 years of age that places or continues the placement of the child in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement shall terminate on the latest of the following dates, unless the judge specifies a shorter period or the judge terminates the order sooner:

SECTION 15. 48.366 (1) (a) of the statutes is amended to read:

48.366 **(1)** (a) The person is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement under an order under s. 48.355, 48.357, or 48.365 that terminates as provided in s. 48.355 (4) (b) 1., 2., or 3., 48.357 (6) (a) 1., 2., or 3., or 48.365 (5) (b) 1., 2., or 3. on or after the person attains 18 years of age.

SECTION 16. 48.371 (1) (intro.) of the statutes is amended to read:

48.371 **(1)** (intro.) If a child is placed in a foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent or in the home of like-kin, including a placement under s. 48.205 or 48.21, the agency, as defined in s. 48.38 (1) (a), that placed the child or arranged for the placement of the child shall provide the following information to the foster parent, relative, like-kin, or operator of the group home or residential care center for children and youth at the time of placement or, if the information has not been provided to the agency by that time, as soon as possible after the date on which the agency receives that information, but not more than 2 working days after that date:

SECTION 17. 48.371 (1) (a) of the statutes is amended to read:

48.371 **(1)** (a) Results of an HIV test, as defined in s. 252.01 (2m), of the child, as provided under s. 252.15 (3m) (d) 15., including results included in a court report or permanency plan. At the time that the HIV test results are provided, the agency shall notify the foster parent, relative, like-kin, or operator of the group home or residential care center for children and youth of the confidentiality requirements under s. 252.15 (6).

SECTION 18. 48.371 (3) (intro.) of the statutes is amended to read:

48.371 **(3)** (intro.) At the time of placement of a child in a foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent or in the home of like-kin or, if the information is not available at that time, as soon as possible after the date on which the court report or permanency plan has been submitted, but no later than 7 days after that date, the agency, as defined in s. 48.38 (1) (a), responsible for preparing the child's permanency plan shall provide to the foster parent, relative, like-kin, or operator of the group home or residential care center for children and youth information contained in the

court report submitted under s. 48.33 (1), 48.365 (2g), 48.425 (1), 48.831 (2), or 48.837 (4) (c) or permanency plan submitted under s. 48.355 (2e), 48.38, 48.43 (1) (c) or (5) (c), 48.63 (4) or (5) (c), or 48.831 (4) (e) relating to findings or opinions of the court or agency that prepared the court report or permanency plan relating to any of the following:

SECTION 19. 48.371 (3) (d) of the statutes is amended to read:

48.371 **(3)** (d) Any involvement of the child, whether as victim or perpetrator, in sexual intercourse or sexual contact in violation of s. 940.225, 948.02, 948.025, or 948.085, prostitution in violation of s. 944.30 (1m), trafficking in violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, sexual exploitation of a child in violation of s. 948.05, trafficking of a child in violation of s. 948.051, or causing a child to view or listen to sexual activity in violation of s. 948.055, if the information is necessary for the care of the child or for the protection of any person living in the foster home, group home, or residential care center for children and youth or in the home of the relative or like-kin.

SECTION 20. 48.371 (5) of the statutes is amended to read:

48.371 **(5)** Except as permitted under s. 252.15 (6), a foster parent, relative, like-kin, or operator of a group home or residential care center for children and youth that receives any information under sub. (1) or (3), other than the information described in sub. (3) (e), shall keep the information confidential and may disclose that information only for the purposes of providing care for the child or participating in a court hearing or permanency review concerning the child.

SECTION 21. 48.38 (2) (intro.) of the statutes is amended to read:

48.38 **(2)** PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3), for each child living in a foster home, group home, residential care center for children

and youth, juvenile detention facility, shelter care facility, qualifying residential family-based treatment facility with a parent, or supervised independent living arrangement, the agency that placed the child or arranged the placement or the agency assigned primary responsibility for providing services to the child under s. 48.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following conditions exists, and, for each child living in the home of a guardian ~~or~~, a relative other than a parent, or like-kin, that agency shall prepare a written permanency plan, if any of the conditions specified in pars. (a) to (e) exists:

SECTION 22. 48.38 (3m) (a) of the statutes is amended to read:

48.38 **(3m)** (a) All appropriate biological family members, relatives, and like-kin of the child, as determined by the agency. Notwithstanding s. 48.02 (12c), in this paragraph, "like-kin" may include an individual who is or previously was the child's licensed foster parent.

SECTION 23. 48.38 (4) (f) (intro.) of the statutes is amended to read:

48.38 **(4)** (f) (intro.) A description of the services that will be provided to the child, the child's family, and the child's foster parent, the operator of the facility where the child is living, or the relative or like-kin with whom the child is living to carry out the dispositional order, including services planned to accomplish all of the following:

SECTION 24. 48.38 (4m) (b) of the statutes is amended to read:

48.38 **(4m)** (b) At least 10 days before the date of the hearing the court shall notify the child; any parent, guardian, and legal custodian of the child; any foster parent, or other physical custodian described in s. 48.62 (2) of the child, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living; and, if the child is an Indian child, the Indian child's Indian custodian

and tribe of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they shall have a right to be heard at the hearing.

SECTION 25. 48.38 (4m) (d) of the statutes is amended to read:

48.38 **(4m)** (d) The court shall give a foster parent, other physical custodian described in s. 48.62 (2), operator of a facility, ~~or~~ relative, or like-kin who is notified of a hearing under par. (b) a right to be heard at the hearing by permitting the foster parent, other physical custodian, operator, ~~or~~ relative, or like-kin to make a written or oral statement during the hearing, or to submit a written statement prior to the hearing, relevant to the issues to be determined at the hearing. The foster parent, other physical custodian, operator of a facility, ~~or~~ relative, or like-kin does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 26. 48.38 (5) (b) of the statutes is amended to read:

48.38 **(5)** (b) The court or the agency shall notify the child; the child's parent, guardian, and legal custodian; the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living; and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe of the time, place, and purpose of the review, of the issues to be determined as part of the review, and of the fact that they shall have a right to be heard at the review as provided in par. (bm) 1. The court or agency shall notify the person representing the interests of the public, the child's counsel, the child's guardian ad litem, the child's court-appointed special advocate, and the child's school of the time, place, and purpose of the review, of the issues to be determined as part of the review, and of the fact that they may have an opportunity to be heard at the review as provided in par. (bm) 1. The notices under

this paragraph shall be provided in writing not less than 30 days before the review and copies of the notices shall be filed in the child's case record. The notice to the child's school shall also include the name and contact information for the caseworker or social worker assigned to the child's case.

SECTION 27. 48.38 (5) (bm) 1. of the statutes is amended to read:

48.38 **(5)** (bm) 1. A child, parent, guardian, legal custodian, foster parent, operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the review under par. (b) shall have a right to be heard at the review by submitting written comments relevant to the determinations specified in par. (c) not less than 10 working days before the date of the review or by participating at the review. A person representing the interests of the public, counsel, guardian ad litem, court-appointed special advocate, or school who is provided notice of the review under par. (b) may have an opportunity to be heard at the review by submitting written comments relevant to the determinations specified in par. (c) not less than 10 working days before the date of the review. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives notice of a review under par. (b) and a right to be heard under this subdivision does not become a party to the proceeding on which the review is held solely on the basis of receiving that notice and right to be heard.

SECTION 28. 48.38 (5) (e) of the statutes is amended to read:

48.38 **(5)** (e) Within 30 days, the agency shall prepare a written summary of the determinations under par. (c) and shall provide a copy to the court that entered the order; the child or the child's counsel or guardian ad litem; the person representing the interests of the public; the child's parent, guardian, or legal custodian; the child's court-appointed special advocate; the child's foster parent, the operator of the facility where the child is living, or the relative or like-kin with whom

the child is living; and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe.

SECTION 29. 48.38 (5m) (b) of the statutes is amended to read:

48.38 **(5m)** (b) The court shall notify the child; the child's parent, guardian, and legal custodian; and the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they shall have a right to be heard at the hearing as provided in par. (c) 1. The court shall notify the child's counsel, the child's guardian ad litem, and the child's court-appointed special advocate; the agency that prepared the permanency plan; the child's school; the person representing the interests of the public; and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they may have an opportunity to be heard at the hearing as provided in par. (c) 1. The notices under this paragraph shall be provided in writing not less than 30 days before the hearing. The notice to the child's school shall also include the name and contact information for the caseworker or social worker assigned to the child's case.

SECTION 30. 48.38 (5m) (c) 1. of the statutes is amended to read:

48.38 **(5m)** (c) 1. A child, parent, guardian, legal custodian, foster parent, operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the hearing under par. (b) shall have a right to be heard at the hearing by submitting written comments relevant to the determinations specified in sub. (5) (c) not less than 10 working days before the date of the hearing or by participating at the hearing. A

counsel, guardian ad litem, court-appointed special advocate, agency, school, or person representing the interests of the public who is provided notice of the hearing under par. (b) may have an opportunity to be heard at the hearing by submitting written comments relevant to the determinations specified in sub. (5) (c) not less than 10 working days before the date of the hearing or by participating at the hearing. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives notice of a hearing under par. (b) and a right to be heard under this subdivision does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 31. 48.38 (5m) (e) of the statutes is amended to read:

48.38 **(5m)** (e) After the hearing, the court shall make written findings of fact and conclusions of law relating to the determinations under sub. (5) (c) and shall provide a copy of those findings of fact and conclusions of law to the child; the child's parent, guardian, and legal custodian; the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living; the child's court-appointed special advocate; the agency that prepared the permanency plan; the person representing the interests of the public; and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe. The court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances specific to the child and shall document or reference the specific information on which those findings are based in the findings of fact and conclusions of law prepared under this paragraph. Findings of fact and conclusions of law that merely reference sub. (5) (c) 7. without documenting or referencing that specific information in the findings of fact and conclusions of law or amended findings of fact and conclusions

of law that retroactively correct earlier findings of fact and conclusions of law that do not comply with this paragraph are not sufficient to comply with this paragraph.

SECTION 32. 48.385 (intro.) of the statutes is amended to read:

48.385 Plan for transition to independent living. (intro.) During the 90 days immediately before a child who is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement attains 18 years of age or, if the child is placed in such a placement under an order under s. 48.355, 48.357, or 48.365 that terminates under s. 48.355 (4) (b) after the child attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 48.366 (3) that terminates under s. 48.366 (3) (a) after the child attains 18 years of age, during the 90 days immediately before the termination of the order or agreement, the agency primarily responsible for providing services to the child under the order or agreement shall do all of the following:

SECTION 33. 48.40 (1m) of the statutes is amended to read:

48.40 **(1m)** "Kinship care ~~relative~~ provider" means a person receiving payments under s. 48.57 (3m) (am) for providing care and maintenance for a child.

SECTION 34. 48.427 (3m) (a) 5. of the statutes is amended to read:

48.427 **(3m)** (a) 5. A relative with whom the child resides, if the relative has filed a petition to adopt the child or if the relative is a kinship care ~~relative~~ provider or is receiving payments under s. 48.62 (4) for providing care and maintenance for the child.

SECTION 35. 48.43 (5) (b) 1. of the statutes is amended to read:

48.43 **(5)** (b) 1. The court shall hold a hearing to review the permanency plan within 30 days after receiving a report under par. (a). At least 10 days before the date

of the hearing, the court shall provide notice of the time, place, and purpose of the hearing to the agency that prepared the report, the child's guardian, the child, and the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living.

SECTION 36. 48.43 (5) (b) 3. of the statutes is amended to read:

48.43 **(5)** (b) 3. The court shall give a foster parent, operator of a facility, or relative or like-kin who is notified of a hearing under subd. 1. a right to be heard at the hearing by permitting the foster parent, operator, or relative or like-kin to make a written or oral statement during the hearing, or to submit a written statement prior to the hearing, relevant to the issues to be determined at the hearing. The foster parent, operator of a facility, or relative or like-kin does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 37. 48.43 (5m) of the statutes is amended to read:

48.43 **(5m)** Either the court or the agency that prepared the permanency plan shall furnish a copy of the original plan and each revised plan to the child, if he or she is 12 years of age or over, to the child's guardian, to the child's foster parent, the operator of the facility in which the child is living, or the relative or like-kin with whom the child is living, and, if the order under sub. (1) involuntarily terminated parental rights to an Indian child, to the Indian child's tribe.

SECTION 38. 48.57 (3m) (a) 1. b. of the statutes is amended to read:

48.57 **(3m)** (a) 1. b. The person is under 21 years of age, the person is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent, an individualized education program under s. 115.787 is in effect for the person, and the person is placed in the home of the kinship care ~~relative~~ provider

under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 48.366 (3) or 938.366 (3).

SECTION 39. 48.57 (3m) (a) 2. of the statutes is amended to read:

48.57 **(3m)** (a) 2. "Kinship care ~~relative~~ provider" means a relative other than a parent, an extended family member, as defined in s. 48.028 (2) (am), or like-kin.

SECTION 40. 48.57 (3m) (am) (intro.) of the statutes, as affected by Wisconsin Act 19, is amended to read:

48.57 **(3m)** (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md), (me), and (s), the department shall reimburse counties having populations of less than 750,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 750,000 or more. Subject to par. (ap), a county department and, in a county having a population of 750,000 or more, the department shall make payments per month in the amount of $375 beginning on January 1, 2024, to a kinship care ~~relative~~ provider who is providing care and maintenance for a child if all of the following conditions are met:

SECTION 41. 48.57 (3m) (am) 1. of the statutes is amended to read:

48.57 **(3m)** (am) 1. The kinship care ~~relative~~ provider applies to the county department or department for payments under this subsection and, if the child is placed in the home of the kinship care ~~relative~~ provider under a court order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., for a license to operate a foster home.

SECTION 42. 48.57 (3m) (am) 1m. of the statutes is amended to read:

48.57 **(3m)** (am) 1m. The county department or department determines that there is a need for the child to be placed with the kinship care ~~relative~~ provider and that the placement with the kinship care ~~relative~~ provider is in the best interests of the child.

SECTION 43. 48.57 (3m) (am) 4. of the statutes is amended to read:

48.57 **(3m)** (am) 4. The county department or department conducts a background investigation under sub. (3p) of the kinship care ~~relative~~ provider, any employee and prospective employee of the kinship care ~~relative~~ provider who has or would have regular contact with the child for whom the payments would be made and any other adult resident of the kinship care ~~relative's~~ provider's home to determine if the kinship care ~~relative~~ provider, employee, prospective employee or adult resident has any arrests or convictions that could adversely affect the child or the kinship care ~~relative's~~ provider's ability to care for the child.

SECTION 44. 48.57 (3m) (am) 4m. of the statutes is amended to read:

48.57 **(3m)** (am) 4m. Subject to sub. (3p) (fm) 1. and 2., the kinship care ~~relative~~ provider states that he or she does not have any arrests or convictions that could adversely affect the child or the kinship care ~~relative's~~ provider's ability to care for the child and that no adult resident, as defined in sub. (3p) (a), and no employee or prospective employee of the kinship care ~~relative~~ provider who would have regular contact with the child has any arrests or convictions that could adversely affect the child or the kinship care ~~relative's~~ provider's ability to care for the child.

SECTION 45. 48.57 (3m) (am) 5. of the statutes is amended to read:

48.57 **(3m)** (am) 5. The kinship care ~~relative~~ provider cooperates with the county department or department in the application process, including applying for other forms of assistance for which the child may be eligible.

SECTION 46. 48.57 (3m) (am) 5m. of the statutes is amended to read:

48.57 **(3m)** (am) 5m. The kinship care ~~relative~~ provider is not receiving payments under sub. (3n) with respect to the child.

SECTION 47. 48.57 (3m) (am) 6. of the statutes is amended to read:

48.57 **(3m)** (am) 6. The child for whom the kinship care ~~relative~~ provider is providing care and maintenance is not receiving supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

SECTION 48. 48.57 (3m) (ap) 1. of the statutes is amended to read:

48.57 **(3m)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a county having a population of 750,000 or more, the department may make payments under par. (am) to a kinship care ~~relative~~ provider who is providing care and maintenance for a child who is placed in the home of the kinship care ~~relative~~ provider under a court order for no more than 60 days after the date on which the county department or department received under par. (am) 1. the completed application of the kinship care ~~relative~~ provider for a license to operate a foster home or, if the application is approved or denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure within those 60 days, until the date on which the application is approved or denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

SECTION 49. 48.57 (3m) (ap) 2. of the statutes is amended to read:

48.57 **(3m)** (ap) 2. If the application specified in subd. 1. is not approved or denied or the kinship care ~~relative~~ provider is not otherwise determined to be ineligible for licensure within 60 days after the date on which the county department or department received the completed application for any reason other than an act or omission of the kinship care ~~relative~~ provider, the county department or

department may make payments under par. (am) for 4 months after the date on which the county department or department received the completed application or, if the application is approved or denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure within those 4 months, until the date on which the application is approved or denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

SECTION 50. 48.57 (3m) (ap) 3. of the statutes is amended to read:

48.57 **(3m)** (ap) 3. Notwithstanding that an application of a kinship care ~~relative~~ provider specified in subd. 1. is denied or the kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure, the county department or, in a county having a population of 750,000 or more, the department may make payments under par. (am) to the kinship care ~~relative~~ provider for as long as the conditions specified in par. (am) 1. to 6. continue to apply if the county department or department submits to the court information relating to the background investigation specified in par. (am) 4., an assessment of the safety of the kinship care ~~relative's~~ provider's home and the ability of the kinship care ~~relative~~ provider to care for the child, and a recommendation that the child remain in the home of the kinship care ~~relative~~ provider and the court, after considering that information, assessment, and recommendation, orders the child to remain in the kinship care ~~relative's~~ provider's home. If the court does not order the child to remain in the kinship care ~~relative's~~ provider's home, the court shall order the county department or department to request a change in placement under s. 48.357 (1) (am) or 938.357 (1) (am). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request a change in placement.

SECTION 51. 48.57 (3m) (b) 2. of the statutes is amended to read:

48.57 **(3m)** (b) 2. When any kinship care ~~relative~~ provider of a child applies for or receives payments under this subsection, any right of the child or the child's parent to support or maintenance from any other person accruing during the time that payments are made under this subsection is assigned to the state. If a child who is the beneficiary of a payment under this subsection is also the beneficiary of support under a judgment or order that includes support for one or more children who are not the beneficiaries of payments under this subsection, any support payment made under the judgment or order is assigned to the state in the amount that is the proportionate share of the child who is the beneficiary of the payment made under this subsection, except as otherwise ordered by the court on the motion of a party.

SECTION 52. 48.57 (3m) (cm) of the statutes is amended to read:

48.57 **(3m)** (cm) A kinship care ~~relative~~ provider who receives a payment under par. (am) for providing care and maintenance for a child is not eligible to receive a payment under sub. (3n) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

SECTION 53. 48.57 (3m) (h) of the statutes is amended to read:

48.57 **(3m)** (h) A county department or, in a county having a population of 750,000 or more, the department may recover an overpayment made under par. (am) from a kinship care ~~relative~~ provider who continues to receive payments under par. (am) by reducing the amount of the kinship care ~~relative's~~ provider's monthly payment. The department may by rule specify other methods for recovering overpayments made under par. (am). A county department that recovers an overpayment under this paragraph due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

SECTION 54. 48.57 (3m) (i) 1. of the statutes is amended to read:

48.57 **(3m)** (i) 1. Rules to provide assessment criteria for determining whether a kinship care ~~relative~~ provider who is providing care and maintenance for a child is eligible to receive payments under par. (am). The rules shall also provide that any criteria established under the rules shall first apply to applications for payments under par. (am) received, and to reviews under par. (d) conducted, on the effective date of those rules.

SECTION 55. 48.57 (3n) (a) 1. b. of the statutes is amended to read:

48.57 **(3n)** (a) 1. b. The person is under 21 years of age, the person is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent, an individualized education program under s. 115.787 is in effect for the person, and the person is placed in the home of the long-term kinship care ~~relative~~ provider under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 48.366 (3) or 938.366 (3).

SECTION 56. 48.57 (3n) (a) 2. of the statutes is amended to read:

48.57 **(3n)** (a) 2. "Long-term kinship care ~~relative~~ provider" means a relative other than a parent, an extended family member, as defined in s. 48.028 (2) (am), or like-kin.

SECTION 57. 48.57 (3n) (am) (intro.) of the statutes, as affected by Wisconsin Act 19, is amended to read:

48.57 **(3n)** (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md), (me), and (s), the department shall reimburse counties having populations of less than 750,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 750,000 or more. Subject

to par. (ap), a county department and, in a county having a population of 750,000 or more, the department shall make monthly payments for each child per month in the amount of $375 beginning on January 1, 2024, to a long-term kinship care ~~relative~~ provider who is providing care and maintenance for that child if all of the following conditions are met:

SECTION 58. 48.57 (3n) (am) 1. of the statutes is amended to read:

48.57 **(3n)** (am) 1. The long-term kinship care ~~relative~~ provider applies to the county department or department for payments under this subsection, provides proof that he or she has been appointed as the guardian of the child, and, if the child is placed in the home of the long-term kinship care ~~relative~~ provider under a court order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., applies to the county department or department for a license to operate a foster home.

SECTION 59. 48.57 (3n) (am) 2. of the statutes is amended to read:

48.57 **(3n)** (am) 2. The county department or department inspects the long-term kinship care ~~relative's~~ provider's home, interviews the long-term kinship care ~~relative~~ provider and determines that long-term placement with the long-term kinship care ~~relative~~ provider is in the best interests of the child.

SECTION 60. 48.57 (3n) (am) 4. of the statutes is amended to read:

48.57 **(3n)** (am) 4. The county department or department conducts a background investigation under sub. (3p) of the long-term kinship care ~~relative~~ provider, the employees and prospective employees of the long-term kinship care ~~relative~~ provider who have or would have regular contact with the child for whom the payments would be made and any other adult resident, as defined in sub. (3p) (a), of the long-term kinship care ~~relative's~~ provider's home to determine if the long-term kinship care ~~relative~~ provider, employee, prospective employee or adult

resident has any arrests or convictions that are likely to adversely affect the child or the long-term kinship care ~~relative's~~ provider's ability to care for the child.

SECTION 61. 48.57 (3n) (am) 4m. of the statutes is amended to read:

48.57 **(3n)** (am) 4m. Subject to sub. (3p) (fm) 1m. and 2m., the long-term kinship care ~~relative~~ provider states that he or she does not have any arrests or convictions that could adversely affect the child or the long-term kinship care ~~relative's~~ provider's ability to care for the child and that, to the best of the long-term kinship care ~~relative's~~ provider's knowledge, no adult resident, as defined in sub. (3p) (a), and no employee or prospective employee of the long-term kinship care ~~relative~~ provider who would have regular contact with the child has any arrests or convictions that could adversely affect the child or the long-term kinship care ~~relative's~~ provider's ability to care for the child.

SECTION 62. 48.57 (3n) (am) 5. of the statutes is amended to read:

48.57 **(3n)** (am) 5. The long-term kinship care ~~relative~~ provider cooperates with the county department or department in the application process, including applying for other forms of assistance for which the child may be eligible.

SECTION 63. 48.57 (3n) (am) 5m. of the statutes is amended to read:

48.57 **(3n)** (am) 5m. The long-term kinship care ~~relative~~ provider is not receiving payments under sub. (3m) with respect to the child.

SECTION 64. 48.57 (3n) (am) 5r. of the statutes is amended to read:

48.57 **(3n)** (am) 5r. The child for whom the long-term kinship care ~~relative~~ provider is providing care and maintenance is not receiving supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

SECTION 65. 48.57 (3n) (am) 6. (intro.) of the statutes is amended to read:

48.57 **(3n)** (am) 6. (intro.) The long-term kinship care ~~relative~~ provider and the county department or department enter into a written agreement under which the long-term kinship care ~~relative~~ provider agrees to provide care and maintenance for the child and the county department or department agrees, subject to sub. (3p) (hm), to make monthly payments to the long-term kinship care ~~relative~~ provider at the rate specified in sub. (3m) (am) (intro.) until the earliest of the following:

SECTION 66. 48.57 (3n) (am) 6. c. of the statutes is amended to read:

48.57 **(3n)** (am) 6. c. The date on which the child is placed outside the long-term kinship care ~~relative's~~ provider's home under a court order or under a voluntary agreement under s. 48.63 (1) (a) or (b) or (5) (b).

SECTION 67. 48.57 (3n) (am) 6. d. of the statutes is amended to read:

48.57 **(3n)** (am) 6. d. The date on which the child ceases to reside with the long-term kinship care ~~relative~~ provider.

SECTION 68. 48.57 (3n) (am) 6. e. of the statutes is amended to read:

48.57 **(3n)** (am) 6. e. The date on which the long-term kinship ~~care's~~ care provider's guardianship under s. 48.977 terminates.

SECTION 69. 48.57 (3n) (ap) 1. of the statutes is amended to read:

48.57 **(3n)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a county having a population of 750,000 or more, the department may make payments under par. (am) to a long-term kinship care ~~relative~~ provider who is providing care and maintenance for a child who is placed in the home of the long-term kinship care ~~relative~~ provider for no more than 60 days after the date on which the county department or department received under par. (am) 1. the completed application of the long-term kinship care ~~relative~~ provider for a license to operate a foster home or, if the application is approved or denied or the long-term kinship care ~~relative~~

provider is otherwise determined to be ineligible for licensure within those 60 days, until the date on which the application is approved or denied or the long-term kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

SECTION 70. 48.57 (3n) (ap) 2. of the statutes is amended to read:

48.57 **(3n)** (ap) 2. If the application specified in subd. 1. is not approved or denied or the long-term kinship care ~~relative~~ provider is not otherwise determined to be ineligible for licensure within 60 days after the date on which the county department or department received the completed application for any reason other than an act or omission of the long-term kinship care ~~relative~~ provider, the county department or department may make payments under par. (am) for 4 months after the date on which the county department or department received the completed application or, if the application is approved or denied or the long-term kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure within those 4 months, until the date on which the application is approved or denied or the long-term kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

SECTION 71. 48.57 (3n) (ap) 3. of the statutes is amended to read:

48.57 **(3n)** (ap) 3. Notwithstanding that an application of a long-term kinship care ~~relative~~ provider specified in subd. 1. is denied or the long-term kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure, the county department or, in a county having a population of 750,000 or more, the department may make payments under par. (am) to the long-term kinship care ~~relative~~ provider until an event specified in par. (am) 6. a. to f. occurs if the county department or department submits to the court information relating to the background investigation specified in par. (am) 4., an assessment of the safety of the long-term

kinship care ~~relative's~~ provider's home and the ability of the long-term kinship care ~~relative~~ provider to care for the child, and a recommendation that the child remain in the home of the long-term kinship care ~~relative~~ provider and the court, after considering that information, assessment, and recommendation, orders the child to remain in the long-term kinship care ~~relative's~~ provider's home. If the court does not order the child to remain in the kinship care ~~relative's~~ provider's home, the court shall order the county department or department to request a change in placement under s. 48.357 (1) (am) or 938.357 (1) (am) or to request a termination of the guardianship order under s. 48.977 (7). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request a change in placement and any person who is authorized to file a petition for the appointment of a guardian for the child may also request a termination of the guardianship order.

SECTION 72. 48.57 (3n) (b) 2. of the statutes is amended to read:

48.57 **(3n)** (b) 2. When any long-term kinship care ~~relative~~ provider of a child applies for or receives payments under this subsection, any right of the child or the child's parent to support or maintenance from any other person accruing during the time that payments are made under this subsection is assigned to the state. If a child is the beneficiary of support under a judgment or order that includes support for one or more children who are not the beneficiaries of payments under this subsection, any support payment made under the judgment or order is assigned to the state in the amount that is the proportionate share of the child who is the beneficiary of the payment made under this subsection, except as otherwise ordered by the court on the motion of a party.

SECTION 73. 48.57 (3n) (cm) of the statutes is amended to read:

48.57 **(3n)** (cm) A long-term kinship care ~~relative~~ provider who receives a payment under par. (am) for providing care and maintenance for a child is not eligible to receive a payment under sub. (3m) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

SECTION 74. 48.57 (3n) (h) of the statutes is amended to read:

48.57 **(3n)** (h) A county department or, in a county having a population of 750,000 or more, the department may recover an overpayment made under par. (am) from a long-term kinship care ~~relative~~ provider who continues to receive payments under par. (am) by reducing the amount of the long-term kinship care ~~relative's~~ provider's monthly payment. The department may by rule specify other methods for recovering overpayments made under par. (am). A county department that recovers an overpayment under this paragraph due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

SECTION 75. 48.57 (3p) (h) 3. (intro.) of the statutes is amended to read:

48.57 **(3p)** (h) 3. (intro.) The director of the county department, the person designated by the governing body of an Indian tribe or, in a county having a population of 750,000 or more, the person designated by the secretary shall review the denial of payments or the prohibition on employment or being an adult resident to determine if the conviction record on which the denial or prohibition is based includes any arrests, convictions, or penalties that are likely to adversely affect the child or the ability of the kinship care ~~relative~~ provider to care for the child. In reviewing the denial or prohibition, the director of the county department, the person designated by the governing body of the Indian tribe or the person designated by the secretary shall consider all of the following factors:

SECTION 76. 48.57 (3p) (h) 3. b. of the statutes is amended to read:

48.57 **(3p)** (h) 3. b. The nature of the violation or penalty and how that violation or penalty affects the ability of the kinship care ~~relative~~ provider to care for the child.

SECTION 77. 48.57 (3p) (h) 4. of the statutes is amended to read:

48.57 **(3p)** (h) 4. If the director of the county department, the person designated by the governing body of the Indian tribe or, in a county having a population of 750,000 or more, the person designated by the secretary determines that the conviction record on which the denial of payments or the prohibition on employment or being an adult resident is based does not include any arrests, convictions, or penalties that are likely to adversely affect the child or the ability of the kinship care ~~relative~~ provider to care for the child, the director of the county department, the person designated by the governing body of the Indian tribe, or the person designated by the secretary may approve the making of payments under sub. (3m) or may permit a person receiving payments under sub. (3m) to employ a person in a position in which that person would have regular contact with the child for whom payments are being made or permit a person to be an adult resident.

SECTION 78. 48.60 (2) (a) of the statutes is amended to read:

48.60 **(2)** (a) A relative or like-kin, guardian, or person delegated care and custody of a child under s. 48.979 who provides care and maintenance for such children.

SECTION 79. 48.62 (2) of the statutes is amended to read:

48.62 **(2)** A relative or like-kin, a guardian of a child, or a person delegated care and custody of a child under s. 48.979 who provides care and maintenance for the child is not required to obtain the license specified in this section. The department, county department, or licensed child welfare agency as provided in s. 48.75 may issue a license to operate a foster home to a relative or like-kin who has no duty of support

under s. 49.90 (1) (a) and who requests a license to operate a foster home for a specific child who is either placed by court order or who is the subject of a voluntary placement agreement under s. 48.63. The department, a county department, or a licensed child welfare agency may, at the request of a guardian appointed under s. 48.977, 48.978, or 48.9795, ch. 54, 2017 stats., or ch. 880, 2003 stats., license the guardian's home as a foster home for the guardian's minor ward who is living in the home and who is placed in the home by court order. Relatives and like-kin with no duty of support and guardians appointed under s. 48.977, 48.978, or 48.9795, ch. 54, 2017 stats., or ch. 880, 2003 stats., who are licensed to operate foster homes are subject to the department's licensing rules.

SECTION 80. 48.64 (1) of the statutes is amended to read:

48.64 **(1)** DEFINITION. In this section, "agency" means the department, the department of corrections, a county department under s. 46.215, 46.22, or 46.23, or a licensed child welfare agency authorized to place children in foster homes, group homes, or shelter care facilities approved under s. 938.22 (2) (c) ~~or~~, in the homes of relatives other than a parent, or in the homes of like-kin.

SECTION 81. 48.64 (1m) of the statutes is amended to read:

48.64 **(1m)** OUT-OF-HOME CARE AGREEMENTS. If an agency places a child in a foster home or group home or in the home of a relative other than a parent or in the home of like-kin under a court order or places a child in a foster home, group home, or shelter care facility approved under s. 938.22 (2) (c) under a voluntary agreement under s. 48.63, the agency shall enter into a written agreement with the head of the home or facility. The agreement shall provide that the agency shall have access at all times to the child and the home or facility, and that the child will be released to the agency whenever, in the opinion of the agency placing the child or the

department, the best interests of the child require release to the agency. If a child has been in a foster home or group home or in the home of a relative other than a parent or in the home of like-kin for 6 months or more, the agency shall give the head of the home written notice of intent to remove the child, stating the reasons for the removal. The child may not be removed from a foster home, group home, or home of a relative other than a parent or the home of like-kin before completion of the hearing under sub. (4) (a) or (c), if requested, or 30 days after the receipt of the notice, whichever is later, unless the safety of the child requires it or, in a case in which the reason for removal is to place the child for adoption under s. 48.833, unless all of the persons who have the right to request a hearing under sub. (4) (a) or (c) sign written waivers of objection to the proposed removal. If the safety of the child requires earlier removal, s. 48.19 applies. If an agency removes a child from an adoptive placement, the head of the home shall have no claim against the placing agency for the expense of care, clothing, or medical treatment.

SECTION 82. 48.64 (2) of the statutes is amended to read:

48.64 **(2)** SUPERVISION OF OUT-OF-HOME CARE PLACEMENTS. Every child who is placed in a foster home, group home, or shelter care facility approved under s. 938.22 (2) (c) shall be under the supervision of an agency. Every child who is placed in the home of a relative other than a parent or in the home of like-kin under a court order shall be under the supervision of an agency.

SECTION 83. 48.64 (4) (a) of the statutes is amended to read:

48.64 **(4)** (a) Except as provided in par. (d), any decision or order issued by an agency that affects the head of a foster home or group home, the head of the home of a relative other than a parent or the home of like-kin in which a child is placed, or the child involved may be appealed to the department under fair hearing

procedures established under rules promulgated by the department. Upon receipt of an appeal, the department shall give the head of the home reasonable notice and an opportunity for a fair hearing. The department may make any additional investigation that the department considers necessary. The department shall give notice of the hearing to the head of the home and to the departmental subunit, county department, or child welfare agency that issued the decision or order. Each person receiving notice is entitled to be represented at the hearing. At all hearings conducted under this paragraph, the head of the home, or a representative of the head of the home, shall have an adequate opportunity, notwithstanding s. 48.78 (2) (a), to examine all documents and records to be used at the hearing at a reasonable time before the date of the hearing as well as during the hearing, to bring witnesses, to establish all pertinent facts and circumstances, and to question or refute any testimony or evidence, including an opportunity to confront and cross-examine adverse witnesses. The department shall grant a continuance for a reasonable period of time when an issue is raised for the first time during a hearing. This requirement may be waived with the consent of the parties. The decision of the department shall be based exclusively on evidence introduced at the hearing. A transcript of testimony and exhibits, or an official report containing the substance of what transpired at the hearing, together with all papers and requests filed in the proceeding, and the findings of the hearing examiner shall constitute the exclusive record for decision by the department. The department shall make the record available at any reasonable time and at an accessible place to the head of the home or his or her representative. Decisions by the department shall specify the reasons for the decision and identify the supporting evidence. No person participating in an agency action being appealed may participate in the final administrative decision on

that action. The department shall render its decision as soon as possible after the hearing and shall send a certified copy of its decision to the head of the home and to the departmental subunit, county department, or child welfare agency that issued the decision or order. The decision shall be binding on all parties concerned.

SECTION 84. 48.64 (4) (c) of the statutes is amended to read:

48.64 **(4)** (c) Except as provided in par. (d), the circuit court for the county where the dispositional order placing a child in a foster home or group home or in the home of a relative other than a parent or in the home of like-kin was entered or the voluntary agreement under s. 48.63 placing a child in a foster home or group home was made has jurisdiction upon petition of any interested party over the child who is placed in the foster home, group home, or home of the relative or like-kin. The circuit court may call a hearing, at which the head of the home and the supervising agency under sub. (2) shall be present, for the purpose of reviewing any decision or order of that agency involving the placement and care of the child. If the child has been placed in a foster home or in the home of a relative other than a parent or in the home of like-kin, the foster parent ~~or~~, relative, or like-kin may present relevant evidence at the hearing. The petitioner has the burden of proving by clear and convincing evidence that the decision or order issued by the agency is not in the best interests of the child.

SECTION 85. 48.67 (4) (b) of the statutes is amended to read:

48.67 **(4)** (b) The training under par. (a) shall be available to a kinship care ~~relative~~ provider, as defined in s. 48.40 (1m), upon request of the kinship care ~~relative~~ provider.

SECTION 86. 49.155 (1m) (a) 1m. b. of the statutes is amended to read:

49.155 **(1m)** (a) 1m. b. The individual has not yet attained the age of 18 years and the individual resides with his or her custodial parent or with a kinship care ~~relative~~ provider under s. 48.57 (3m) or with a long-term kinship care ~~relative~~ provider under s. 48.57 (3n) or is in a foster home licensed under s. 48.62, a subsidized guardianship home under s. 48.623, a group home, or an independent living arrangement supervised by an adult.

SECTION 87. 118.175 (1) of the statutes is amended to read:

118.175 **(1)** This section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11) or 938.02 (11), or who is cared for by a kinship care ~~relative~~ provider, as defined in s. 48.57 (3m) (a) 2.

SECTION 88. 767.57 (1m) (cm) of the statutes is amended to read:

767.57 **(1m)** (cm) A kinship care ~~relative~~ provider or a long-term kinship care ~~relative~~ provider of the child who is entitled to the support money has applied for or is receiving kinship care payments or long-term kinship care payments for that child and there is an assignment to the state under s. 48.57 (3m) (b) 2. or (3n) (b) 2. of the child's right to the support money.

SECTION 89. 767.57 (2) of the statutes is amended to read:

767.57 **(2)** PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to maintenance or support, or both, is receiving public assistance under ch. 49, the party may assign the party's right to support or maintenance to the county department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment shall be approved by order of the court granting the maintenance or support. The assignment may not be terminated if there is a delinquency in the amount to be paid to the assignee of maintenance and support previously ordered without the written consent of the assignee or upon notice to the assignee and a hearing. When an

assignment of maintenance or support, or both, has been approved by the order, the assignee shall be deemed a real party in interest within s. 803.01 solely for the purpose of securing payment of unpaid maintenance or support ordered to be paid, by participating in proceedings to secure the payment of unpaid amounts. Notwithstanding assignment under this subsection, and without further order of the court, the department or its designee, upon receiving notice that a party or a minor child of the parties is receiving aid under s. 48.645 or public assistance under ch. 49 or that a kinship care ~~relative~~ provider or long-term kinship care ~~relative~~ provider of the minor child is receiving kinship care payments or long-term kinship care payments for the minor child, shall forward all support assigned under s. 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

SECTION 90. 938.02 (12c) of the statutes is created to read:

938.02 **(12c)** "Like-kin" means an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and who is not and has not previously been the child's licensed foster parent. For an Indian child, "like-kin" includes individuals identified by the child's tribe according to tribal tradition, custom or resolution, code, or law.

SECTION 91. 938.02 (15) of the statutes is amended to read:

938.02 **(15)** "Relative" means a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, 2nd cousin, first cousin once removed, nephew, niece, uncle, aunt, stepuncle, stepaunt, or any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or

divorce. For purposes of the application of s. 938.028 and the federal Indian Child Welfare Act, 25 USC 1901 to 1963, "relative" includes an extended family member, as defined in s. 938.028 (2) (a), whether by blood, marriage, or adoption, including adoption under tribal law or custom. For purposes of placement of a juvenile, "relative" also includes a parent of a sibling of the juvenile who has legal custody of that sibling.

SECTION 92. 938.028 (2) (c) of the statutes is amended to read:

938.028 **(2)** (c) "Out-of-home care placement" means the removal of an Indian juvenile from the home of his or her parent or Indian custodian for temporary placement in a foster home, group home, residential care center for children and youth, or shelter care facility, in the home of a relative other than a parent, in the home of like-kin, or in the home of a guardian, from which placement the parent or Indian custodian cannot have the juvenile returned upon demand. "Out-of-home care placement" does not include an emergency change in placement under s. 938.357 (2) (b) or holding an Indian juvenile in custody under ss. 938.19 to 938.21.

SECTION 93. 938.207 (1) (b) of the statutes is amended to read:

938.207 **(1)** (b) The home of a relative or like-kin, except that a juvenile may not be held in the home of a ~~relative if the relative~~ person who has been convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of the juvenile, and the conviction has not been reversed, set aside or vacated, unless the person making the custody decision determines by clear and convincing evidence that the placement would be in the best interests of the juvenile. The person making the custody decision shall consider the wishes of the juvenile in making that determination.

SECTION 94. 938.207 (1) (f) of the statutes is amended to read:

938.207 **(1)** (f) The home of a person not a relative or like-kin if the person has not had a license under s. 48.62 refused, revoked, or suspended within the previous 2 years. A placement under this paragraph may not exceed 30 days, unless the placement is extended by the court for cause for an additional 30 days.

SECTION 95. 938.33 (4) (intro.) of the statutes is amended to read:

938.33 **(4)** OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending placement in a foster home, group home, or nonsecured residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised independent living arrangement shall be in writing, except that the report may be presented orally at the dispositional hearing if all parties consent. A report that is presented orally shall be transcribed and made a part of the court record. The report shall include all of the following:

SECTION 96. 938.335 (3g) (intro.) of the statutes is amended to read:

938.335 **(3g)** REASONABLE EFFORTS FINDING. (intro.) At hearings under this section, if the agency, as defined in s. 938.38 (1) (a), is recommending placement of the juvenile in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised independent living arrangement, the agency shall present as evidence specific information showing all of the following:

SECTION 97. 938.335 (3j) (intro.) of the statutes is amended to read:

938.335 **(3j)** INDIAN JUVENILE; ACTIVE EFFORTS FINDING. (intro.) At hearings under this section involving an Indian juvenile who is the subject of a proceeding under s. 938.13 (4), (6), (6m), or (7), if the agency, as defined in s. 938.38 (1) (a), is

recommending removal of the Indian juvenile from the home of his or her parent or Indian custodian and placement of the Indian juvenile in a foster home, group home, or residential care center for children and youth ~~or~~, in the home of a relative other than a parent, or in the home of like-kin, the agency shall present as evidence specific information showing all of the following:

SECTION 98. 938.34 (3) (a) (intro.) of the statutes is amended to read:

938.34 **(3)** (a) (intro.) The home of a parent ~~or~~, other relative, or like-kin of the juvenile, except that the court may not designate any of the following as the juvenile's placement, unless the court determines by clear and convincing evidence that the placement would be in the best interests of the juvenile or, in the case of an Indian juvenile, the best interests of the Indian juvenile as described in s. 938.01 (3):

SECTION 99. 938.34 (3) (a) 1. of the statutes is amended to read:

938.34 **(3)** (a) 1. The home of a parent ~~or~~, other relative, or like-kin of the juvenile if the parent ~~or~~, other relative, or like-kin has been convicted of the homicide of a parent of the juvenile under s. 940.01 or 940.05, and the conviction has not been reversed, set aside, or vacated. In determining whether a placement under this subdivision would be in the best interests of the juvenile, the court shall consider the wishes of the juvenile.

SECTION 100. 938.34 (3) (a) 2. of the statutes is amended to read:

938.34 **(3)** (a) 2. The home of a relative other than the parent of the juvenile or the home of like-kin if the court finds that the relative or like-kin has been convicted of, has pleaded no contest to, or has had a charge dismissed or amended as a result of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081,

948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or a similar law of another state.

SECTION 101. 938.355 (4) (am) (intro.) of the statutes is amended to read:

938.355 **(4)** (am) (intro.) Except as provided in par. (b) or s. 938.368, an order under this section or s. 938.357 or 938.365 made before the juvenile attains 18 years of age that places or continues the placement of the juvenile in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement shall terminate on the latest of the following dates, unless the court specifies a shorter period or the court terminates the order sooner:

SECTION 102. 938.357 (6) (a) (intro.) of the statutes is amended to read:

938.357 **(6)** (a) (intro.) No change in placement may extend the expiration date of the original dispositional order, except that if the change in placement is from a placement in the juvenile's home to a placement in a foster home, group home, or residential care center for children and youth, in the home of a relative who is not a parent, in the home of like-kin, or in a supervised independent living arrangement, the court may extend the expiration date of the original dispositional order to the latest of the following dates, unless the court specifies a shorter period:

SECTION 103. 938.357 (6) (b) of the statutes is amended to read:

938.357 **(6)** (b) If the change in placement is from a placement in a foster home, group home, or residential care center for children and youth or in the home of a relative or like-kin to a placement in the juvenile's home and if the expiration date of the original dispositional order is more than one year after the date on which the change-in-placement order is granted, the court shall shorten the expiration date of the original dispositional order to the date that is one year after the date on which

the change-in-placement order is granted or to an earlier date as specified by the court.

SECTION 104. 938.365 (5) (b) (intro.) of the statutes is amended to read:

938.365 **(5)** (b) (intro.) Except as provided in s. 938.368, an order under this section that continues the placement of a juvenile in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement shall be for a specified length of time not to exceed the latest of the following dates:

SECTION 105. 938.366 (1) (a) of the statutes is amended to read:

938.366 **(1)** (a) The person is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement under an order under s. 938.355, 938.357, or 938.365 that terminates as provided in s. 938.355 (4) (am) 1., 2., or 3., 938.357 (6) (a) 1., 2., or 3., or 938.365 (5) (b) 1., 2., or 3. on or after the person attains 18 years of age.

SECTION 106. 938.371 (1) (intro.) of the statutes is amended to read:

938.371 **(1)** MEDICAL INFORMATION. (intro.) If a juvenile is placed in a foster home, group home, residential care center for children and youth, or juvenile correctional facility ~~or~~, in the home of a relative other than a parent, or in the home of like-kin, including a placement under s. 938.205 or 938.21, the agency, as defined in s. 938.38 (1) (a), that placed the juvenile or arranged for the placement of the juvenile shall provide the following information to the foster parent, relative, like-kin, or operator of the group home, residential care center for children and youth, or juvenile correctional facility at the time of placement or, if the information has not been provided to the agency by that time, as soon as possible after the date

on which the agency receives that information, but not more than 2 working days after that date:

SECTION 107. 938.371 (1) (a) of the statutes is amended to read:

938.371 **(1)** (a) Results of an HIV test, as defined in s. 252.01 (2m), of the juvenile as provided under s. 252.15 (3m) (d) 15., including results included in a court report or permanency plan. At the time that the test results are provided, the agency shall notify the foster parent, relative, like-kin, or operator of the group home, residential care center for children and youth, or juvenile correctional facility of the confidentiality requirements under s. 252.15 (6).

SECTION 108. 938.371 (3) (intro.) of the statutes is amended to read:

938.371 **(3)** OTHER INFORMATION. (intro.) At the time of placement of a juvenile in a foster home, group home, residential care center for children and youth, or juvenile correctional facility or in the home of a relative other than a parent or in the home of like-kin or, if the information is not available at that time, as soon as possible after the date on which the court report or permanency plan has been submitted, but no later than 7 days after that date, the agency, as defined in s. 938.38 (1) (a), responsible for preparing the juvenile's permanency plan shall provide to the foster parent, relative, like-kin, or operator of the group home, residential care center for children and youth, or juvenile correctional facility information contained in the court report submitted under s. 938.33 (1) or 938.365 (2g) or permanency plan submitted under s. 938.355 (2e) or 938.38 relating to findings or opinions of the court or agency that prepared the court report or permanency plan relating to any of the following:

SECTION 109. 938.371 (5) of the statutes is amended to read:

938.371 **(5)** CONFIDENTIALITY OF INFORMATION. Except as permitted under s. 252.15 (6), a foster parent, treatment foster parent, relative, like-kin, or operator of a group home, residential care center for children and youth, or juvenile correctional facility that receives any information under sub. (1) or (3), other than the information described in sub. (3) (e), shall keep the information confidential and may disclose that information only for the purposes of providing care for the juvenile or participating in a court hearing or permanency review concerning the juvenile.

SECTION 110. 938.38 (2) (intro.) of the statutes is amended to read:

938.38 **(2)** PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3), for each juvenile living in a foster home, group home, residential care center for children and youth, juvenile detention facility, shelter care facility, or supervised independent living arrangement, the agency that placed the juvenile or arranged the placement or the agency assigned primary responsibility for providing services to the juvenile under s. 938.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following conditions exists, and, for each juvenile living in the home of a guardian or a relative other than a parent or in the home of like-kin, that agency shall prepare a written permanency plan, if any of the conditions under pars. (a) to (e) exists:

SECTION 111. 938.38 (3m) (a) of the statutes is amended to read:

938.38 **(3m)** (a) All appropriate biological family members, relatives, and like-kin of the juvenile, as determined by the agency. Notwithstanding s. 938.02 (12c), in this paragraph, "like-kin" may include an individual who is or previously was the child's licensed foster parent.

SECTION 112. 938.38 (4) (f) (intro.) of the statutes is amended to read:

938.38 **(4)** (f) (intro.) A description of the services that will be provided to the juvenile, the juvenile's family, and the juvenile's foster parent, the operator of the facility where the juvenile is living, or the relative or like-kin with whom the juvenile is living to carry out the dispositional order, including services planned to accomplish all of the following:

SECTION 113. 938.38 (4m) (b) of the statutes is amended to read:

938.38 **(4m)** (b) At least 10 days before the date of the hearing the court shall notify the juvenile; any parent, guardian, and legal custodian of the juvenile; any foster parent, or other physical custodian described in s. 48.62 (2) of the juvenile, the operator of the facility in which the juvenile is living, or the relative or like-kin with whom the juvenile is living; and, if the juvenile is an Indian juvenile who is or is alleged to be in need of protection or services under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they shall have a right to be heard at the hearing.

SECTION 114. 938.38 (4m) (d) of the statutes is amended to read:

938.38 **(4m)** (d) The court shall give a foster parent, other physical custodian described in s. 48.62 (2), operator of a facility, ~~or~~ relative, or like-kin who is notified of a hearing under par. (b) a right to be heard at the hearing by permitting the foster parent, other physical custodian, operator, ~~or~~ relative, or like-kin to make a written or oral statement during the hearing, or to submit a written statement prior to the hearing, relevant to the issues to be determined at the hearing. The foster parent, other physical custodian, operator of a facility, ~~or~~ relative, or like-kin does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 115. 938.38 (5) (b) of the statutes is amended to read:

938.38 **(5)** (b) The court or the agency shall notify the juvenile; the juvenile's parent, guardian, and legal custodian; the juvenile's foster parent, the operator of the facility in which the juvenile is living, or the relative or like-kin with whom the juvenile is living; and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the review, of the issues to be determined as part of the review, and of the fact that they shall have a right to be heard at the review as provided in par. (bm) 1. The court or agency shall notify the person representing the interests of the public, the juvenile's counsel, the juvenile's guardian ad litem, and the juvenile's school of the time, place, and purpose of the review, of the issues to be determined as part of the review, and of the fact that they may have an opportunity to be heard at the review as provided in par. (bm) 1. The notices under this paragraph shall be provided in writing not less than 30 days before the review and copies of the notices shall be filed in the juvenile's case record. The notice to the juvenile's school shall also include the name and contact information for the caseworker or social worker assigned to the juvenile's case.

SECTION 116. 938.38 (5) (bm) 1. of the statutes is amended to read:

938.38 **(5)** (bm) 1. A juvenile, parent, guardian, legal custodian, foster parent, operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the review under par. (b) shall have a right to be heard at the review by submitting written comments relevant to the determinations specified in par. (c) not less than 10 working days before the date of the review or by participating at the review. A person representing the interests of the public, counsel, guardian ad litem, or school who is

provided notice of the review under par. (b) may have an opportunity to be heard at the review by submitting written comments relevant to the determinations specified in par. (c) not less than 10 working days before the date of the review. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives notice of a review under par. (b) and a right to be heard under this subdivision does not become a party to the proceeding on which the review is held solely on the basis of receiving that notice and right to be heard.

SECTION 117. 938.38 (5) (e) of the statutes is amended to read:

938.38 **(5)** (e) Within 30 days, the agency shall prepare a written summary of the determinations under par. (c) and shall provide a copy to the court that entered the order; the juvenile or the juvenile's counsel or guardian ad litem; the person representing the interests of the public; the juvenile's parent, guardian, or legal custodian; the juvenile's foster parent, the operator of the facility where the juvenile is living, or the relative or like-kin with whom the juvenile is living; and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe.

SECTION 118. 938.38 (5m) (b) of the statutes is amended to read:

938.38 **(5m)** (b) The court shall notify the juvenile; the juvenile's parent, guardian, and legal custodian; and the juvenile's foster parent, the operator of the facility in which the juvenile is living, or the relative or like-kin with whom the juvenile is living of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they shall have a right to be heard at the hearing as provided in par. (c) 1. The court shall notify the juvenile's counsel and the juvenile's guardian ad litem; the agency that prepared the permanency plan;

the juvenile's school; the person representing the interests of the public; and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the hearing, of the issues to be determined at the hearing, and of the fact that they may have an opportunity to be heard at the hearing as provided in par. (c) 1. The notices under this paragraph shall be provided in writing not less than 30 days before the hearing. The notice to the juvenile's school shall also include the name and contact information for the caseworker or social worker assigned to the juvenile's case.

SECTION 119. 938.38 (5m) (c) 1. of the statutes is amended to read:

938.38 **(5m)** (c) 1. A juvenile, parent, guardian, legal custodian, foster parent, operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the hearing under par. (b) shall have a right to be heard at the hearing by submitting written comments relevant to the determinations specified in sub. (5) (c) not less than 10 working days before the date of the hearing or by participating at the hearing. A counsel, guardian ad litem, agency, school, or person representing the interests of the public who is provided notice of the hearing under par. (b) may have an opportunity to be heard at the hearing by submitting written comments relevant to the determinations specified in sub. (5) (c) not less than 10 working days before the date of the hearing or by participating at the hearing. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives notice of a hearing under par. (b) and a right to be heard under this subdivision does not become a party to the proceeding on which the hearing is held solely on the basis of receiving that notice and right to be heard.

SECTION 120. 938.38 (5m) (e) of the statutes is amended to read:

938.38 **(5m)** (e) After the hearing, the court shall make written findings of fact and conclusions of law relating to the determinations under sub. (5) (c) and shall provide a copy of those findings of fact and conclusions of law to the juvenile; the juvenile's parent, guardian, and legal custodian; the juvenile's foster parent, the operator of the facility in which the juvenile is living, or the relative or like-kin with whom the juvenile is living; the agency that prepared the permanency plan; the person representing the interests of the public; and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe. The court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances specific to the juvenile and shall document or reference the specific information on which those findings are based in the findings of fact and conclusions of law prepared under this paragraph. Findings of fact and conclusions of law that merely reference sub. (5) (c) 7. without documenting or referencing that specific information in the findings of fact and conclusions of law or amended findings of fact and conclusions of law that retroactively correct earlier findings of fact and conclusions of law that do not comply with this paragraph are not sufficient to comply with this paragraph.

SECTION 121. 938.385 (intro.) of the statutes is amended to read:

938.385 Plan for transition to independent living. (intro.) During the 90 days immediately before a juvenile who is placed in a foster home, group home, or residential care center for children and youth, in the home of a relative other than a parent, in the home of like-kin, or in a supervised independent living arrangement attains 18 years of age or, if the juvenile is placed in such a placement under an order under s. 938.355, 938.357, or 938.365 that terminates under s. 938.355 (4) (am) after

the juvenile attains 18 years of age or under a voluntary transition-to-independent-living agreement under s. 938.366 (3) that terminates under s. 938.366 (3) (a) after the juvenile attains 18 years of age, during the 90 days immediately before the termination of the order or agreement, the agency primarily responsible for providing services to the juvenile under the order or agreement shall do all of the following:

SECTION 122. Nonstatutory provisions.

(1) If, prior to July 1, 2024, the department of children and families determines that there is sufficient funding allocated under s. 49.175 (1) (s) to fund the expansion of the kinship care and long-term kinship care programs under this act, the department shall submit to the legislative reference bureau for publication in the Wisconsin Administrative Register a notice specifying the date of that determination.

SECTION 123. Effective date.

(1) This act takes effect on the date specified in the notice published in the Wisconsin Administrative Register under SECTION 122 (1) of this act, or on July 1, 2025, whichever is earlier.

(END)

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Board 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 80—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve the County Land Conservation Department to accept and expend a private grant from the University of Wisconsin-Green Bay for $116,875, to be used for engineering services to advance agricultural runoff treatment research to determine sustainable treatment systems and create design recommendations, and increase the following line items in the Land Conservation Grants Cost Center: Misc. Revenue by $116,875; Salary by $13,190; Fringe by $5,160; Travel by $4,140; Supplies by $17,000; Purchased Services by $77,385, as detailed on the attached fiscal note.

Supervisor Koury moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 80—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 80—2023-24

Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve the County Land Cons **Passed With 2/3 of Full Membership** private grant from the University of Wisconsin-Green Bay for $116,875, to be used for engineering services to advance agricultural runoff treatment research to determine sustainable treatment systems and create design recommendations.

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **12-12-23 County Board Meeting - December 12 2023 07:26:36 PM** OpenMeeting

December 12, 2023 County Board Meeting

RESOLUTION NO.: 80—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Land Conservation Department (LCD) entered into an Agreement with the University of Wisconsin-Green Bay for engineering services to advance agricultural runoff treatment research to determine sustainable treatment systems and create design recommendations. This private grant is for $116,875 to cover staffing costs of $18,350, travel expenses of $4,140, supplies of $17,000, and cost-share expenses of $77,385.

The project period runs from December 1, 2023 to December 31, 2024. LCD is requesting approval to accept and expend these funds, along with approval for a budget adjustment which includes an increase in Intergovernmental Revenue by $116,875 with a corresponding increase in Salary/Fringes of $18,350, Travel of $4,140, Supplies of $17,000, and Purchased Services of $77,385. The proposed adjustment is budget neutral, requiring no county funding or county match.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning, and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors, does authorize and approve the Outagamie County Land Conservation Department to accept and expend a private grant from the University of Wisconsin-Green Bay in the amount of $116,875, said grant to be used for engineering services to advance agricultural runoff treatment research to determine sustainable treatment systems and create design recommendations, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does approve of increasing the following line items in the Land Conservation Grants Cost Center: Misc. Revenue by $116,875; Salary by $13,190; Fringe by $5,160; Travel by $4,140; Supplies by $17,000; Purchased Services by $77,385, as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Land Conservation Department Director and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING AND LAND CONSERVATION COMMITTEE

Debbie Vander Heiden

Daniel Rettler

Rick Lautenschlager

Sarah Weinberg

Dustin Koury

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

Kelly M. Coutts, Deputy Clerk
County Clerk

Approved: 12-13-23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** LCD Request to Accept and Expend a Grant from the University of Wisconsin-Green Bay and related 2024 Budget Adjustment

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Land Conservation Department (LCD) entered into an agreement with the University of Wisconsin-Green Bay for engineering services to advance agricultural runoff treatment research to determine sustainable treatment systems and create design recommendations. This private grant is for $116,875 to cover staffing costs of $18,350, travel expenses of $4,140, supplies of $17,000; and cost-share expenses of $77,385.

The project period runs from December 1, 2023 to December 31, 2024. LCD is requesting approval to accept and expend these funds, along with approval for a budget adjustment which includes an increase in Intergovernmental Revenue by $116,875 with a corresponding increase in Salary/Fringe of $18,350, Travel of $4,140, Supplies of $17,000, and Purchased Services of $77,385. This proposed adjustment is budget neutral, requiring no county funding.

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )
4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )
5. Is the proposal to accept additional revenues only? yes ( ) no (x)
6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (x) no ( )
7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

LC Grants (2100400)	Intergovernmental Revenue	2100400.4280.99	116,875
LC Grants (2100400)	Salary	2100400.5100	13,190
LC Grants (2100400)	Fringe	2100400.5200	5,160
LC Grants (2100400)	Travel	2100400.5300	4,140
LC Grants (2100400)	Supplies	2100400.5400	17,000
LC Grants (2100400)	Purchased Services	2100400.5500	77,385

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( )
9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost - Annual Revenue -

Fiscal Note Prepared by: Greg Baneck

For Financial Services purposes only	
Reviewed By: [signature] Date: 11/28/2023	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Comments:	

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 81—2023-24 – Highway, Recycling and Solid Waste Committee. Approve of various budget transfers and alterations in the 2023 Recycling and Solid Waste and Single Stream Recycling budgets, as detailed on the attachments.

Supervisor Hagen moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 81—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 81—2023-24

Highway, Recycling and Solid Waste Committee. Approve of various budget transfers and alterations in the 2 Recycling budgets, as detailed on the attachments.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 Vacant ABSENT	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:27:11 PM

December 12, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 81—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Each year the Recycling and Solid Waste and Single Stream Recycling budgets may require a number of budgetary transfers to account for changes in financial activity and operations during the year.

This resolution adjusts and transfers the authorized funds to the applicable line items and cost centers where expenditures incurred exceed or are less than the amounts originally projected either through increased/reduced revenues or increases or decreases in other budgeted line items.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of various budget transfers and alterations in the 2023 Recycling and Solid Waste and Single Stream Recycling budgets as noted on the attached fiscal note and Recycling & Solid Waste 2023 Budget Adjustments – Attachment A worksheet which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Recycling and Solid Waste Director and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 12 13 23 Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Various 2023 Recycling and Solid Waste and Single Stream Year-End Budget Adjustments

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Each year Recycling and Solid Waste and Single Stream Recycling may require a number of budgetary transfers to account for changes in financial activity and operations during the year. This resolution adjusts and transfers the authorized funds to the applicable line items and cost centers where expenditures incurred exceed or are less than the amounts originally projected either through increased/reduced revenues or increases or decreases in other budgeted line items. See attachment A for detail cost centers, descriptions and line items adjusted.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (X)

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	(DECREASE) AMOUNT
See attachment A			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? Yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Greg Parins / Alex Nett / Ivy Martin and Brian Massey

For Financial Services purposes only	
Reviewed By: Trista J Welsh	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date 11/15/2023	
Comments:	

Recycling & Solid Waste 2023 Budget Adjustments - Attachment A

CC Name	Cost Center	Line Account	Line	Debit	Credit	Description
SINGLE STREAM MRF						
Single Stream MRF	5040100	5300	Travel/Training	1,200	-	Additional staff went to several conferences as requested
Single Stream MRF	5040100	5400	Supplies	65,000	-	One of the engines required extensive work that was not anticipated
Single Stream MRF	5040100	5500	Purchased Services	-	66,200	Decrease Purchased Services due to not being able to fill many of the MRF contracted labor shifts due to a labor shortage to cover the above items
			Total Single Stream MRF	$ 66,200	$ 66,200	

CC Name	Cost Center	Line Account	Line	Debit	Credit	Description
SOLID WASTE						
Landfill - Internal OC Operations	5039002	5500	Purchased Services	25,000	-	Due to general solid waste landfill general maintenance and grounds work needing to be completed by contracted services
West Site Maintenance	5039261	5400	Capital Outlay	150,000	-	Due to break in leachate conveyance line, immediate abandon and replace. WNDR requirement.
Landfill - Internal OC Operations	5039002	8955	Fund Balance Applied	-	175,000	Funding Source for above items - Solid Waste cash
			Total Solid Waste	$ 175,000	$ 175,000	

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Est. 1851 **12-12-23 County Board Meeting - December 12 2023 07:42:06 PM**

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 82—2023-24 – Public Safety Committee. Approve the following line item transfers: increase the CJTS Travel/Training by $2,600; decrease the CJTS Salaries by $2,600; increase the TAD Grant Travel/Training by $1,800; increase the TAD Grant Supplies by $12,000; and decrease the TAD Grant Purchased Services by $13,800, due to training that was anticipated to be covered by the JAG grant that did not materialize and to maximize grant resources, as detailed in the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 82—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 82—2023-24

Public Safety Committee. Approve the following line item transfers: increase the CJTS Travel/Training by $2,6(Passed With 2/3 of Full Membership
the TAD Grant Travel/Training by $1,800; increase the TAD Grant Supplies by $12,000; and decrease the TAD Grant Purchased Services by $13,800, due to training that was anticipated to be covered by the JAG grant that did not materialize and to maximize grant resources, as detailed in the attached fiscal note.

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:27:35 PM OpenMeeting
December 12, 2023 County Board Meeting

RESOLUTION NO.: 82—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Criminal Justice Treatment Services Department (CJTS) is requesting approval for 2023 year-end budgetary transfers due to training that was anticipated to be covered by the JAG grant that did not materialize and to maximize grant resources.

The CJTS Department is able to absorb these adjustments and remain compliant with the grant budget and related requirements. These adjustments are cost neutral and do not require any additional county funding.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the CJTS Travel/Training line item by $2,600; decreasing the CJTS Salaries line item by $2,600; increasing the TAD Grant Travel/Training line item by $1,800; increasing the TAD Grant Supplies line item by $12,000; and decreasing the TAD Grant Purchased Services line item by $13,800 as detailed in the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Director of Criminal Justice Treatment Services and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

_____, Deputy Clerk
County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Criminal Justice Treatment Services (CJTS) Request for 2023 Budget Adjustments

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Criminal Justice Treatment Services (CJTS) department requests approval for the following budget adjustments for 2023:

CJTS (cost center 1009100): Increase Travel/Training and Decrease Salaries by $2,600 each.
Purpose: Training that was anticipated to be covered by the JAG grant did not materialize.
TAD Grant (cost center 2101000): Increase Travel/Training and Decrease Purchased Services by $1,800 each.
Purpose: With reduced Purchased Services expenses, a transfer to Training is necessary to maximize grant resources.
TAD Grant (cost center 2101000): Increase Supplies and Decrease Purchased Services by $12,000 each.
Purpose: With reduced Purchased Services expenses, a transfer to Supplies is necessary to maximize grant resources.

The department is able to absorb these adjustments within the line items noted and remain compliant with the grant budget and related requirements. These adjustments are cost neutral and do not require any additional county funding.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☒ Expenses (Cost) ☐ None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially x)

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (I.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (I.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
CJTS (1009100)	Travel/Training	1009100.5300	2,600
CJTS (1009100)	Salaries	1009100.5100	(2,600)
TAD Grant (2101000)	Travel/Training	2101000.5300	1,800
TAD Grant (2101000)	Supplies	2101000.5400	12,000
TAD Grant (2101000)	Purchased Services	2101000.5500	(13,800)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Bernie Vetrone

For Financial Services purposes only	
Reviewed By: Trista J Wright	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount
Date: 11/20/2023	
Comments:	

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86--2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 83—2023-24 – Public Safety Committee. Approve of various budget transfers in the 2023 Sheriff's Office budget, as detailed in the attachments.

Supervisor Lamers moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 83—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 83—2023-24

Public Safety Committee. Approve of various budget transfers in the 2023 Sheriff's Office budget, as detailed **Passed With 2/3 of Full Membership**

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **12-12-23 County Board Meeting - December 12 2023 07:28:01 PM**

December 12, 2023 County Board Meeting

OpenMeeting

RESOLUTION NO.: 83—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Sheriff's Office is requesting approval for 2023 year-end budgetary transfers due to multiple divisions having unanticipated overtime expenses, reallocated training and travel costs not used transferred to supplies, additional Department of Transportation (DOT) grant income received above budget, extraditions higher than anticipated, increased capital expenses from supplies, auction proceeds less than expected, and snowmobile trails not open long enough to receive reimbursement.

These adjustments are cost neutral and do not require any additional county funding.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of various budget transfers in the 2023 Sheriff's Office budget as detailed in the attached fiscal note and Outagamie County Sheriff's Office 2023 Budget Transfers Worksheet, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

Kelly M. Cook, Deputy Clerk
County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Fiscal Year 2023 Sheriff Department Year End Budget Adjustments

2. **Description:** Finance Department sent out requests for Departments to review their budgets for current Fiscal Year 2023. The Sheriff's Department reviewed and returned the requested Budget adjustments for this fiscal year to better allocate and best spend the funds available: Adjustments requested due to multiple divisions having unanticipated overtime, reallocated training and travel costs not used to supplies, additional DOT grant income received above budget, extraditions higher than anticipated, increased capital expenses from supplies, auction proceeds less than expected, trails not open long enough to receive reimbursement.

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [x] Expenses (Cost) [ ] None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
refer to attached spreadsheet for Budget entries			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost $0.00
Annual Revenue

Fiscal Note Prepared by: Kay L Hamilton, Deputy Finance Director

For Financial Services purposes only	
Reviewed By: Kay L Hamilton	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount
Date: 11/30/23	
Comments:	

Outagamie County Sheriff's Office
2023 Budget Transfers

Cost Center Name	Cost Center	Account #	Line	Debit	Credit	Reason
Process Server	1008005	5100	Wages	$ 3,000		unanticipated OT & ERT efforts
Administration	1008000	5100	Wages	$ 500		unanticipated OT
Squad Cars	1008017	5100	Wages	$ 3,000		unanticipated OT
Corrections/Jail	1008015	5100	Wages	$ 175,000		unanticipated OT
Traffic (Patrol)	1008007	5100	Wages		$ 181,500	unanticipated OT
Process Server	**1008005**	**5200**	**Benefits**	**$ 500**		**unanticipated OT & ERT efforts**
Squad Cars	**1008017**	**5200**	**Benefits**	**$ 500**		**unanticipated OT**
Traffic (Patrol)	**1008007**	**5200**	**Benefits**		**$ 1,000**	**unanticipated OT**
Corrections/Jail	1008015	5300	Training	$ 4,000		Reallocation of training/travel funds
Corrections/Jail	1008015	5400	Supplies		$ 4,000	Reallocation of training/travel funds
Patrol	1008007	5400	Supplies	$ 4,800		Reallocation of training/travel funds
Patrol	1008007	5300	Training		$ 3,600	Reallocation of training/travel funds
Administration	1008000	5300	Training		$ 1,200	Reallocation of training/travel funds
Communications	1008013	5400	Supplies	$ 2,020		Reallocation of training/travel funds
Communications	1008013	5300	Training		$ 2,020	Reallocation of training/travel funds
Process Server	1008005	5400	Supplies	$ 30		unbudgeted/unreimbursed inter department cost
Administration	1008000	5500	Services		$ 30	unbudgeted cost, covered by revenue
Traffic (Patrol)	1008007	5500	Services	$ 75,000		DOT Grant Services by outside agencies
Traffic (Patrol)	1008007	4000	Revenue		$ 70,000	Additional DOT grant income beyond budget
Traffic (Patrol)	1008007	5100	Wages		$ 5,000	unworked Grant OT due to staffing, filled by other agencies
Traffic (Patrol)	1008007	4000	Revenue	$ 5,000		Snowmobile trails not open long enough to earn reimbursement
Traffic (Patrol)	1008007	5500	Services		$ 5,000	Trails not open long enough for reimbursement, vendor didn't collect full lease cost as courtesy
Traffic (Patrol)	1008007	5500	Services	$ 18,000		Extraditions higher than anticipated
Administration	1008000	5500	Services		$ 18,000	Extraditions higher than anticipated
Traffic (Patrol)	**1008007**	**6000**	**Capital**	**$ 7,717**		**Transfer Supplies to Capital for Throwbot**
Traffic (Patrol)	**1008007**	**5400**	**Supplies**		**$ 7,717**	**Transfer Supplies to Capital for Throwbot**
Squad Cars	1008017	4000	Revenue	$ 25,000		Expected auction proceeds less than expected, offset by fuel savings
Squad Cars	1008017	5400	Supplies		$ 25,000	Fuel Costs less than expected, auction revenue also less than expected
		Total:		$ 324,067	$ 324,067	

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN **12-12-23 County Board Meeting - December 12 2023 07:42:36 PM**

December 12, 2023 County Board Meeting

OpenMeeting TECHNOLOGIES

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting TECHNOLOGIES

Resolution No. 84—2023-24 – Health and Human Services Committee. Approve of various budget transfers and alterations in the 2023 Health and Human Services budget, as detailed on the resolution and attachments.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 84—2023-24 IS ADOPTED.



VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 84—2023-24

Health and Human Services Committee. Approve of various budget transfers and alterations in the 2023 Hea resolution and attachments. **Passed With 2/3 of Full Membership**

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:28:29 PM OpenMeeting

December 12, 2023 County Board Meeting

RESOLUTION NO.: 84—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Each year the Outagamie County Department of Health and Human Services budget requires a number of budgetary transfers to account for actual financial activity. The primary reasons for the current year transfers include:

- Supplies covered by ARPA grant
- Incurred mileage increase
- Decrease in Corrections services
- Psychiatric fees lower and loss of provider
- Contracted staff moving to employed
- Transportation services
- Reduction in Congregate Meal Services
- CLTS Program growth
- Reduced Supported Living, Group Home and Respite services expenses
- Grant expenses / revenue
- Actual expenses
- Revenues decreased / increased
- Staff vacancies
- Work effort of staff between division / cost centers
- Decreased projected CCS billings to Medicaid revenue
- Revenue increased based on actual collections

This resolution authorizes transferring funds approved in the 2023 adopted budget to the line items and cost centers where changes in activity occurred during 2023. No additional county funding is requested as the net adjustment is budget neutral.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of various budget transfers and alterations in the 2023 Health and Human Services budget as noted on the attached fiscal note and Outagamie County Department of Human Services 2023 Budget Transfers worksheet, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Health and Human Services Director and the Outagamie County Finance Director.

Dated this 12th day of December 2023

Respectfully Submitted,

HEALTH AND HUMAN SERVICES COMMITTEE

Dan Gabrielson

Justin Krueger

Jeff McCabe

Cathy Thompson

Kelly Schroeder

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____ Board Chairperson

Kelly M. Cuts, Deputy Clerk
County Clerk

Approved: 12 13 23

Vetoed: _____

Signed: _____
County Executive

Outagamie County Department of Human Services
2023 Budget Transfers

Cost Center Name	Account Category	Account Title	Account Number	Debit (Credit) Expenditure Increase (Decrease) Amount	(Debit) Credit Revenue Increase (Decrease) Amount	Explanation
Economic Support Administration	Supplies	Supplies	2064010.5400	$ 13,467		Expenses higher than anticipated due to purchase of mass fans covered by an ARPA grant
MH Providing	Travel/Training	Travel/Training	2066090.5330	$ 16,980		Expenses higher than anticipated based on incurred mileage increase
C-Youth Aids	Purchased Services	Purchased Services	2062540.5500	$ (291,619)		Expenses lower than anticipated due to drop in Corrections services
MH Provided	Purchased Services	Purchased Services	2066090.5500	$ (39,722)		Expenses lower than anticipated due to Psychiatric Fees and loss of provider
C-Alcohol and Other Drug Abuse	Purchased Services	Purchased Services	2066560.5500	$ (305,210)		Expenses lower than anticipated due to reduction in Contracted Staff moving to employed and lower Level 2A services
C-Mental Health	Purchased Services	Purchased Services	2066580.5500	$ (144,326)		Expenses lower than anticipated due to reduction in Contracted Staff moving to employed, and Supportive Living Children services
Aging Services	Purchased Services	Purchased Services	2063305.5500	$ 43,944		Expenses higher than anticipated based on Transportation services
Nutrition Program	Purchased Services	Purchased Services	2063050.5500	$ (89,663)		Expenses lower than anticipated based on reduction in Congregate Meal services
C-CLTS	**Purchased Services**	**Purchased Services**	**2063595.5500**	**$ 6,855,330**		Expense increase due to CLTS program growth
C-Community Aids	Purchased Services	Purchased Services	2062520.5500	$ (133,536)		Expenses lower than anticipated due to Supported Living, Group Home and Respite services
C-Youth Aids	Intergovernmental Revenue	Youth Aids Allocation	2062540.4265.10		$ 83,606	Revenue higher than anticipated based on projected grant expense
C-Youth Aids	Intergovernmental Revenue	Anti-Human Trafficking (AHT)	2062540.4206.48		$ 9,288	Revenue higher than anticipated based on actual grant expense. Grant ended on March 31, 2023.
C-Youth Aids	Intergovernmental Revenue	Out of Home Care Svs Trf Youth	2062540.4206.44001		$ 89,591	Revenue higher than anticipated due to receiving new grant in 2023 and projected expense to apply to the grant
MH Provided	Intergovernmental Revenue	MH Block Grant	2066290.4265.16		$ 64,126	Revenue higher than anticipated due to projected grant expense
C-Alcohol and Other Drug Abuse	Intergovernmental Revenue	AODA Block Supplemental	2066560.4206.78		$ 65,188	Revenue higher than anticipated due to projected grant expense
C-Alcohol and Other Drug Abuse	Intergovernmental Revenue	Opioid ARA	2066560.4206.56		$ 45,232	Revenue higher than anticipated due to projected grant expense
Economic Support Administration	Intergovernmental Revenue	Child Care Admin	2064010.4265.72		$ 47,589	Revenue higher than anticipated based on actual expense
Economic Support Administration	Intergovernmental Revenue	W-2 One Time Funds	2064010.4210.01005		$ 55,817	Revenue higher than anticipated based on actual expense
Economic Support Administration	Intergovernmental Revenue	ARPA Revenue	2064010.4260.01		$ 43,636	Revenue higher than anticipated based on actual expense
Aging Nutrition Program	Intergovernmental Revenue	ARPA Home Delivered Funds	2063050.4205.05		$ (131,196)	Revenue lower than anticipated and funds carried over to 2024
C-CLTS	Intergovernmental Revenue	Children's Waiver	2063595.4205.88		$ 6,552,699	Revenue increase due to CLTS program growth
CYF Provided	Intergovernmental Revenue	Promoting Safe & Stable Families	2067030.4205.82		$ (18,787)	Revenue lower than anticipated based on projected grant expenses
CYF Provided	Intergovernmental Revenue	Foster Parent Retention	2062040.4206.52		$ (17,527)	Revenue lower than anticipated due to the grant was not renewed for July 2023 through June 2024
C-Community Aids	Intergovernmental Revenue	Kinship Care	2062520.4265.80		$ (36,247)	Revenue lower than anticipated based on projected grant expenses
C-Community Aids	Intergovernmental Revenue	CSP	2062520.4265.43		$ (202,072)	Revenue lower than anticipated based on projected grant expenses
Communicable Disease	Intergovernmental Revenue	COVID-ARPA Recovery	2061010.4265.01078		$ (86,847)	Revenue lower than anticipated based on projected grant expenses
Community Health	Intergovernmental Revenue	COVID-Workforce Development	2061010.4265.01079		$ (242,064)	Revenue lower than anticipated based on projected grant expenses
Communicable Disease	Intergovernmental Revenue	COVID-ARPA Recovery	2061017.4265.01078		$ (294,394)	Revenue lower than anticipated based on projected grant expenses
WIC	Intergovernmental Revenue	Core Nutrition - Peer Counseling	2061020.4213.11		$ 32,209	Revenue higher than anticipated due to staff vacancies
YFS Provided	Allocated Applied Credit	Allocated Applied Credit	2067040.9940	$ 33,533		Work efforts of staff between Divisions/Cost Centers
CYF Provided	Allocated Applied Credit	Allocated Applied Credit	2062040.9940	$ 150,439		Work efforts of staff between Divisions/Cost Centers
MH Provided	Charges for Services	MA CCS Revenues	2066090.4410.69		$ (777,109)	Revenue lower than anticipated based on projected CCS Billings to Medicaid
MH Provided	Charges for Services	MA CSP Revenues	2066090.4410.15		$ (66,804)	Revenue lower than anticipated based on projected CSP Billings to Medicaid
C-Alcohol and Other Drug Abuse	Charges for Services	MA CCS Revenues	2066560.4410.69		$ (156,791)	Revenue lower than anticipated based on projected CCS Billings to Medicaid
C-Mental Health	Charges for Services	MA CCS Revenues	2066580.4410.69		$ 645,184	Revenue higher than anticipated based on projected CCS Billings to Medicaid
C-Mental Health	Fees, Fines, and Costs	Family Care	2066580.4415.71		$ 67,154	Revenue higher than anticipated based on actual collected fees
C-Community Aids	Fees, Fines, and Costs	Support	2062520.4415.43		$ 416,200	Revenue higher than anticipated based on actual collections
MH Provided	Miscellaneous	Miscellaneous	2066090.4530.12		$ 35,000	Revenue higher than anticipated based on actual collections
	Grand Total			**$ 6,149,118**	**$ 6,149,118**	

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Fiscal Year 2023 Health & Human Services Department Year End Budget Adjustments

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Refer to the attached PDF for explanations of FY2023 Budget Adjustments

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
refer to attached PDF for budget entries			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost $0.00 Annual Revenue

Fiscal Note Prepared by: Kay L Hamilton, Deputy Finance Director

For Financial Services purposes only

Reviewed By: Kay L Hamilton

Date: 12/04/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting TECHNOLOGIES

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Est. 1851 **12-12-23 County Board Meeting - December 12 2023 07:42:06 PM**

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 85—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for the County CC overpass replacement project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.

Supervisor Clegg moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 85—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 85—2023-24

Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter in Passed With Majority of Full Membership County CC overpass replacement project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:29:41 PM
December 12, 2023 County Board Meeting
OpenMeeting

RESOLUTION NO.: 85—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of the I-41 corridor which includes bridges over local highways. The interchange of County CC bridge has been identified as one of those to be reconstructed within the project limits from a two-lane rural typical cross section to a two-lane urban typical cross section with bike accommodations. Outagamie County's share is currently estimated to be $23 for non-participating items. Construction is currently scheduled for 2024. The county share of the project costs is to be funded with future budgets.

This resolution authorizes the Outagamie County Highway Commissioner to enter into a State/Municipal Financial Agreement (SMFA) for this state-let improvement project and to support future funding for the County CC overpass replacement project.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for the County CC overpass replacement project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize funding for the county share of the project costs to be included in future budgets as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance Director.

Dated this 12th day of December 2023.

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____ Board Chairperson

Kelly M. Burt, Deputy Clerk
County Clerk

Approved: 12 13 23 Vetoed: _____

Signed: _____ County Executive

STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE- LET HIGHWAY PROJECT	Date:December 1, 2023 I.D.:1130-66-83 (Design 1130-63-01) Road Name: IH 41 Title: Appleton – De Pere Limits: Rose Hill Rd/CTH CC Overpass County: Outagamie Roadway Length: 0.275 miles

The signatory **Outagamie County** hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: The IH 41 Project corridor, which has four travel lanes – two in each direction – is congested and sees a higher rate of crashes than similarly configured freeways in Wisconsin. By federal standards, the project area has multiple roadway design deficiencies, and much of its pavement and several bridges are nearing the end of their useful lives and must be replaced.

The CTH CC Bridge over IH 41 is nearing the end of its useful life and must be replaced as part of the overall IH 41 Project. The existing CTH CC four span concrete girder structure shoulder piers will also conflict with the proposed improvements on IH 41.

Proposed Improvement - Nature of work: The existing structure carrying CTH CC over IH 41 will be removed and replaced with a two-span concrete girder structure (B-44-333).

CTH CC will be reconstructed from a two-lane rural typical section to a two-lane urban typical section with bike accommodations. The limits of the reconstruction of CTH CC extend from approximately 900 feet south of IH 41 to 550 feet north of IH 41.

Sidewalk will be installed on structure (B-44-333).

Light bases, conduit and other items associated with street lighting will be installed under the project.

Work will also include storm sewer installation, erosion control, fertilizer/seed/ mulch, permanent signing, pavement marking and temporary traffic control.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: Non-participating work is not necessary to finish the project but the Municipality has requested a 100% non-participating category be included to be able address any unanticipated non-participating needs during construction.

	SUMMARY OF COSTS						
Phase	**Total Est. Cost**	**Federal/State Funds**	**%**	**Other Funds**	**%**	**Municipal Funds**	**%**
Design Engineering: Plan Development	$0	$0			0%	$0	100%
Real Estate Acquisition: Acquisition	$0	$0			0%	$0	100%
Utility Coordination: Utility Relocations	$0	$0			0%	$0	100%
[1]**Construction:**							
Category 1000– Roadway Items	$3,548,632	$3,548,632	100%	$0	0%	$0	0%
Category 1100 – Lighting (City of Kaukauna)	$49,220	$35,759	72.7%	$13,461	27.3%	$0	0%
Category 1600 – City of Kaukauna	$23	$0	0%	$23	100%	$0	0%
Category 1610 – Village of Little Chute	$23	$0	0%	$23	100%	$0	0%
Category 1620 – Outagamie County	$23	$0	0%	$0	0%	$23	100%
Category 1630 – Sidewalk (City of Kaukauna)	$97,624	$78,099	80%	$19,525	20%	$0	0%
Category 1800 – Haul Road Repair	$5,750	$5,750	100%	$0	100%	$0	0%
Category 2000 – B-44-333	$2,288,416	$2,288,416	100%	$0	100%	$0	0%
Construction Subtotal	$5,989,711	$5,956,656		$33,032		$23	
Total Est. Cost Distribution	**$5,989,711**	**$5,956,656**		**$33,032**		**$23**	

1. Estimates include construction engineering estimated at 15%.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 2–5); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State, upon fully executed signature of applicable State Municipal Maintenance Agreement and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.

Signed for and in behalf of **Outagamie County** (please sign in blue ink)

Name (print) Title

Signature Date

Signed for and in behalf of the **State** (please sign in blue ink)

Name Title

Signature Date

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation

shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.

2. Funding of each project phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:

   (a) Design engineering and state review services.

   (b) Real Estate necessitated for the improvement.

   (c) Compensable utility adjustment and railroad force work necessitated for the project.

   (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.

   (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.

   (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.

   (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.

   (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.

   (i) Replacement of existing driveways, in kind, necessitated by the project.

3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:

   (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.

   (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.

   (c) Roadway and bridge width in excess of standards.

   (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.

   (e) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.

4. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.

5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State on behalf of the project.

6. The work will be administered by the State and may include items not eligible for federal/state participation.

7. The Municipality shall, in cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.

8. Basis for local participation:

Construction ID 1130-66-83

The Project Agreement will be revised if necessary, as the project progresses. All costs shown are approximate and subject to final audit.

Category 1000 – Roadway Items

The State will pay 100% of the construction costs under Category 1000 Roadway Items unless otherwise noted.

Category 1100 – Lighting (City of Kaukauna)

In accordance with Local Participation policy section 3-25-5 of the State's Program Management Manual, the State will participate in the costs of new continuous street lighting if it is installed at the time of project construction. Where an alternate design acceptable to WisDOT is installed, 50 percent of the cost equivalent to lighting meeting WisDOT standards is eligible, not to exceed 50 percent of actual costs.

The participating total is based on 50% of the total estimated street lighting costs which includes $49,220 for WisDOT installed below ground lighting component costs and $22,298 for above-ground components (poles and luminaires) to be completed by Kaukauna Utilities and that will meet WisDOT standards.

50% x ($49,220 + $22,298) = $35,759

$35,759 - $22,298 = $13,461

Item Number	Item Description	Units	Estimated Qty	Unity Price	Amount
652.0125	Conduit Rigid Metallic 2-Inch	LF	120	$85.00	$10,200.00
652.0225	Conduit Rigid Nonmetallic Schedule 40 2-Inch	LF	1030	15	$15,450
652.0335	Conduit Rigid Nonmetallic Schedule 80 3-Inch	LF	55	30	$1,650
653.0164	Pull Boxes Non-Conductive 24x42-Inch	EACH	4	$2,000	$8,000
654.0105	Concrete Bases Type 5	EACH	6	$1,250	$7,500

1130-66-83 Lighting Total	$42,800.00
15% Construction Engineering	$6,420.00
1130-66-83 Project Total	$49,220.00

Category 1600/1610/1620 – City of Kaukauna/Village of Little Chute/Outagamic County

In accordance with Local Participation Policy Section 3-25-5 of the State's Program Management Manual, proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Item Number	Item Description	Units	Estimated Qty	Unity Price	Amount
305.0120	Base Aggregate Dense 1 ¼-Inch	TON	1	$20.00	$20.00

1130-66-83 Construction Total	$20
15% Construction Engineering	$3.00
1130-66-83 Project Total	$23.00

Category 1630 – Sidewalk (City of Kaukauna)

In accordance with Local Participation policy section 3-25-5 of the State's Program Management Manual, the State will participate in the construction costs of new sidewalks if they are installed at the time of project construction. Costs of sidewalk constructed to WisDOT standards and installed at the time of project construction are 80 percent eligible for WisDOT participation.

Item Number	Item Description	Units	Estimated Qty	Unity Price	Amount
305.0120	Base Aggregate Dense 1 ¼-Inch	Ton	280	$20.00	$5,600
602.0405	Concrete Sidewalk 4-Inch	SF	13,215	$6	$79,290

1130-66-83 Sidewalk Total	$84,890
15% Construction Engineering	$12,734
1130-66-83 Project Total	$97,624.00

Category 1800 – Haul Road Repair

The State will pay 100% of the construction cost for maintenance and repair of haul roads unless otherwise noted.

Category 2000– Structure B-44-333

The State will pay 100% of the construction costs under Category 2000 Structure B-44-333 unless otherwise noted.

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** The Highway Department is requesting approval sign a State Municipal Financial Agreement - SFMA

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of the I-41 corridor which includes bridges over local highways. The interchange of County CC bridge has been identified as one of those to be reconstructed within the project limits from a two-lane rural typical cross section to a two-lane urban typical cross section with bike accommodations. Outagamie County's share is currently estimated to be $23 for non-participating items. Construction is currently scheduled for 2024. This line is to be included on the SMFA should the project need to be expanded the State has the ability to do change orders on the project. The County will have to present a resolution for revised costs should they occur. The county share of the project costs is to be funded with future budgets.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [x] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes ( ) no (x)
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)
The project on

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Michelle Uitenbroek

For Financial Services purposes only

Reviewed By: Kay L Hamilton
12/7/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditure Account Number	Amount

Comments:

C:\Users\hamiltk\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\XVU60CW7\Fiscal Note CTH CC bridge.doc

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Resolution No. 86—2023-24 – Highway, Recycling and Solid Waste Committee and the Property, Airport, Recreation & Economic Development Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement and County/Municipal Cost Agreement for the County OO & WIS 15 interchange reconstruction project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project and Outagamie County Highway Department County/Municipal Cost Agreement, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hagen, for adoption.

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 86—2023-24 IS ADOPTED.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Resolution No. 86—2023-24

Highway, Recycling and Solid Waste Committee and the Property, Airport, Recreation & Economic Developme **Passed With Majority of Full Membership**

Highway Commissioner to enter into a State/Municipal Financial Agreement and County/Municipal Cost Agreement for the County OO & WIS 15 interchange reconstruction project.

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 Vacant ABSENT	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **12-12-23 County Board Meeting - December 12 2023 07:30:58 P** OpenMeeting

December 12, 2023 County Board Meeting

RESOLUTION NO.: 86—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of the I-41 corridor which includes interchanges with local highways. The interchange of County OO/WIS 15 has been identified as one of those to be reconstructed with landscaping and aesthetic treatments for construction scheduled for 2024 and 2025. Current WisDOT policy prevents the use of state funds on aesthetic elements adjacent to, or part of, a highway improvement project (*refer to § 85.0205 (1m)*) and require them to be locally-funded. As shown in the State/Municipal Financial Agreement (SMFA) (page 5, Category 1600) non participating costs are estimated to be $52,780 for planting mixture.

Outagamie County has entered into a local cost share agreement with the Town of Grand Chute to share 50% the cost of non-participating items for the planting mixture. The agreement also includes the cost share for landscaping and aesthetic treatments that will be locally funded (County/Municipal Cost Agreement) and the maintenance responsibilities for the County and the Town of Grand Chute.

This resolution authorizes the Outagamie County Highway Commissioner to enter into a State/Municipal Financial Agreement (SMFA) with WisDOT and County/Municipal Cost Agreement with the Town of Grand Chute for this state-let improvement project.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee and the Property, Airport, Recreation & Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement and County/Municipal Cost Agreement for the County OO & WIS 15 interchange reconstruction project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project and Outagamie County Highway Department County/Municipal Cost Agreement, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize funding for the county share of the project costs to be included in future budgets as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner, the Outagamie County Development & Land Services Director, and the Outagamie County Finance Director.

Dated this 12th day of December 2023.

Respectfully Submitted,
HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE
And
PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____ _____ Deputy Clerk
Board Chairperson County Clerk

Approved: 12 13 23 Vetoed: _____

Signed: _____
County Executive

STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE- LET HIGHWAY PROJECT	Date: October 23, 2023 I.D.:1130-64-76 (Design 1130-63-01) Road Name: I-41/STH 15 (Northland Ave) Title: Appleton – De Pere Limits: Northland/STH 15 Intchg B440315/16 County: Outagamie Roadway Length: 0.509 miles

The signatory Outagamie County hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: The I-41 Project corridor, which has four travel lanes – two in each direction – is congested and sees a higher rate of crashes than similarly configured freeways in Wisconsin. By federal standards, the project area has multiple roadway design deficiencies, and much of its pavement and several bridges are nearing the end of their useful lives and must be replaced.

Much of the original pavement in the corridor was built in the 1960s and has reached the end of its useful life, meaning further rehabilitations are no longer cost-effective. The project corridor also has narrow road shoulders, outdated ramp designs, and interchanges spaced too closely to one another – deficiencies that can contribute to safety and operational problems.

Proposed Improvement - Nature of work: Project ID 1130-64-76 WisDOT identified the diverging diamond interchange as the preferred alternative for the WIS 15 interchange. At the WIS 15 interchange, the diverging diamond interchange is the safest interchange option, has the best traffic operations, and has the support of Outagamie County and the municipalities. Impacts between alternatives considered are not substantially different.

WIS 15 will be reconstructed, and bike lanes will be added within the project limits. Sidewalk will be constructed between the ramp terminals New storm sewer will be installed within the project limits. The existing structures carrying WIS 15 over I 41 will be replaced with structures B-44-0315 and B-44-0316. Retaining walls R-44-003, R-44-0031, and R-44-0056 will be constructed. Sign structures S-44-0324, S-44-0325, S-44-0326, S-44-0327, S-44-0328 and S-44-0329 will be constructed. New traffic signals will be installed at the I 41/ WIS 15 ramp terminals. MUTCD compliant signing and pavement markings will be installed with the project.

Wet detention ponds will be constructed in the southeast and northwest quadrants of the I 41 and WIS 15 Interchange.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: None to date.

	SUMMARY OF COSTS				
[1]Phase	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
[2]Construction:					
Category 1000 – Roadway	$21,270,030	$21,270,030	100%	$0	0%
Category 1100 - Lighting	$536,720	$536,720	100%	$0	0%
Category 1200 - FTMS	$329,050	$329,050	100%	$0	0%
Category 1300 - Signals	$603,330	$603,330	100%	$0	0%
Category 1600 – Outagamie County	$52,780	$0	0%	$52,780	100%
Category 1800- 100% State Funded	$21,850	$21,850	100%	$0	0%
Category 2000 - Structure B-44-3015	$2,251,450	$2,251,450	100%	$0	0%
Category 2010 - Structure B-44-3016	$2,166,050	$2,166,050	100%	$0	0%
Category 4000 - Structure R-44-0030	$977,230	$977,230	100%	$0	0%
Category 4010 - Structure R-44-0031	$948,520	$948,520	100%	$0	0%
Category 4020 – Structure R-44-0056	$1,607,480	$1,607,480	100%	$0	0%
Category 6000 – Structure S-44-0324	$150,370	$150,370	100%	$0	0%
Category 6010 – Structure S-44-0325	$178,350	$178,350	100%	$0	0%
Category 6020 – Structure S-44-0326	$104,650	$104,650	100%	$0	0%
Category 6030 – Structure S-44-0327	$105,800	$105,800	100%	$0	0%
Category 6040 – Structure S-44-0328	$163,820	$163,820	100%	$0	0%
Category 6050 – Structure S-44-0329	$150,020	$150,020	100%	$0	0%
Construction Subtotal	$31,617,500	$31,564,720		$52,780	
Total Est. Cost Distribution	**$31,617,500**	**$31,564,720**		**$52,780**	

[1]Costs shown are estimates only and may be updated as design progresses.

[2]Estimates include construction engineering.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 1 – 6); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State, upon fully executed signature of applicable State Municipal Maintenance Agreement and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.

Signed for and in behalf of the **Outagamie County** (please sign in blue ink)

Name (print) Title

Signature Date

Signed for and in behalf of the **State** (please sign in blue ink)

Name Title

Signature	Date

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.

2. Funding of each project phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:

   (a) Design engineering and state review services.

   (b) Real Estate necessitated for the improvement.

   (c) Compensable utility adjustment and railroad force work necessitated for the project.

   (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.

   (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.

   (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.

   (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.

   (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.

   (i) Replacement of existing driveways, in kind, necessitated by the project.

   (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.

3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:

   (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.

   (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.

   (c) Roadway and bridge width in excess of standards.

   (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.

   (e) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for

all suits, actions, or claims resulting from the sanitary sewer and water system construction.

(f) Parking lane costs.

(g) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.

(h) STH 15 Landscaping Costs:

1) Planting Mixture

4. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.

5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.

6. The work will be administered by the State and may include items not eligible for federal/state participation.

7. The Municipality shall, in cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.

8. Basis for local participation:

Construction ID 1130-64-76

The Project Agreement will be revised if necessary, as the project progresses. All costs shown are approximate and subject to final audit.

Category 1000 – Roadway

The State will pay 100% of the construction costs under Category 1000 Roadway Items unless otherwise noted.

Category 1100 – Lighting

The State will pay 100% of the construction costs under Category 1100 Lighting unless otherwise noted.

Category 1200 – FTMS

The State will pay 100% of the construction costs under Category 1200 FTMS unless otherwise noted.

Category 1300 – Signals

The State will pay 100% of the construction costs under Category 1300 Signals unless otherwise noted.

Category 1600 – Outagamie County

In accordance with Local Participation Policy Section 3-25-5 of the State's Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Item Number	Item Description	Units	Estimated Qty	Unit Price	Amount
SPV.0035	Planting Mixture	CY	510	$90	$45,900.00

1130-64-76 Construction Total	$45,900.00
15% Construction Engineering	$6,880
1130-64-76 Project Total	$52,780

Estimated Outagamie County costs are $52,780.

Category 1800 – 100% State Funded

The State will pay 100% of the construction cost under Category 1800 100% State Funded unless otherwise noted.

Category 2000 – Structure B-44-3015

The State will pay 100% of the construction costs under Category 2000 Structure B-44-3015 unless otherwise noted.

Category 2010 – Structure B-44-3016

The State will pay 100% of the construction costs under Category 2010 Structure B-44-3016 unless otherwise noted.

Category 4000 – Structure R-44-0030

The State will pay 100% of the construction costs under Category 4000 Structure R-44-0030 unless otherwise noted.

Category 4010 – Structure R-44-0031

The State will pay 100% of the construction costs under Category 4010 Structure R-44-0031 unless otherwise noted.

Category 4020 Structure R-44-056

The State will pay 100% of the construction costs under Category 4020 Structure R-44-0056 unless otherwise noted.

Category 6000 – Structure S-44-0324

The State will pay 100% of the construction costs under Category 6000 Structure R-44-0324 unless otherwise noted.

Category 6010 – Structure S-44-0325

The State will pay 100% of the construction costs under Category 6010 Structure R-44-0325 unless otherwise noted.

Category 6020 – Structure S-44-0326

The State will pay 100% of the construction costs under Category 6020 Structure R-44-0326 unless otherwise noted.

Category 6030 – Structure S-44-0327

The State will pay 100% of the construction costs under Category 6030 Structure R-44-0327 unless otherwise noted.

Category 6040 – Structure S-44-0328

The State will pay 100% of the construction costs under Category 6040 Structure R-44-0328 unless otherwise noted.

Category 6050 – Structure S-44-0329

The State will pay 100% of the construction costs under Category 6050 Structure R-44-0329 unless otherwise noted.

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.

OUTAGAMIE COUNTY HIGHWAY DEPARTMENT

COUNTY / MUNICIPAL COST AGREEMENT

DATE:	**10/31/2023**
PROJECT:	I-41 Expansion
HIGHWAY:	County "OO"
LIMITS:	STH 15 Interchange
MUNICIPALITY:	Town of Grand Chute

The signatory municipality **Town of Grand Chute,** hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the County of Outagamie, through its Highway Department, hereinafter called Outagamie County, to initiate and effect the highway or street improvement hereinafter described.

PROJECT DESCRIPTION: This agreement is for the engineering, design, and construction of aesthetic features and landscaping items being incorporated into the STH 15/CTH OO interchange as part of the I-41 corridor expansion project. The majority of project costs are being provided entirely by WisDOT but current policy requires any landscaping or aesthetic treatments be funded entirely by local government entities. Outagamie County and the Town of Grand Chute have agreed to share in the cost of designing and constructing aesthetic treatments and landscaping features within the footprint of the new interchange. This agreement is for the final design of landscaping features based on the initial concept plan and construction/installation of locally-funded aesthetic features. It is assumed that these features will be constructed under a locally-let construction contract, concurrent with WisDOT improvements at the interchange.

COST ESTIMATE AND PARTICIPATION					
	****** ESTIMATED COSTS ******				
PHASE	Total Estimated Cost	Outagamie County		Town of Grand Chute	
		Amount	%	Amount	%
ENGINEERING					
Final Design / Engineering	$18,000	$9,000	50%	$9,000	50%
County Oversight	$2,000	$1,000	50%	$1,000	50%
TOTAL ENGINEERING	**$20,000**	**$10,000**		**$10,000**	
RIGHT OF WAY:	$0	$0	100%	$0	0%
CONSTRUCTION					
State-Let Costs	$30,000	$15,000	50%	$15,000	50%
Locally-Let Costs	$170,000	$85,000	50%	$85,000	50%
County Oversight	$2,000	$1,000	50%	$1,000	50%
TOTAL CONSTRUCTION	**$202,000**	**$101,000**		**$101,000**	
TOTAL PROJECT COST	**$222,000**	**$111,000**		**$111,000**	

This request for maintenance, ~~programming,~~ design and construction is subject to the terms and conditions that follow and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the Highway Commissioner shall constitute an agreement between the County and the Municipality named unless specifically modified or amended by supplemental written agreement between both parties.

TERMS & CONDITIONS

1. When Federal Funds are involved, the improvement will be subject to the applicable Federal Aid Highway Acts and Regulations of the Federal Highway Administration, U.S. Department of Transportation.
2. This is a joint agreement between the County and the Municipality. The Municipality will be kept informed on the project status and will have input regarding the project. This project will be administered under the County Administrative Rule 10-02.
3. If the Municipality should withdraw the project, it will pay to the County any cost that has been incurred by the County on behalf of the project.
4. **The project cost estimates shown in this agreement are an estimate**. The Municipality will be invoiced periodically, and agrees to pay based on actual costs incurred plus a fixed administrative fee. Such costs may be greater or less than the estimated amounts shown, however, the Municipality acknowledges that costs between the time this agreement is executed and the actual time of construction can vary.
5. The County's obligation to perform under this contract shall be subject to County Board appropriation of funds sufficient to fund the County's obligations herein.
6. The County and Municipality agree and understand that the Municipality is reserving its rights to assess any and all costs incurred by the Municipality for this project. The Municipality and County hereby further agree that the Municipality has the right to assess any of its costs upon terms deemed acceptable by the Municipality subject to the following: In the event county property is assessed or subject to assessment the county reserves the right to object to the propriety and / or correctness of the assessment formula or methodology, however, such right to object does not extend to the municipality's ability to assess. The county's right to object includes the ability to challenge the assessment methodology or formula in circuit court and to pursue appeals of circuit court decisions.
7. Operations & Maintenance responsibilities of facilities owned, maintained, or constructed under this agreement are as follows:

   Outagamie County shall maintain the following:
   a. Median island surfacing.
   b. Typical County mowing (non-aesthetic) and brush clearing within the highway right-of-way.
   c. Snow removal and de-icing of roadway and pavement areas.

   The Municipality shall maintain the following:
   a. Sidewalks, multimodal facilities, and pedestrian crossings, including curb ramps.
   b. Snow removal and de-icing of sidewalks and multimodal facilities.
   c. Signing and pavement markings associated with sidewalks, bicycle lanes, and/or multi-modal facilities.
   d. Trees, shrubs, aesthetic mowing, and/or landscaping features located within the highway right-of-way.
   e. Local utility mains and/or service lines including sanitary sewers, water mains, etc.
   f. Local utility appurtenances located on the right-of-way including manholes, water valves, etc.

   ** Note: other items not shown fall under WisDOT jurisdiction.*

APPROVALS & CONCURRENCE

BY: _____

Dean E. Steingraber, P.E. Outagamie County Highway Commissioner Date

BY: _____

Kevin Engelbert Outagamie County Development & Land Services Director Date

BY: _____

Signed for and on behalf of: Town of Grand Chute Date

Name: _____

Title: _____

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** The Highway Department is requesting approval to use funds for the I-41 and CTH OO/Wis 15 Interchange landscaping reconstruction.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of the I-41 corridor which includes interchanges with local highways. The interchange of County OO/WIS 15 has been identified as one of those to be reconstructed with landscaping and aesthetic treatments for construction scheduled for 2024 and 2025. Current WisDOT policy prevents the use of state funds on aesthetic elements adjacent to, or part of, a highway improvement project (*refer to § 85.0205 (1m)*) and require them to be locally-funded. As shown in the State/Municipal Financial Agreement - SMFA (page 5, Category 1600) non participating costs for are estimated to be $52,780 for planting mixture.

Outagamie County has also entered into a local cost share agreement with the Town of Grand Chute to share 50% of the cost of non-participating items for the planting mixture. The agreement also includes the cost share for landscaping and aesthetic treatments that will be locally funded (County/Municipal Cost Agreement) and the maintenance responsibilities for the County and the Town of Grand Chute. The County's share of the funds will be from the 2024 Capital Project – Community Sensitive Solutions Partnership. Maintenance costs will be shared by the County General Maintenance cost center and the Town of Grand Chute.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [x] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no ( )

6. Does this request modify/adjust the current year budget? yes ( ) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)
The project on

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (x)

9. What is the anticipated annual and/or long-term cost or revenue impact?
Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Michelle Uitenbroek

C:\Users\hamiltkl\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\XVU60CW7\Fiscal Note CTH OO STH 15 Interchange.doc

OUTAGAMIE COUNTY FISCAL NOTE

For Financial Services purposes only	
Reviewed By: Kay L Hamilton 12/7/23	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditure Account Number _____ Amount _____
Comments:	

LOCK IN & ADOPTION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Lock In of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:42:36 PM

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OFAPPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider Appointments, Ordinance No. I, and Resolution Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

VOTE RESULTS 35 YES 0 NO 0 ABSTAIN 1 ABSENT

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Reconsideration of Appointments, Ord No. I—2023-24 and Res. Nos. Z-7, 74-86—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

12-12-23 County Board Meeting - December 12 2023 07:42:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

Ordinance No. I—2023-24 – Legislative/Audit and Human Resources Committee. Approve the request to amend the County Code of Ordinances, County Board Rules, by updating language in Chapter 2, Section 2-45, Rule 2(a)(7), Agenda for all meetings, Order of Business and Section 2-49, Rule 6 (1), Appearance of non-Board members, Public Participation, as detailed on the resolution.

Supervisor Spears moved, seconded by Supervisor MacDonald, for adoption.

ROLL CALL: 31 yes, 4 no (Gabrielson, Santonato, Thiede, Nejedlo), 1 vacant. ORDINANCE NO. I—2023-24 IS ADOPTED.

VOTE RESULTS 31 YES 4 NO 0 ABSTAIN 1 ABSENT

Ordinance No. I—2023-24

Legislative/Audit and Human Resources Committee. Approve the request to amend the County Code of Ordi… language in Chapter 2, Section 2-45, Rule 2(a)(7), Agenda for all meetings, Order of Business and Section 2-49, Rule 6 (1), Appearance of non-Board members, Public Participation, as detailed on the resolution.

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON NO	17 CROATT YES	29 WINTERFELDT YES
6 Vacant ABSENT	18 SPEARS YES	30 NEJEDLO NO
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO NO	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER YES
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE NO	36 LAUTENSCHLAGER YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:31:49 PM

December 12, 2023 County Board Meeting

OpenMeeting

ORDINANCE NO.: I—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Legislative/Audit and Human Resources Committee is requesting to amend the Outagamie County Board Rules. The amendments include updating language in Section 2-45, Rule 2(a)(7), Agenda for all meetings and Section 2-49, Rule 6 (1), Appearance of non-Board members, as pertains to the appearance of non-board members.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve the following amendments to Chapter 2 of the Outagamie County Code of Ordinances (additions are underlined and in italics; deletions are struck through):

Section 2-45. Rule 2 – Agenda for all meetings

(a) Order of Business. The order of business shall be as follows:

(7) Public participation is limited to *Outagamie County residents, employees and owners of businesses in Outagamie County, Outagamie County employees, or Outagamie County property taxpayers. Participation is limited solely to* only matters listed on the agenda and for a total of 15 minutes, which may be extended to 30 minutes at the discretion of the Chair. Individual speakers are limited to three minutes per speaker. In the event the Board Chair determines that a virtual county board meeting is necessary, members of the public wishing to speak must register with the Legislative Services Office by 5:00 p.m. on the day of the county board meeting. If no member of the public registers in advance, public participation may be suspended by the Board Chair.

Section 2-49. Rule 6 – Appearance of non-Board members.

While the County Board is in session, nonmembers may only address the assembly or be on the Board floor under the following conditions:

(1) *Public participation.*

a. Public participation is limited to Outagamie County residents, *employees and* owners of businesses in Outagamie County, *Outagamie County employees,* or Outagamie County property taxpayers. Participation is limited solely to only matters listed on the agenda and for a total of 15 minutes, which may be extended to 30 minutes at the discretion of the Chair. Individual speakers are limited to three minutes per speaker. In the event the Board Chair determines that a virtual county board meeting is necessary, members of the public wishing to speak must register with the Legislative Services Office by 5:00 p.m. on the day of the county board meeting. If no member of the public registers in advance, public participation may be suspended by the Board Chair.

BE IT FURTHER ORDAINED, that this ordinance shall be in effect upon completion of publication in accordance with Wisconsin Statutes, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Corporation Counsel and Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 12th day of December 2023

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

Joe Santonato

(Vacant)

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

Kelly M. Content, Deputy Clerk
County Clerk

Approved: 12/13/23

Vetoed: _____

Signed: _____
County Executive

VOID 1N

LOCK IN & ADOPTION OF ORDINANCE NOS. J, K—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 3 no (Ferguson, Wegand, MacDonald), 1 vacant. ORDINANCE NOS. J, K—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 3 NO 0 ABSTAIN 1 ABSENT

Ordinance No. J, K—2023-24 - Lock In

Lock in of Ordinance No. J, K—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	NO	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **12-12-23 County Board Meeting - December 12 2023 07:41:36 PM**

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF ORDINANCE NOS. J, K—2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Lawrence, to reconsider Ordinance Nos. J, K—2023-24.

Vote for reconsideration. ROLL CALL: 31 yes, 4 no, 1 vacant (Wegand, MacDonald, Cooke, Nejedlo). ORDINANCE NOS. J, K—2023-24 ARE RECONSIDERED.



VOTE RESULTS 31 YES 4 NO 0 ABSTAIN 1 ABSENT

Ordinance No. J, K—2023-24 - Reconsideration

Reconsideration of Ordinance No. J, K—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	NO	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	NO
7 HAMMEN	YES	19 COOKE	NO	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:41:22 PM

December 12, 2023 County Board Meeting

OpenMeeting

Ordinance No. J—2023-24 – Highway, Recycling and Solid Waste Committee. Approve designating CTH D from STH 45 to Schweitzer Road; CTH DD from Spurr Road to CTH D; CTH W from CTH D to STH 76; and CTH WW from Church Street to STH 76, in the Town of Maple Creek, as ATV/UTV routes, as detailed on the attached Memorandums and map.

Supervisor Hagen moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 32 yes, 3 no (Ferguson, MacDonald, Thiede), 1 vacant. ORDINANCE NO. J—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 3 NO 0 ABSTAIN 1 ABSENT

Ordinance No. J—2023-24

Highway, Recycling and Solid Waste Committee. Approve designating CTH D from STH 45 to Schweitzer Roa **Passed With Majority of Full Membership** from CTH D to STH 76; and CTH WW from Church Street to STH 76, in the Town of Maple Creek, as ATV/UTV routes, as detailed on the attached Memorandums and map.

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	NO	36 LAUTENSCHLAGER	YES

Outagamie County **12-12-23 County Board Meeting - December 12 2023 07:38:29 PM** OpenMeeting

December 12, 2023 County Board Meeting

ORDINANCE NO.: J—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on roadways designated by Outagamie County and referred to as "routes." On August 22, 2023, the Outagamie County Board adopted Ordinance D—2023-2024 which modified the ordinance as pertains to speed limits and operating hours. Wis. Stat. §23.33(8)(b)1 offers a town, village, or city the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV/UTV route.

The Town of Maple Creek has submitted an application to the Outagamie County Highway Commissioner to designate the following county highways as an ATV/UTV route:

- CTH D from STH 45 to Schweitzer Road
- CTH DD from Spurr Road to CTH D
- CTH W from CTH D to STH 76
- CTH WW from Church Street to STH 76

The Town of Maple Creek has completed said requirements of Outagamie County Code of Ordinance Sec. 50-353(4)(a)(ii) and submitted the following documents with the application:

- A map showing the proposed ATV/UTV route on the county highway system.
- A map showing any existing or future ATV/UTV routes leading to the proposed route.
- A statement explaining why the proposed route should be designated as an ATV/UTV route.
- Documentation that items required in Ordinance 50-353 Sec. 4(a)(i)1-3 were completed by the Municipality.
- A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
- Regulations set forth in Ordinance Sec. 50-353(5) were adopted by the Town of Maple Creek on October 24, 2023.

The Outagamie County Highway Commissioner has completed a review as detailed in Ordinance Sec. 50-353(4)(b) and is recommending approval. The Outagamie County Highway, Recycling and Solid Waste Committee is recommending approval.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve designating CTH D from STH 45 to Schweitzer Road; CTH DD from Spurr Road to CTH D; CTH W from CTH D to STH 76; and CTH WW from Church Street to STH 76, said sections in the Town of Maple Creek, as ATV/UTV routes as detailed on the attached Memorandums and maps, which by reference are made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, and the Town of Maple Creek.

Dated this 12th day of December 2023

Respectfully Submitted,
HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____
Board Chairperson

Killym. Cut, Deputy Clerk
County Clerk

Approved: 12 13 23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

Find us on @Outagamie County Highway Department

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 12/12/2023
RE: Town of Maple Creek – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Maple Creek
Request:	ATV/UTV Route Designation
Highway:	CTH D
Limits:	STH 45 to Schweitzer Rd
Public Hearing Date:	08/07/2023 Held by Town of Maple Creek
Written Notice Sent to Property Owners on:	07/24/2023 by Town of Maple Creek
Official Action to Apply for Route Taken on:	08/07/2023 by Town of Maple Creek
Regulations Adoption Date:	10/24/2023 by Town of Maple Creek

Background:
The Town of Maple Creek has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Maple Creek.
5. A statement that the Town of Maple Creek will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Maple Creek board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 1,300
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Maple Creek\CTH D\ATV UTV Engineering Memo CTH D.docx

Outagamie County Est. 1851

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

Find us on @Outagamie County Highway Department

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 12/12/2023
RE: Town of Maple Creek – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Maple Creek
Request:	ATV/UTV Route Designation
Highway:	CTH DD
Limits:	Spurr Rd to CTH D
Public Hearing Date:	08/07/2023 Held by Town of Maple Creek
Written Notice Sent to Property Owners on:	07/24/2023 by Town of Maple Creek
Official Action to Apply for Route Taken on:	08/07/2023 by Town of Maple Creek
Regulations Adoption Date:	10/24/2023 by Town of Maple Creek

Background:
The Town of Maple Creek has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Maple Creek.
5. A statement that the Town of Maple Creek will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Maple Creek board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 100
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Maple Creek\CTH DD\ATV UTV Engineering Memo CTH DD.docx

Outagamie County Est. 1851

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

Find us on @Outagamie County Highway Department

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 12/12/2023
RE: Town of Maple Creek – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Maple Creek
Request:	ATV/UTV Route Designation
Highway:	CTH W
Limits:	CTH D to STH 76
Public Hearing Date:	08/07/2023 Held by Town of Maple Creek
Written Notice Sent to Property Owners on:	07/24/2023 by Town of Maple Creek
Official Action to Apply for Route Taken on:	08/07/2023 by Town of Maple Creek
Regulations Adoption Date:	10/24/2023 by Town of Maple Creek

Background:
The Town of Maple Creek has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Maple Creek.
5. A statement that the Town of Maple Creek will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Maple Creek board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 200
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Maple Creek\CTH W\ATV UTV Engineering Memo CTH W.docx

Outagamie County Est. 1851

Find us on @Outagamie County Highway Department

Highway Department
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Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 12/12/2023
RE: Town of Maple Creek – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Maple Creek
Request:	ATV/UTV Route Designation
Highway:	CTH WW
Limits:	Church St to STH 76
Public Hearing Date:	08/07/2023 Held by Town of Maple Creek
Written Notice Sent to Property Owners on:	07/24/2023 by Town of Maple Creek
Official Action to Apply for Route Taken on:	08/07/2023 by Town of Maple Creek
Regulations Adoption Date:	10/24/2023 by Town of Maple Creek

Background:
The Town of Maple Creek has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

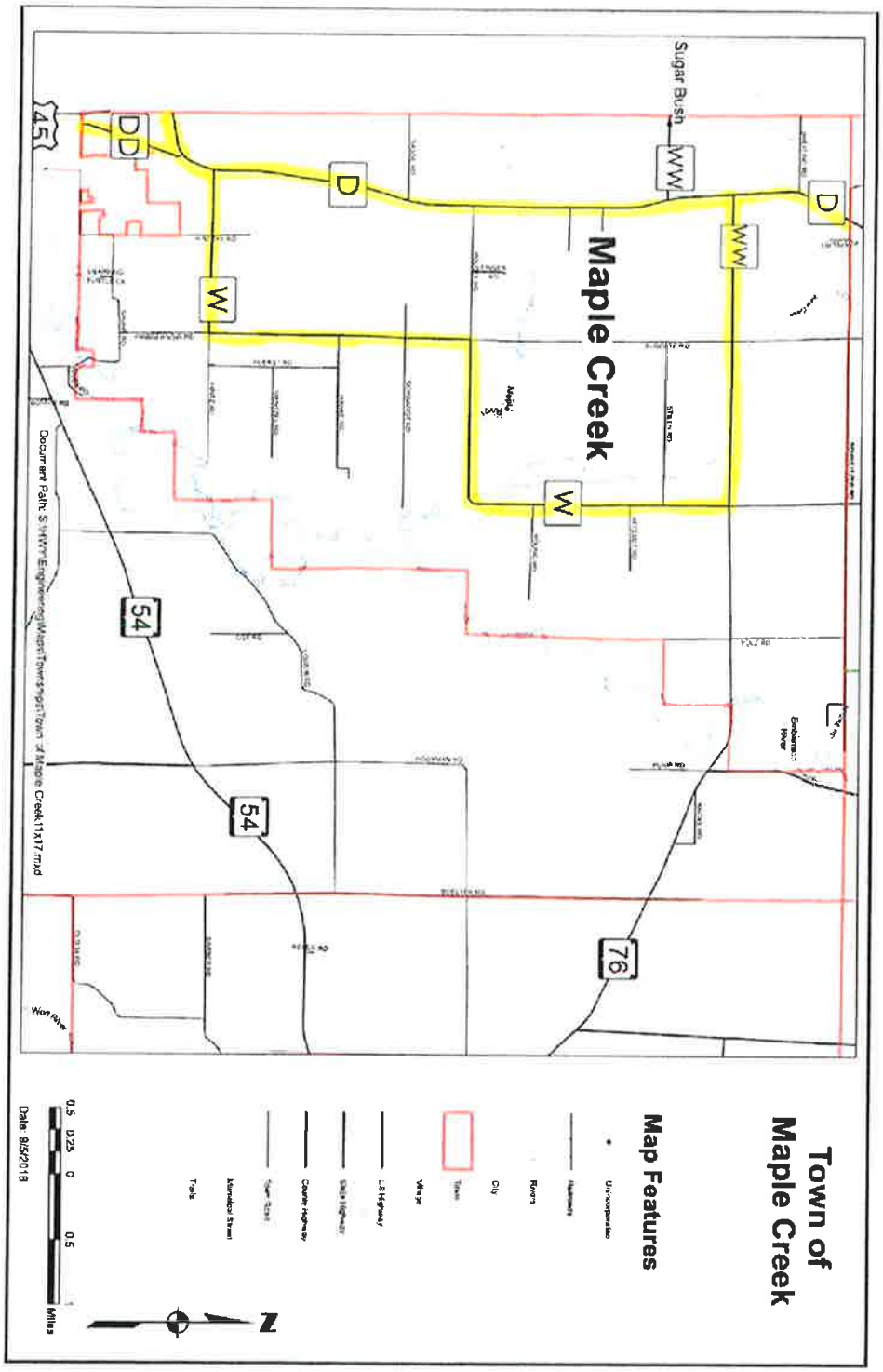
1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Maple Creek.
5. A statement that the Town of Maple Creek will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Maple Creek board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 250
Speed Limit(s): 55 mph
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: No issues

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Maple Creek\CTH WW\ATV UTV Engineering Memo CTH WW.docx


Town of
Maple Creek
Map Features
Unincorporated
Hamlets
Rivers
City
Town
Village
I-R Highway
State Highway
County Highway
Town Road
Municipal Street
Trails
Maple Creek
Sugar Bush
Document Path: S:\HWY\Engineering\Maps\Towns\pgs\Town of Maple Creek 11x17.mxd
Date: 9/4/2018
0.5 0.25 0 0.5
Miles
N
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54
54
76
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WW

LOCK IN & ADOPTION OF ORDINANCE NOS. J, K—2023-24.

Vote for lock in. ROLL CALL: 32 yes, 3 no (Ferguson, Wegand, MacDonald), 1 vacant. ORDINANCE NOS. J, K—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 3 NO 0 ABSTAIN 1 ABSENT

Ordinance No. J, K—2023-24 - Lock In

Lock in of Ordinance No. J, K—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	NO	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WI 1851 **12-12-23 County Board Meeting - December 12 2023 07:41:36 PM**

December 12, 2023 County Board Meeting

OpenMeeting

RECONSIDERATION OF ORDINANCE NOS. J, K—2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Lawrence, to reconsider Ordinance Nos. J, K—2023-24.

Vote for reconsideration. ROLL CALL: 31 yes, 4 no, 1 vacant (Wegand, MacDonald, Cooke, Nejedlo). ORDINANCE NOS. J, K—2023-24 ARE RECONSIDERED.

VOTE RESULTS 31 YES 4 NO 0 ABSTAIN 1 ABSENT

Ordinance No. J, K—2023-24 - Reconsideration

Reconsideration of Ordinance No. J, K—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	NO	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	NO
7 HAMMEN	YES	19 COOKE	NO	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 12-12-23 County Board Meeting - December 12 2023 07:41:22 PM

December 12, 2023 County Board Meeting

OpenMeeting

Ordinance No. K—2023-24 – Highway, Recycling and Solid Waste Committee. Approve designating CTH MM from Western Town Line to STH 76, in the Town of Ellington, as an ATV/UTV route, as detailed on the attached Memorandum and map.

Supervisor Thyssen moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 32 yes, 3 no (Ferguson, MacDonald, Thiede), 1 vacant. ORDINANCE NO. K—2023-24 IS ADOPTED.



VOTE RESULTS — 32 YES | 3 NO | 0 ABSTAIN | 1 ABSENT

Ordinance No. K—2023-24

Highway, Recycling and Solid Waste Committee. Approve designating CTH MM from Western Town Line to S route, as detailed on the attached Memorandum and map.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 Vacant	ABSENT	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	NO	36 LAUTENSCHLAGER	YES

Outagamie County

12-12-23 County Board Meeting - December 12 2023 07:39:06 PM

December 12, 2023 County Board Meeting

OpenMeeting

ORDINANCE NO.: K—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on roadways designated by Outagamie County and referred to as "routes." On August 22, 2023, the Outagamie County Board adopted Ordinance D—2023-2024 which modified the ordinance as pertains to speed limits and operating hours. Wis. Stat. §23.33(8)(b)1 offers a town, village, or city the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV/UTV route.

The Town of Ellington has submitted an application to the Outagamie County Highway Commissioner to designate the following county highway as an ATV/UTV route:

- CTH MM from Western Town Line to STH 76

The Town of Ellington has completed said requirements of Outagamie County Code of Ordinance Sec. 50-353(4)(a)(ii) and submitted the following documents with the application:

- A map showing the proposed ATV/UTV route on the county highway system.
- A map showing any existing or future ATV/UTV routes leading to the proposed route.
- A statement explaining why the proposed route should be designated as an ATV/UTV route.
- Documentation that items required in Ordinance 50-353 Sec. 4(a)(i)1-3 were completed by the Municipality.
- A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
- Regulations set forth in Ordinance Sec. 50-353(5) were adopted by the Town of Ellington on September 13, 2023.

The Outagamie County Highway Commissioner has completed a review as detailed in Ordinance Sec. 50-353(4)(b) and is recommending approval. The Outagamie County Highway, Recycling and Solid Waste Committee is recommending approval.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve designating CTH MM from Western Town Line to STH 76, said section in the Town of Ellington, as an ATV/UTV route as detailed on the attached Memorandums and map, which by reference are made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, and the Town of Ellington.

Dated this 12th day of December 2023

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: December 12, 2023

Signed: _____ Board Chairperson

Kelly M. Gutt, Deputy Clerk
County Clerk

Approved: 12/13/23 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Find us on @Outagamie County Highway Department

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean Steingraber, Outagamie County Highway Commissioner
DATE: 12/12/2023
RE: Town of Ellington – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Ellington
Request:	ATV/UTV Route Designation
Highway:	CTH MM
Limits:	Western Town line to STH 76
Public Hearing Date:	04/19/2023 Held by Town of Ellington
Written Notice Sent to Property Owners on:	04/01/2023 by Town of Ellington
Official Action to Apply for Route Taken on:	04/26/2023 by Town of Ellington
Regulations Adoption Date:	09/13/2023 by Town of Ellington

Background:
The Town of Ellington has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

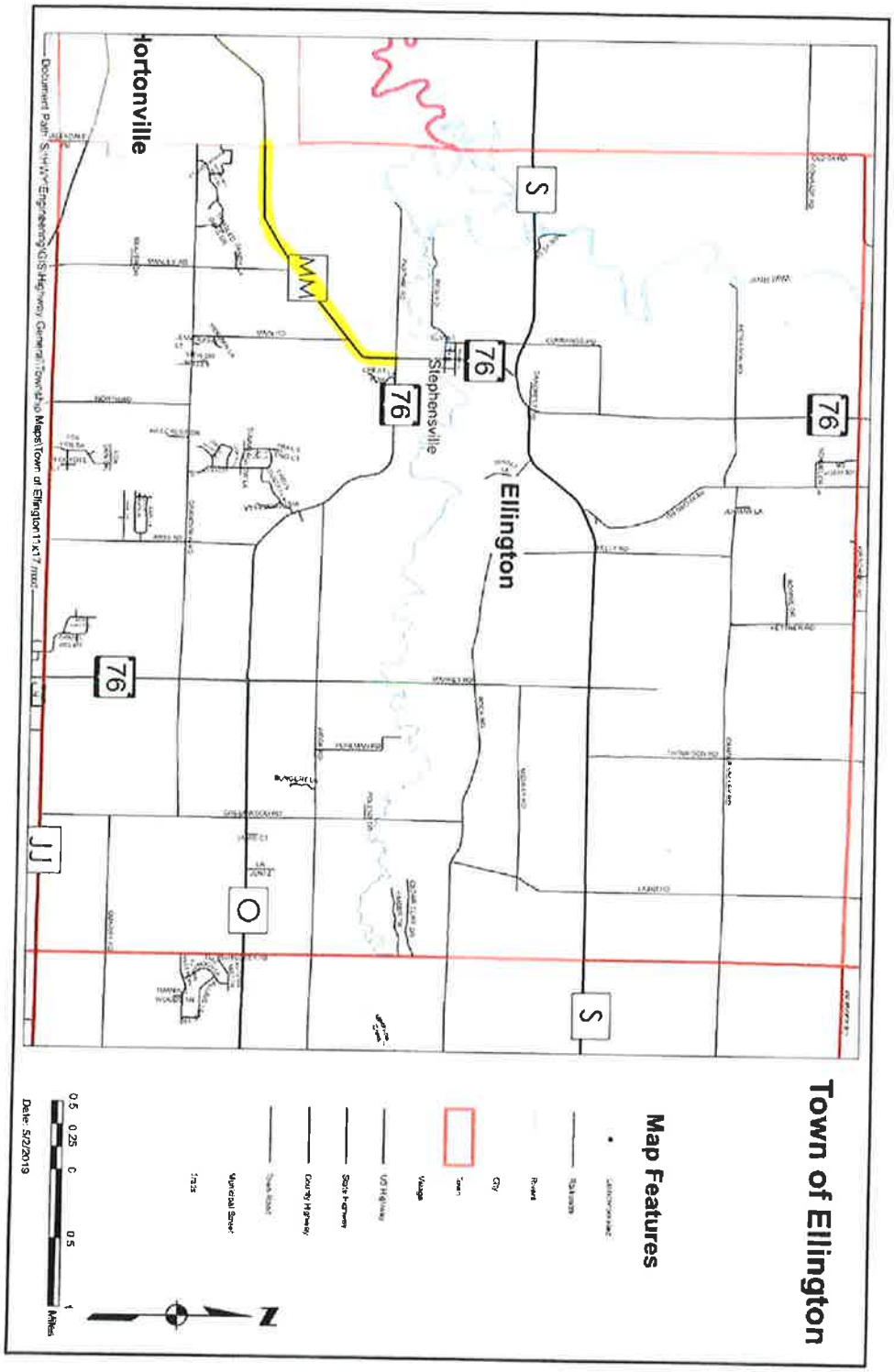
1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by Town of Ellington.
5. A statement that the Town of Ellington will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Town of Ellington board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 730 AADT
Speed Limit(s): 55 MPH
Vision Clearance: Site distance meets requirements.
Pavement and Shoulder Conditions: No issues.
Other Safety/Operational Factors: None.

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

S:\HWY\Permits\1 ATV-UTV Routes_Town of Ellington\CTH MM\ATV UTV Engineering Memo - CTH MM.docx


Town of Ellington
Map Features
Ellington
Stephensville
Hortonville
MM
JJ
O
S
76
Date: 5/2/2019
Miles

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the December 12, 2023 County Board Minutes approved by a majority vote at a meeting of the County Board on December 12, 2023 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 12th Day of December, 2023

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: January 22, 2024

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, January 9, 2024.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. by teleconference.

ROLL CALL: 32 present, 4 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Kostelny, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Wegand, Hermes, MacDonald, Schroeder, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Winterfeldt, Nejedlo, Clegg, Thyssen, VanderHeiden, Koury, and Lautenschlager. Members Absent: Croatt, Spears, Monfils, Rettler

The Board Chairperson requested the Board's confirmation to excuse Supervisor Croatt, Supervisor Spears, Supervisor Monfils, and Supervisor Rettler. No objections; so ordered.

MINUTES OF THE DECEMBER 12, 2023 COUNTY BOARD MEETING
Supervisor Hagen moved, seconded by Supervisor Nejedlo, to approve the minutes of the December 12, 2023, County Board meeting.

VOICE VOTE CARRIED UNANIMOUSLY. MINUTES OF THE DECEMBER 12, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have Resolution No. 90—2023-24 locked in at the meeting.

COMMUNICATIONS –
Chairperson Nooyen summarized the following communications:

- Two Supervisors have yet to complete the October IT security training that was due in November. Please get this completed as soon as possible. Emails were sent to these individuals earlier in the day.
- Seven Supervisors have to complete the December IT security training that was due January 3rd. Please complete this training as soon as possible.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS –

County Executive Nelson nomination for appointment of Cindy Fallona to the Outagamie-Waupaca Library System Board, term expiring January 31, 2027.

Supervisor Thompson moved, seconded by Supervisor Thiede, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED WITH THIRTY-ONE (31) YES AND ONE (1) NO (HERMES). CINDY FALLONA IS APPOINTED TO THE OUTAGAMIE-WAUPACA LIBRARY SYSTEM BOARD.

County Executive Nelson nomination for appointment of Noelle Fenwick, as alternate, to the Criminal Justice Coordinating Council, term expiring on April 30, 2025.

Supervisor Patience moved, seconded by Supervisor Smith, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED WITH THIRTY-ONE (31) YES AND ONE (1) NO (HERMES). NOELLE FENWICK IS APPOINTED AS ALTERNATE TO THE CRIMINAL JUSTICE COORDINATING COUNCIL.

County Executive Nelson nomination for appointment of Melissa Kraemer Badtke, as alternate, to the Board of Adjustment Zoning Ordinance, term expiring June 30, 2026.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. MELISSA KRAEMER BADTKE IS APPOINTED AS ALTERNATE TO THE BOARD OF ADJUSTMENT ZONING ORDINANCE.

County Executive Nelson nomination for appointment of David Yurk to the Land Information Council, term expiring April 30, 2026.

Supervisor MacDonald moved, seconded by Supervisor Santonato, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. DAVID YURK IS APPOINTED TO THE LAND INFORMATION COUNCIL.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. 87—2023-24 – Finance Committee. Authorize and approve decreasing the following Financial Services line items: Salaries by $100,000; Fringes by $50,000; Travel/Training by $7,000; Supplies by $4,000; and increasing the following Financial Services line items: Miscellaneous Revenue by $45,000; Purchased Services by $330,000, and decreasing the Reserve for Contingency Purchased Services line item by $124,000, for consultant contracts and staff vacancies in the Financial Services Department, as detailed on the attached fiscal note.

Supervisor Miller moved, seconded by Supervisor Lawrence, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 87—2023-24 IS ADOPTED.

Resolution No. 88—2023-24 – Finance Committee. Approve the sale of In-Rem Tax Foreclosure property Parcel ID Number 325021200, City of Kaukauna “as is” in the amount of $372.36, with no budget adjustment necessary as the funds have already been budgeted in the appropriate cost center as

detailed in the attached fiscal note and Agreement between Outagamie County and the City of Kaukauna.

Supervisor Cuff moved, seconded by Supervisor Thiede, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 88—2023-24 IS ADOPTED.

Resolution No. 89—2023-24 – Legislative/Audit and Human Resources Committee. Authorize and approve that all Outagamie County employees who leave their residence to serve or will serve in the uniformed services, regardless of length of employment or part-time or full-time status, will earn all vacation allotment and sick leave accrual benefits while on military leave of absence that they would normally earn as a working employee of Outagamie County, regardless of department.

Supervisor MacDonald moved, seconded by Supervisor Ferguson, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 89—2023-24 IS ADOPTED.

Resolution No. 90—2023-24 – Legislative/Audit and Human Resources Committee. Approve the full-time position deletions of one Mental Health Treatment Court Coordinator and one Case Manager and the full-time position creation of one Treatment Court Coordinator, effective January 14, 2024, for the Criminal Justice Treatment Services Department, with no budget adjustment required, as noted on the attachments.

Supervisor Gabrielson moved, seconded by Supervisor Schroeder, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 90—2023-24 IS ADOPTED.

RECONSIDERATION/LOCK IN OF RESOLUTION NO. 90—2023-24

Supervisor Patience moved, seconded by Supervisor Cuff, to reconsider Resolution No. 90—2023-24.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 90—2023-24 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 90—2023-24 IS ADOPTED & LOCKED IN.

Resolution No. 91—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve the line items of transferring $14,000 from the Reserve for Contingency Purchased Services to the Nature Center Purchased Services, used for roof repairs at the Mosquito Hill Nature Center, as detailed in the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 91—2023-24 IS ADOPTED.

Resolution No. 92—2023-24 – Public Safety Committee. Approve to enter into a new Intergovernmental Agreement with Calumet County which authorizes the Outagamie County Family Court Services Department to conduct custody evaluations for Calumet County and charge a fee for completion of the evaluation, with no fiscal impact to the 2024 budget as the estimated revenues are already included in the budget, as noted on the attached Intergovernmental Agreement and the fiscal note.

Supervisor Patience moved, seconded by Supervisor Lamers, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 92—2023-24 IS ADOPTED.

Ordinance No. L—2023-24 – Public Safety Committee. Legislative/Audit and Human Resources Committee. Approve to amend the Outagamie County Board Rules language in Section 2-20(c), Meetings of the County Board, to change the meeting schedule from the second Tuesday to the fourth Tuesday in the months of June, July, and August.

Supervisor Klemp moved, seconded by Supervisor Koury, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. L—2023-24 IS ADOPTED.

CLOSED SESSION PURSUANT TO SECTION 19.85(1)(g) WIS STATS. FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED.

Supervisor McCabe moved, seconded by Supervisor Santonato, to enter into Closed Session as noted above.

ROLL CALL: 32 yes, 4 absent. COUNTY BOARD ENTERS CLOSED SESSION AT 7:29 PM.

END CLOSED SESSION

Supervisor Patience moved, seconded by Supervisor Krueger, to end Closed Session and resume normal business.

VOICE VOTE CARRIED UNANIMOUSLY. COUNTY BOARD ENDS CLOSED SESSION 8:40 PM.

REPORTS – None.

ADJOURNMENT
Supervisor McCabe moved, seconded by Supervisor Krueger to adjourn until January 23, 2024, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 8:44 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 RESOLUTION # 87--2023-24

Finance Committee. Authorize and approve decreasing the following Financial Services line items: Salaries by $100,000; Fringes by $50,000; Travel/Training by $7,000; Supplies by $4,000; and increasing the following Financial Services line items: Miscellaneous Revenue by $45,000; Purchased Services by $330,000, and decreasing the Reserve for Contingency Purchased Services line item by $124,000, for consultant contracts and staff vacancies in the Financial Services Department, as detailed on the attached fiscal note.

MOTION:

Finance Committee. Authorize and approve decreasing the following Financial Services line items: Salaries by $100,000; Fringes by $50,000; Travel/Training by $7,000; Supplies by $4,000; and increasing the following Financial Services line items: Miscellaneous Revenue by $45,000; Purchased Services by $330,000, and decreasing the Reserve for Contingency Purchased Services line item by $124,000, for consultant contracts and staff vacancies in the Financial Services Department, as detailed on the attached fiscal note.

MADE BY: Miller SECONDED BY: Lawrence

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 87—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Financial Services Department is requesting a transfer from the 2023 Contingency Fund. After the resignation of the Finance Director and Deputy Finance Director in February/March of 2023 the high level accounting functions were completed by several different consultants. There was approximately $60,000 spent for consultants to complete the 2022 year end audit, annual state report, annual single audit report, and the annual comprehensive financial report. Additionally, $10,000 was spent for a consultant during the transition between Finance Directors, and $60,000 was paid to CLA (CliftonLarsonAllen) for recruiting services for the Finance Director and Deputy Finance Director. There was approximately $185,000 spent for an interim Finance Director and four consultants to work on preparing the 2024 Budget, which included payroll projections from the Total Rewards Study.

In addition to the vacancy of the Finance Director and Deputy Finance Director, there were vacancies in the Deputy Director – Department and Board Relations, Accountant, Central Services Supervisor, and Account Associate II and III positions. There was approximately $27,000 paid out in 2023 for unused sick leave and vacation days for a resignation and a retirement. The Financial Services Department is able to cover approximately $100,000 from salaries, $50,000 from fringe benefits, $7,000 from travel/training, $4,000 from supplies, and an increase of $45,000 in miscellaneous revenues (based on estimated P-Card rebates). With this overall adjustment, the Department is requesting $124,000 from the Contingency Fund in order to increase the Financial Services purchased services line item by $330,000.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve decreasing the following Financial Services line items: Salaries by $100,000; Fringes by $50,000; Travel/Training by $7,000; Supplies by $4,000; and increasing the following Financial Services line items: Miscellaneous Revenue by $45,000; Purchased Services by $330,000, and decreasing the Reserve for Contingency Purchased Services line item by $124,000, said monies for consultant contracts and staff vacancies in the Financial Services Department, as detailed in the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director.

Dated this 9th day of January 2024.

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: January 9, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 1-10-24

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Financial Services Contingency Fund Request 2023

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

After the resignation of the Finance Director and Deputy Finance Director in February/March of 2023 the high level accounting functions were performed by a few different consultants. There was approximately $60,000 spent for consultants to complete the 2022 year end audit, annual state report, annual single audit report, and the annual comprehensive financial report, $10,000 for a consultant during the transition between Finance Directors, and $60,000 paid to CLA for recruiting services for the Finance Director and Deputy Finance Director. There was approximately $185,000 spent for an interim Finance Director and 4 consultants working on 2024 Budget preparation, which included payroll projections from total rewards study.

In addition to the vacancy in the Finance Director and Deputy Finance Director, there was also vacancies in the Deputy Director – Department & Board Relations, Accountant, Central Services Supervisor, Account Associate II & III. It is also noted that there was approximately $27,000 paid out in 2023 for sick and vacation payouts upon a resignation and a retirement. The department is able to cover approximately $100,000 from salaries, $50,000 from fringe benefits $7,000 from Travel/Training, $4,000 from Supplies, and an increase of $45,000 in Miscellaneous Revenue (based on estimated P-Card rebates). With this overall adjustment, the department is requesting $124,000 from contingency in order to increase Financial Services Purchased Services by $330,000.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [x] Expenses (Cost) [ ] None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	(DECREASE) AMOUNT
Financial Services	Salaries	1004100.5100	(100,000)
Financial Services	Fringes	1004100.5200	(50,000)
Financial Services	Travel/Training	1004100.5300	(7,000)
Financial Services	Supplies	1004100.5400	(4,000)
Financial Services	Miscellaneous Revenue	1004100.4510.43	45,000
Financial Services	Purchased Services	1004100.5500	330,000
Reserve for Contingency	Purchased Services	1002247.5500	(124,000)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Trent Woelfel

For Financial Services purposes only	
Reviewed By:	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

	Detail Expenditures Account Number	Amount
Trista J Wright		
Date:11/19/20023		
Comments:		

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 RESOLUTION # 88--2023-24

Finance Committee. Approve the sale of In-Rem Tax Foreclosure property Parcel ID Number 325021200, City of Kaukauna "as is" in the amount of $372.36, with no budget adjustment necessary as the funds have already been budgeted in the appropriate cost center as detailed in the attached fiscal note and Agreement between Outagamie County and the City of Kaukauna.

MOTION: Finance Committee. Approve the sale of In-Rem Tax Foreclosure property Parcel ID Number 325021200, City of Kaukauna "as is" in the amount of $372.36, with no budget adjustment necessary as the funds have already been budgeted in the appropriate cost center as detailed in the attached fiscal note and Agreement between Outagamie County and the City of Kaukauna.

MADE BY: Cuff SECONDED BY: Thiede

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 88—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County (the County) has taken title to a parcel of land located in the City of Kaukauna, Parcel ID Number 325021200, through the In-Rem Foreclosure process. The delinquent taxes, interest, and fees equal $372.36. The City of Kaukauna (the City) would like to acquire the property. The City will pay the County a total of $372.36.

The parcel is adjacent to the Konkapot Trail which the City maintains. This is a small parcel that is landlocked with minimal value to any other party. The City may be able to utilize this land for a rest area or some other purpose.

No budget adjustment is necessary as there are funds already budgeted in the appropriate cost center. This property is being offered solely to the City of Kaukauna based on their request.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the sale of In-Rem Tax Foreclosure property Parcel ID Number 325021200, City of Kaukauna "as is" in the amount of $372.36, with no budget adjustment necessary as the funds have already been budgeted in the appropriate cost center as detailed in the attached fiscal note and Agreement between Outagamie County and the City of Kaukauna, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Treasurer.

Dated this 9th day of January 2024.

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: January 9, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 1.10.24

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** City of Kaukauna offer to purchase In-Rem foreclosure property – 325021200 for $372.36

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The County has taken title to this property through the In-Rem Foreclosure process. The delinquent taxes, interest, and fees equaled $372.36 and the City of Kaukauna would like to acquire the property. They would pay the County the total of $372.36 to make the County whole.

The parcel is adjacent to the Konkapot Trail that the City maintains. This is a small parcel that is landlocked with minimal value to any other party. The City may be able to utilize this land for a rest area or some other purpose.

No budget adjustment is necessary since there are funds already budgeted in the appropriate cost center. This is being brought forward for your consideration as the property is not being put out for sales bids but is just being offered solely to the City of Kaukauna based on their request.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☒ None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (x)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
n/a			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Trenten Woelfel

For Financial Services purposes only	
Reviewed By: Justin J. Wright	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number: N/A — Amount:
Date: 12/27/2023	
Comments:	

AGREEMENT
Between Outagamie County and City of Kaukauna Pursuant to §75.365, Wis. Stats.

THIS AGREEMENT is made and entered into this _____ day of _____, 2023, by and between the City of Kaukauna, Wisconsin, a municipal corporation, ("CITY") and Outagamie County, Wisconsin, a quasi-municipal corporation ("COUNTY").

RECITALS

WHEREAS, there is one (1) parcel of land located in the CITY identified as the following described real estate, together with the rents profits, fixtures and other appurtenant interests:

Parcel Identification Number: 325021200

Lot "F" in Government Lot 8 of Section Twenty-one (21), Township Twenty-one (12) North, Range Eighteen (18) East, City of Kaukauna, Outagamie County, Wisconsin.

PROPERTY ADDRESS: (no address), Kaukauna, WI 54944

hereafter referred to as the "PROPERTY"; and,

WHEREAS, the COUNTY has not done any due diligence regarding potential environmental hazards on the property and has not proceeded to acquire these parcels by *in rem* tax foreclosure; and

WHEREAS, the CITY is interested in the PROPERTY for a future possible improvement to the Konkapot Trail in the City of Kaukauna; and

WHEREAS, the COUNTY and CITY desire to enter into this agreement pursuant to §75.365, Wis. Stats.;

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I
ACQUISITION OF THE PROPERTY

Section 1.01 The COUNTY has included the property in its 2023 *In Rem* Tax Foreclosure proceedings pursuant to the authority vested in the COUNTY by the Wisconsin Statutes.

Section 1.02 The COUNTY agrees that it will make reasonable efforts to acquire the PROPERTY by *In Rem* Tax Foreclosure proceedings. The COUNTY and the CITY recognize that even though the COUNTY has included the PROPERTY in its 2023 *In Rem* Tax Foreclosure proceedings, it is possible that the Outagamie County Circuit Court may refuse to order or adjudge that the COUNTY be vested with an estate in fee simple absolute in the PROPERTY.

Section 1.03 The COUNTY agrees that in the event the COUNTY acquires the PROPERTY by *In Rem* Tax Foreclosure proceedings it will thereafter convey the acquired PROPERTY to the CITY by Quit Claim Deed(s) upon the condition that the CITY has approved and executed this Agreement.

Section 1.04 The COUNTY and CITY agree that the amount of $372.36 is the outstanding delinquent real property taxes (this amount includes interest through 09/30/2023 and special assessments/charges that the COUNTY has previously settled with the CITY), and expenses accrued by the COUNTY in the *in rem* process due for the PROPERTY for the tax years 2019 through 2022, inclusive, calculated through 09/30/2023 as follows:

Property Taxes 2019-2022:	$ 21.36
Publication Costs:	$ 246.00
Title Letter:	$ 75.00
ROD Filing Fees:	$ 30.00
Appraisal Fee:	$ 0.00
	$ 372.36

Section 1.05 The COUNTY's obligation to convey the PROPERTY as set forth above is contingent upon approval of the conveyance by the Outagamie County Board.

Section 1.06 The CITY agrees and acknowledges that the COUNTY'S conveyance of the PROPERTY to the CITY is a conveyance "as is", by Quit Claim Deed(s) which will be prepared by COUNTY and recorded by the COUNTY.

Section 1.07 The CITY shall be responsible to pay the 2023 Property Tax Bill.

ARTICLE II
INDEMNIFICATION

Section 2.01 The CITY shall exonerate, save harmless, protect, indemnify and defend the COUNTY, its officers, employees and agents from and against any and all losses, damages, claims, suits or actions, judgments, and costs whatsoever, including reasonable attorneys' fees, which may arise out of or be attributable to the conveyance of the PROPERTY from the COUNTY to the CITY.

Section 2.02 The CITY shall exonerate, save harmless, protect, indemnify and defend the COUNTY, its officers, employees and agents from and against any and all losses, damages, claims, suits or actions, judgments, and costs whatsoever, including reasonable attorneys' fees, which may arise out of or be attributable to the PROPERTY.

Section 2.03 The COUNTY shall not be responsible or liable to the CITY for any loss or damage that may be occasioned by or through either the acts or omissions of persons occupying the PROPERTY, if any.

ARTICLE III
ENVIRONMENTAL INDEMNIFICATION

Section 3.01 Definitions. The following terms shall have the following meanings for purposes of this Agreement:

(a) Hazardous Substances. "Hazardous Substances" means any substance:

(1) the presence of which requires investigation, clean-up, removal or other remediation under any federal, state or local statute, regulation, ordinance, order, action, policy or common law; or

(2) which is or becomes defined as a contaminant, a solid waste, a hazardous waste, a toxic waste, a hazardous substance, a pollutant, chemical, substance or material or any other substance subject to control under any applicable environmental law, now or hereafter in effect, including without limitation: the Federal Water Pollution Control Act, 33 U.S.C. § 1251 et seq.; the Clean Air Act, 42 U.S.C. § 7401 et seq.; the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 et seq.; the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 et seq.; the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq.; or under the laws of the State of Wisconsin or under any other applicable environmental law, whether now existing or hereafter in effect (the "Environmental Laws"); or

(3) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous; or

(4) the presence of which on the PROPERTY causes or threatens to cause a nuisance upon the PROPERTY or to adjacent properties or poses or threatens to pose a hazard to the health or safety of persons on or about the PROPERTY.

(b) Environmental Requirements. "Environmental Requirements" mean all applicable present and future statutes, regulations, rules, ordinances, codes, licenses, permits or orders of all governmental agencies, departments or instrumentalities of the United States, the State of Wisconsin and political subdivisions thereof and all applicable judicial, administrative, and regulatory decrees, judgments, and orders relating to the protection of human health or the environment, including, without limitation, all requirements pertaining to reporting, licensing, permitting, investigation, and remediation of emissions, discharges, releases, or threatened releases of Hazardous Substances whether solid, liquid, or gaseous in nature, into the air, surface water, groundwater, or land, or relating to the manufacture, processing, distribution, use, treatment, storage, disposal, transport, or handling of Hazardous Substances, and all requirements pertaining to the protection of the health and safety of employees or the public.

(c) Environmental Damages. "Environmental Damages" means all claims, judgments, damages, losses, penalties, fines, liabilities (including strict liability), encumbrances, liens, costs, and expenses of investigation and defense of any claim, whether or not such claim is ultimately defeated, and of any good faith settlement of judgment, of whatever kind or nature, contingent or otherwise, matured or unmatured, foreseeable or unforeseeable (including without limitation reasonable attorneys' fees and disbursements and consultants' fees and the cost of complying with any equitable form of relief or the result of any injunctive or similar action whether brought by the state or federal government, a private person or organization or any other party), any of which are incurred at any time as a result of the actual or suspected existence of any Hazardous Substances upon, about, or beneath the PROPERTY or migrating or threatening to migrate to or from the PROPERTY, or the actual or suspected existence of a violation of Environmental Requirements pertaining to the PROPERTY, regardless of whether the actual or suspected existence of such Hazardous Substances or the violation of Environmental Requirements arose prior to the present ownership or operation of the PROPERTY.

Section 3.02 Indemnification. The CITY, for itself and its legal representatives, heirs, successors, and guarantors, jointly and severally agree to indemnify, defend (with counsel reasonably approved by the indemnified parties), reimburse and hold harmless the COUNTY, its elected officials, employees, agents and successors, and assigns (the "indemnified parties"). The CITY agrees to indemnify, defend, reimburse and hold harmless the indemnified parties from and against any and all Environmental Damages arising from the actual or suspected presence of any Hazardous Substances upon, about, or beneath the PROPERTY or migrating to or from the PROPERTY, or arising in any manner whatsoever out of the actual or suspected violation of any Environmental Requirements pertaining to

the PROPERTY and the former, current or future activities thereon by any party, or from the breach of any warranty or covenant or the inaccuracy of any representation of the CITY contained in this Agreement; provided, however, that the CITY shall not be required to indemnify, defend, reimburse or hold harmless any of the indemnified parties for any Environmental Damages arising out of the presence of any Hazardous Substances which were deposited or disposed of on the PROPERTY on or after the date the PROPERTY is conveyed to the CITY.

Section 3.03 Term. The obligations of the CITY under this Agreement shall be continuing and shall survive the conveyance of the PROPERTY contemplated hereunder and payment of the specified sum.

Section 3.04 Investigation. The obligations of the CITY under this Agreement shall not be affected by any investigation by or on behalf of the COUNTY or any other indemnified party, or by any information that the COUNTY or any other indemnified party may have or obtain with respect thereto.

Section 3.05 Expenditures for Property. The COUNTY shall have no responsibility for the payment of expenditures made and all liabilities incurred in performing the CITY's obligations under this Agreement, including, but not limited to, fees of the engineers, surveyors, and consultants; the cost of environmental surveys; the cost of site clean-up, and remediation of any Hazardous Substances and other expenses.

ARTICLE IV
MISCELLANEOUS

Section 4.01 Notices. All notices, demands, requests, consents, approvals and other communications required to be given hereunder shall be in writing and delivered personally or sent by registered or certified mail, postage prepaid, return receipt requested, or by private courier or by facsimile transmission (followed by first class mail delivery of the original), addressed to the party to be so notified as follows:

If to COUNTY:
Outagamie County Treasurer
ATTN: Trenten Woelfel
320 S Walnut St
Appleton, WI 54911

If to CITY:
City of Kaukauna Finance Director & Treasurer
ATTN: William J. Van Rossum
144 W 2nd Street
Kaukauna, WI 54130

and shall be deemed received three (3) days after the mailing thereof. Either party may at any time change the address for notice of such party by mailing a notice to the other party.

Section 4.02 Captions. The captions of Articles and Sections are for convenience of reference only, and shall not affect the construction to be given any provision hereof.

Section 4.03 Entire Agreement. This Agreement contains the entire Agreement between the parties with respect to the subject matter hereof, supersedes all prior agreements or understandings, if any, with respect thereto and may not be amended, supplemented or terminated, nor shall any obligation or condition be deemed waived, except by a written instrument signed by the party to be charged.

Section 4.04 Third party beneficiaries. The parties do not intend to confer any benefits hereunder on any person other than the parties hereto.

Section 4.05 No Assignment. The CITY and the COUNTY agree that there will be no assignment or transfer of this Agreement, nor of any interest in this Agreement.

Section 4.06 Venue. This Agreement shall be governed by the laws of the State of Wisconsin and venue shall lie in the Circuit Court for and in Outagamie County, Wisconsin.

IN WITNESS WHEREOF, this Agreement has been executed by the parties, as of the day and year first above written.

OUTAGAMIE COUNTY, WISCONSIN:

By: _____ (SEAL)
Thomas M. Nelson
Outagamie County Administrator

By: _____ (SEAL)
Jeff King
Outagamie County Clerk

By: _____ (SEAL)
Jeff Nooyen
Outagamie County Board Chair

State of Wisconsin)
) ss.
Outagamie County)

Personally came before me this _____ day of _____, 2023, the above named Thomas M. Nelson, Jeff Nooyen, and Jeff King to me known to be the persons who executed the foregoing Agreement and acknowledged the same.

Becky Meulemans
Notary Public, State of Wisconsin
My Commission Expires: 01/16/2027

By: _____
Approved As To Form:
Kyle J. Sargent
Outagamie County Deputy Corporation Counsel

CITY OF KAUKAUNA

By: _____ (SEAL)
Anthony J. Penterman, City Mayor

State of Wisconsin)
) ss.
Outagamie County)

Personally came before me this 26th day of December, 2023, the above named Anthony J. Penterman to me known to be the person who executed the foregoing Agreement and acknowledged the same.

Name: Sally A Kenney
Notary Public, State of Wisconsin
My Commission Expires: 6-19-2026

This Agreement drafted by:

Kyle J. Sargent
Deputy Corporation Counsel
For Outagamie County, Wisconsin

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 RESOLUTION # 89--2023-24

Legislative/Audit and Human Resources Committee. Authorize and approve that all Outagamie County employees who leave their residence to serve or will serve in the uniformed services, regardless of length of employment or part-time or full-time status, will earn all vacation allotment and sick leave accrual benefits while on military leave of absence that they would normally earn as a working employee of Outagamie County, regardless of department.

MOTION: Legislative/Audit and Human Resources Committee. Authorize and approve that all Outagamie County employees who leave their residence to serve or will serve in the uniformed services, regardless of length of employment or part-time or full-time status, will earn all vacation allotment and sick leave accrual benefits while on military leave of absence that they would normally earn as a working employee of Outagamie County, regardless of department.

MADE BY: MacDonald SECONDED BY: Ferguson

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 89—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County Employees who are serving or will serve in the uniformed services for the United States of America deserve respect and to not lose Outagamie County employee benefits while deployed or due to their deployment.

These employees have to leave their families, their communities, and their professional careers to protect and defend the liberties and way of life enjoyed by all citizens and residents of the United States of America.

Active duty service members now comprise less than 1% of all U.S. adults, and reservists are an even smaller percentage. These service members have taken an oath of office to be called up (deployed) at the government's discretion, even though this dual role often strains their families' resources and may limit their professional career paths. Their selfless patriotism is to be commended.

While current law requires Outagamie County to hold a service member's job for him or her while deployed, the county is not required to count the time deployed toward that employee's accrued vacation allotment or sick leave accrual.

As pertains to vacation allotment for Military Leave, the current Outagamie County Employee Handbook stipulates that earning vacation time is tied to satisfying the definition of "full month of service." For each full month of service an employee satisfies that definition, they earn one-twelfth ($1/12^{th}$) of their allotment of vacation for use during the following anniversary year. Conversely, for those months when an employee does not satisfy that definition, they do not earn vacation time. Any earned vacation hours not spent prior to or during the employee's military leave of absence will be held in trust pending the reemployment of that employee.

As pertains to sick leave accrual for Military Leave, the current Outagamie County Employee Handbook stipulates that sick leave accrual is tied to the employee satisfying the definition of "full month of service." For each full month of service an employee satisfies that definition, they earn one (1) day of sick leave time available for use the first of the following month. "Day" is defined as the number of hours an employee normally works, with full-time status equaling seven and one-half (7 ½) hours or eight (8) hours and part-time status equaling a prorated amount compared to full-time status. Any earned sick leave not spent prior to an employee's military leave of absence will be held in trust pending the reemployment of that employee.

This resolution approves all Outagamie County employees who are serving or will serve in the uniformed services, regardless of length of employment or part-time or full-time status, will earn all vacation allotment and sick leave accrual benefits while on military leave of absence that they would normally earn as a working employee of Outagamie County, regardless of department.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board does authorize and approve that all Outagamie County employees who leave their residence to serve or will serve in the uniformed services, regardless of length of employment or part-time or full-time status, will earn all vacation allotment and sick leave accrual benefits while on military leave of absence that they would normally earn as a working employee of Outagamie County, regardless of department, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director and the Outagamie County Executive.

Dated this 9th day of January 2024

Respectfully submitted,
LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears	Sara MacDonald
Ryan Ferguson	Joe Santonato
John Kostelny	

Duly and officially adopted by the County Board on: January 9, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 1.10.24 Vetoed: _____

Signed: _____
County Executive

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 RESOLUTION # 90--2023-24

ADOPT & LOCK IN Resolution No. 90--2023-24.

MOTION:

ADOPT & LOCK IN Resolution No. 90--2023-24.

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 RESOLUTION # 90--2023-24

Reconsideration of Resolution No. 90--2023-24.

MOTION:

Reconsideration of Resolution No. 90--2023-24.

MADE BY: Patience SECONDED BY: Cuff

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
PRESENT	0
ABSENT	4
VACANT	0
TOTAL	36

APPROVED x
DEFEATED

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 RESOLUTION # 90--2023-24

Legislative/Audit and Human Resources Committee. Approve the full-time position deletions of one Mental Health Treatment Court Coordinator and one Case Manager and the full-time position creation of one Treatment Court Coordinator, effective January 14, 2024, for the Criminal Justice Treatment Services Department, with no budget adjustment required, as noted on the attachments.

MOTION: Legislative/Audit and Human Resources Committee. Approve the full-time position deletions of one Mental Health Treatment Court Coordinator and one Case Manager and the full-time position creation of one Treatment Court Coordinator, effective January 14, 2024, for the Criminal Justice Treatment Services Department, with no budget adjustment required, as noted on the attachments.

MADE BY: Gabrielson SECONDED BY: Schroeder

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 90—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Criminal Justice Treatment Services (CJTS) Department is requesting approval to delete the Mental Health Treatment Court Coordinator position and the Case Manager position and replace with a Treatment Court Coordinator position, as outlined in the attached position forms.

On May 9, 2023, the County Board approved transferring the Mental Health Court cost center and the Drug and Alcohol Treatment Court cost center from the Health and Human Services Department to the CJTS Department. Since then, CJTS administration reviewed the job duties of the various positions and have determined some of the job duties need to be restructured. In order to accomplish this, the request is to delete a Mental Health Treatment Court Coordinator position (currently vacant) and a Case Manager position, and add a Treatment Court Coordinator position.

The requested changes have been included in the 2024 budget, therefore, no budget adjustment is needed at this time.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board does approve the deletion of one full-time Mental Health Treatment Court Coordinator position and one full-time Case Manager position and the creation of one full-time Treatment Court Coordinator position effective January 14, 2024 for the Criminal Justice Treatment Services Department, with no budget adjustment required, as noted on the attached Position Deletion Forms, Position Addition Form, Job Description, Table of Organization, and fiscal note, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Finance Director, and the Outagamie County Criminal Justice Treatment Services Director.

Dated this 9th day of January 2024

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

Joe Santonato

John Kostelny

Duly and officially adopted by the County Board on: January 9, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 1-10-24

Vetoed: _____

Signed: _____
County Executive

POSITION DELETION FORM

Completion Checklist		
Request Details		
Effective Date of Requested Change:	**1/14/2024**	
Department:	**CJTS**	
Department Head:	**Bernie Vetrone**	
Cost Center Number:	**1009105**	
Position Title:	**Mental Health Treatment Court Coordinator**	
Sunset Position? (Yes or No)	**No**	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	**Full Time:**	x
	Part Time:	
If adding a position to offset this deletion; which position(s) will be added?	**Treatment Court Coordinator**	
Position Justification		
Briefly summarize why this position is no longer needed, as well as areas of revenue and savings.		
Earlier in 2023 the Mental Health Court Cost Center and the Drug and Alcohol Treatment Court Cost Center were transferred from HHS to CJTS. When the positions were transferred over to CJTS, CJTS administration reviewed the job duties of the various positions and have determined to restructure some of the job duties. In order to accomplish this the CJTS administration would like to delete a Mental Health Court Coordinator Position (Vacant) and a Case Manager position, and then add a treatment Court Coordinator Position. These changes can be absorbed in the 2023 budget, so there is no budget adjustment needed for 2023. These changes were accounted for in the 2024 budget.		
Employee(s) Impacted By This Change (if no one in position - leave blank)		

Fiscal Data		
PROJECTED COST SAVINGS		
Salary	$	**71,835**
Fringe Benefits	$	**33,600**
Travel/Training	$	-
Supplies	$	-
Purchased Services	$	-
Capital Outlay	$	-
TOTAL COST SAVINGS	$	**105,435**
DECREASED REVENUES BY DELETING THIS POSITION:		
Please list below the decreased revenues pertaining to this position deletion.		
Description	*Dollar Value (enter as negative)*	
	$	-
	$	-
	$	-
TOTAL REVENUE REDUCTION	$	-
NET COUNTY COST (Levy/Fund Balance)	$	**105,435**

TO BE COMPLETED BY HUMAN RESOURCES:	
Reviewed by HR	Adam Westbrook
County Executive Decision (Approved/Denied)	Approved

POSITION DELETION FORM		
Completion Checklist		
Request Details		
Effective Date of Requested Change:	1/14/2024	
Department:	CJTS	
Department Head:	Bernie Vetrone	
Cost Center Number:	1009100	
Position Title:	Case Manager	
Sunset Position? (Yes or No)	No	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	Full Time:	x
	Part Time:	
If adding a position to offset this deletion; which position(s) will be added?	Treatment Court Coordinator	
Position Justification		
Briefly summarize why this position is no longer needed, as well as areas of revenue and savings.		
Earlier in 2023 the Mental Health Court Cost Center and the Drug and Alcohol Treatment Court Cost Center were transferred from HHS to CJTS. When the positions were transferred over to CJTS, CJTS administration reviewed the job duties of the various positions and have determined to restructure some of the job duties. In order to accomplish this the CJTS administration would like to delete a Mental Health Court Coordinator Position (Vacant) and a Case Manager position, and then add a treatment Court Coordinator Position. These changes can be absorbed in the 2023 budget, so there is no budget adjustment needed for 2023. These changes were accounted for in the 2024 budget.		
Employee(s) Impacted By This Change (if no one in position - leave blank)		
Chelsea Niemuth - Will move from Case Manager to Treatment Court Coordinator.		
Fiscal Data		
PROJECTED COST SAVINGS		
Salary	$	63,086
Fringe Benefits	$	32,644
Travel/Training	$	-
Supplies	$	-
Purchased Services	$	-
Capital Outlay	$	-
TOTAL COST SAVINGS	$	95,730
DECREASED REVENUES BY DELETING THIS POSITION:		
Please list below the decreased revenues pertaining to this position deletion.		
Description	*Dollar Value (enter as negative)*	
	$	-
	$	-
	$	-
TOTAL REVENUE REDUCTION	$	-

NET COUNTY COST (Levy/Fund Balance)	

TO BE COMPLETED BY HUMAN RESOURCES:	
Reviewed by HR	Adam Westbrook
County Executive Decision (Approved/Denied)	Approved

POSITION ADDITION FORM		
Completion Checklist		
o A visual of your proposed Table of Organization o Job description/class specification for the position request below, highlighting any changes		
Request Details		
Effective Date of Requested Change:	**1/14/2024**	
Department:	**CJTS**	
Department Head:	**Bernie Vetrone**	
Cost Center Number:	**1009105**	
Position Title:	**Treatment Court Coordinator**	
Sunset Position? (Yes or No)	**No**	
Exempt (Salaried) or Non-Exempt (Hourly):	**Exempt**	
Pay Grade of Position:	**3**	
Estimated Starting Step:	**10**	
Position exists in current the Table of Organization?	**Yes**	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	**Full Time:**	x
	Part Time:	
If Part Time position, how many hours per week will this position be working?	**Hours:**	
What other alternatives were considered?	**yes**	
If deleting a position to add this position; which position(s) will be deleted?	**Mental Health Tx Cordinator, Case Manager**	
(If deleting a position, complete the Position Deletion Form and include the Cost Savings below)		
List any positions in your Table of Organization that have been vacant for 6 months or longer:		
Position Justification		
Briefly summarize why this position is needed, as well as areas of revenue and savings.		
Earlier in 2023 the Mental Health Court Cost Center and the Drug and Alcohol Treatment Court Cost Center were transferred from HHS to CJTS. When the positions were transferred over to CJTS, CJTS administration reviewed the job duties of the various positions and have determined to restructure some of the job duties. In order to accomplish this the CJTS administration would like to delete a Mental Health Court Coordinator Position (Vacant) and a Case Manager position, and then add a treatment Court Coordinator Position. These changes can be absorbed in the 2023 budget, so there is no budget adjustment needed for 2023. These changes were accounted for in the 2024 budget.		
Employee(s) Impacted By This Change (if no one in position - leave blank)		

Chelsea Niemuth - Will go from Case Manager to Treatment Court Coordinator.		
Fiscal Data		
How will this position be funded (choose from drop-down list)?		**Levy Only**
PROJECTED 2023 EXPENDITURES - Amounts must agree to amounts included in the proposed budget.		
Salary	$	**64,958**
Fringe Benefits	$	**32,644**
Travel/Training	$	-
Supplies - IT		
Supplies - Other	$	-
Purchased Services - IT		
Purchased Services - Other	$	-
Capital Outlay	$	-
TOTAL EXPENDITURES	$	**97,602**
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)		
Mental Health Tx Court Coordinator	$	**(105,435)**
Case Manager	$	**(95,730)**
TOTAL COST SAVINGS/REVENUES	$	**(201,165)**
NET COUNTY COST (Levy/Fund Bal)	$	**(103,563)**
PARTIAL YEAR FUNDING - ANNUAL PROJECTION		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary	$	-
Fringe Benefits	$	-
Other Expenditures	$	-
TOTAL EXPENDITURES	$	-
Deleted Position (if applicable)		
Less Increased Revenue/Cost Savings (enter as negative)	$	-
NET COUNTY COST (Levy/Fund Bal)	$	-

TO BE COMPLETED BY HUMAN RESOURCES:	
Reviewed by HR	
County Executive Decision (Approved/Denied)	

Outagamie County

Drug & Alcohol Treatment Court Coordinator

Job Description Code: 6600-9
Established Date: 09/12/2017
Last Revised Date: 07/13/2023
Effective: 09/07/2023

Salary Range

$53,248.00 - $64,958.00 Annually

Bargaining Unit

N/A

EEO

Other

Occupational Group

500

FLSA

Exempt

Benefit Code

General

Physical Class

N/A

Grade

3

Position Purpose

Reporting to the Manager of the Mental Health & AODA Division and working closely with the court system and community resources, the Drug and Alcohol Treatment Court Coordinator performs administrative work and plans, organizes, coordinates, and monitors activities of the Outagamie County Drug and Alcohol Treatment Court (DATC). Work involves providing services in office, at clients' homes and in the community and may require work outside of standard hours and occasional travel.

Key Responsibilities

The following duties are most critical for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Coordinates the activities of the Outagamie County Drug and Alcohol Treatment Court including screenings, referrals, assisting in determining eligibility, leading and coordinating staffing and

Employee Group (General, AS&P, etc.)
Exempt

Blood Borne Pathogen
C

activities, making referrals, providing direct case management and coordinating treatment services.

- Prepares reports for County and DATC as needed.
- Obtains information from clients, family members, and other agencies to assess needs or degree of dysfunction, establishes goals, develops and coordinates individual case plans; and monitors established service plans.
- Conducts face-to-face assessments with individuals in their homes or in the community or other locations.
- Identifies, through case management and/or intake services, individual needs which include medical, psychological, vocational, social, familial and daily living spheres.
- Develops and implements a case management system to ensure compliance with program guidelines, administers urine analysis tests and treatment compliance and progress toward participants' goals.
- Makes psychosocial assessments of clients, family dynamics, environment, medical and psychological history. Completes the Long-Term Functional Screen for individuals seeking services through the Drug and Alcohol Treatment Court as needed.
- Makes home, office and community contacts with clients as required to monitor participant's progress, adjustment, medication compliance and general stability.

- Manages individuals who may have a severe and persistent drug or alcohol disease and co-occurring disorders within a recovery team model with a focus on long term supportive therapy, symptom management, medical management, daily living skills training and community integration, providing ongoing coordination with established outcome based treatment plans.
- Observes and evaluates emotional and physical needs of clients, providing ongoing symptom and medication side effect assessments, and confers with medical staff regarding observations.
- Assists in the development, implementation and monitoring of service plans for individuals.
- Transports and escorts consumers to meetings, services, appointments and other activities as needed.
- Provides protection and advocacy services.
- Refers participants to contracted treatment agencies best suited for their needs. Collaborates with treatment providers to ensure community resources and service needs match desired program outcomes.
- Maintains knowledge of vocational, housing and other community resources.
- Maintains cooperative relationships with treatment agencies, community organizations, probation departments and other agencies represented on the Drug and Alcohol Treatment Court team.

- Documents contacts and services, prepares reports and other written materials and complies with all recordkeeping requirements.
- Maintains accurate records and prepares reports and documentation for court proceedings.
- Maintains readiness to assist colleagues in managing psychiatric and/or medical emergencies experienced by a client.
- Provides support as necessary for individuals and/or family or significant others in individual, conjoint and group formats.
- Provides individuals and family members with information regarding services available from county, state and federal agencies.
- Provides individuals and family members with information regarding services which best meet their needs and desires.
- Provides presentations to the county, various committees, to other agencies and to the general public.
- Stays abreast of current research with treatment courts and organizes and coordinates training for the Drug and Alcohol Treatment Court team.
- Facilitates Drug and Alcohol Treatment Court program processes and operations while being responsible for program efficiency.
- Reviews and prepares grants and other funding applications to support the Drug

and Alcohol Treatment Court.

- Consults with court judge(s) on a wide range of organizational and managerial issues including but not limited to Drug and Alcohol Treatment Court efficiency and internal and external quality assurance.
- Researches the best evidence-based approach in the implementation of treatment services of Drug and Alcohol Treatment Court participants.
- Identifies needs in the service delivery system and participates in program development initiatives.
- Attends Division and other meetings as required.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned or required.
- Provides on-call duties as assigned

Education/Certifications/Experience Requirements

- Required: Bachelor's Degree in behavioral science or a related field, and access to private transportation at all times for work-related duties.
- Preferred: Successful completion of an accredited alcohol and other drug abuse counselor training program, experience providing AODA services, Licensure as a Clinical Substance Abuse Counselor or Clinical Supervisor, 3 years experience

working with individuals with co-existing mental health and substance abuse needs. Appointment will be conditional upon successful completion of criminal and caregiver background checks.

Required or Preferred Skills

- Knowledge of and ability to provide case management and coordination for individuals with alcohol and other drug dependency and dual diagnoses.
- Knowledge, skill and ability to provide crisis intervention service.
- Knowledge of available community resources for the consumer groups.
- Knowledge of and experience in the clinical area of alcohol and other drugs.
- Knowledge of and experience in urine analysis collection and testing.
- Ability to establish and maintain effective working relationships with clients, other employees, representatives from community resource groups, contract agencies and the general public.
- Ability to manage treatment within the continuum of services available for chemically dependent clients with an emphasis on provision of services in the least restrictive setting and objectively evaluate progress towards goals and timetables.
- Ability to work cooperatively in a system-wide program setting.
- Ability to speak effectively in public settings and prepare written reports

- Ability to work independently.
- Ability to adhere to professional ethics and standards.
- Ability to use and interpret medical, legal and counseling terminology.
- Ability to work the allocated hours of the position.
- Knowledge of and demonstrated ability to conform to goals, policies and procedures of the department as well as the Outagamie County Work Rules and Terms of Employment.
- Ability to operate a variety of office equipment including personal computer, photocopier, calculator and telephone.
- Ability to transport oneself from location to location in an efficient and expedient manner.
- Skill in organization including paperwork, time management and prioritization of crisis demands.
- Ability to add, subtract, multiply, divide, calculate decimals and percents, and make use of the principles of descriptive statistics.
- Ability to comprehend and interpret a variety of documents including client charts, medical, accident, and other reports; psychological evaluations and other assessment reports, school records, professional literature, policy and procedure manuals, diagnostic manuals, etc.

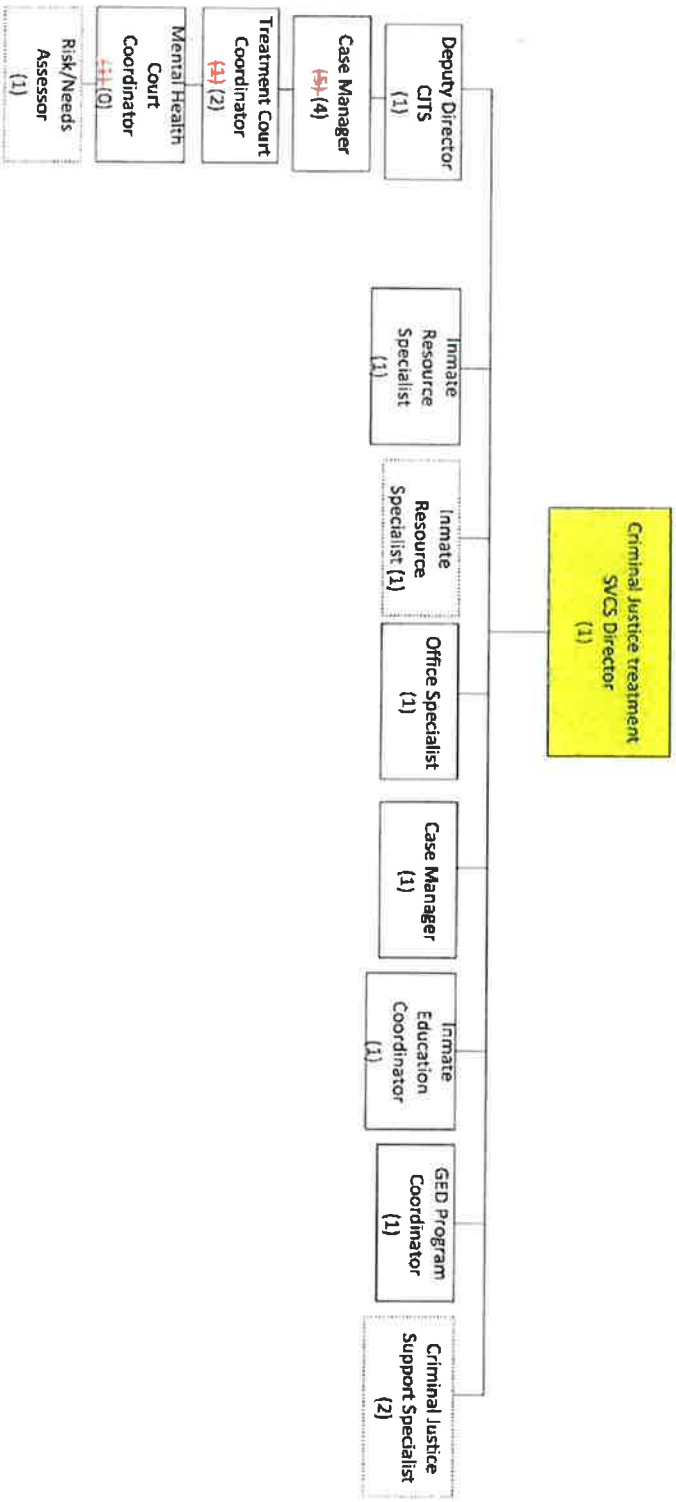
- Ability to prepare a variety of documents including client records, referrals, court reports, intake and assessment records, case notes, individual treatment plans, letters and other correspondence, etc.
- Ability to communicate effectively with clients and family members, community agencies and service providers, psychiatrists, physicians and other medical professionals, attorneys, human services personnel, school personnel and others verbally and in writing.
- Knowledge of the service delivery system.
- Knowledge of drug and alcohol diseases and mental illnesses, dependent on assignment, the effects on individuals and families and the resources available within the community.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

FUND: GENERAL 100 COST CENTER NAME: CRIMINAL JUSTICE TREATMENT SVC.

DEPARTMENT NAME: CRIMINAL JUSTICE TREA COST CENTER NUMBER: 1009100

POSITION COUNT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT
REGULAR POSITIONS:								
CASE MANAGER	5	0	5	0	5	0	4	0
CRIMINAL JUSTICE TREATMENT SVCS DIRECTOR	1	0	1	0	1	0	1	0
DEPUTY DIRECTOR CJTS	1	0	1	0	1	0	1	0
DRUG & ALCOHOL TREATMENT COORDINATOR							2	0
EDUCATION COORDINATOR	1	0	1	0	1	0	1	0
ELECTRONIC MONITORING SPECIALIST	0	2	0	2	0	2	0	2
MENTAL HEALTH COURT COORDINATOR							1	0
OFFICE ASSISTANT	1	0	1	0	1	0	1	0
OFFENDER RESOURCE SPECIALIST	1	1	1	1	1	1	1	1
RISK NEEDS ASSESSOR	0	1	0	1	0	1	0	1
SUPPORT SPECIALIST III	1	0	1	0	1	0	1	0
SUPPORT SPECIALIST II	0	1	0	1	0	0	0	0
TOTAL POSITIONS-REGULAR:	11	5	11	5	11	4	13	4
TOTAL ALL POSITIONS:	11	5	11	5	11	4	13	4


Criminal Justice treatment SVCS Director (1)
Deputy Director CITS (1)
Case Manager (5) (4)
Treatment Court Coordinator (1) (2)
Mental Health Court Coordinator (1) (0)
Risk/Needs Assessor (1)
Inmate Resource Specialist (1)
Inmate Resource Specialist (1)
Office Specialist (1)
Case Manager (1)
Inmate Education Coordinator (1)
GED Program Coordinator (1)
Criminal Justice Support Specialist (2)

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Criminal Justice Treatment Services (CJTS) Positions Additions/Deletions

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Earlier in 2023 the Mental Health Court Cost Center and the Drug and Alcohol Treatment Court Cost Center were transferred from HHS to CJTS. When the positions were transferred over to CJTS, CJTS administration reviewed the job duties of the various positions and have determined to restructure some of the job duties. In order to accomplish this the CJTS administration would like to delete a Mental Health Court Coordinator Position (Vacant) and a Case Manager position, and then add a Treatment Court Coordinator Position. These changes can be absorbed in the 2023 budget, so there is no budget adjustment needed for 2023. These changes were accounted for in the 2024 budget.

The attachment includes a full year impact of these position changes.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☐ None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below yes ( ) no (x)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (I.e. Salaries, Supplies, Etc.)	COST CENTER (I.e. 1004100.5100, 1004100.5400, etc.)	(DECREASE) AMOUNT
N/A			

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost See attached; Annual Revenue 0

Fiscal Note Prepared by: Bernie Vetrone/Trent Woelfel

For Financial Services purposes only

Reviewed By: Kay L Hamilton

Date: 12/12/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number | Amount

Comments:

Attachment

The attachment includes a full year impact of these position changes.

COST CENTER NAME	LINE ITEM	POSITION CHANGE	COST CENTER	INCREASE (DECREASE) AMOUNT
Mental Health Court	Salaries	Deletion of Mental Health Coordinator	1009105.5100	(71,835)
Mental Health Court	Fringe Benefits	Deletion of Mental Health Coordinator	1009105.5200	(33,600)
CJTS	Salaries	Deletion of Case Manager Position	1009100.5100	(63,086)
CJTS	Fringe Benefits	Deletion of Case Manager Position	1009100.5200	(32,644)
Mental Health Court	Salaries	Addition of Treatment Court Coordinator	1009105.5100	64,958
Mental Health Court	Fringe Benefits	Addition of Treatment Court Coordinator	1009105.5200	32,644

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 RESOLUTION # 91--2023-24

Property, Airport, Recreation and Economic Development Committee. Authorize and approve the line items of transferring $14,000 from the Reserve for Contingency Purchased Services to the Nature Center Purchased Services, used for roof repairs at the Mosquito Hill Nature Center, as detailed in the attached fiscal note.

MOTION: Property, Airport, Recreation and Economic Development Committee. Authorize and approve the line items of transferring $14,000 from the Reserve for Contingency Purchased Services to the Nature Center Purchased Services, used for roof repairs at the Mosquito Hill Nature Center, as detailed in the attached fiscal note.

MADE BY: Culbertson SECONDED BY: Hammen

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 91—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

During the Mosquito Hill Nature Center remodel project, contractors discovered leaks in the roof, which includes multiple waterproofing failures. In order to protect the newly remodeled space and prevent further damage, the Outagamie County Parks Department is requesting the work to commence as soon as possible. Issues range from lack of ridge trim, additional ice and water shield needed, ridge vent opening repairs, and application of cap steel in areas as needed. The Parks Department is a small department with a limited budget, therefore, do not have budgeted funds to cover the repairs. A quote of $14,000 has been received. This resolution approves a $14,000 transfer from the Contingency Fund to cover the roof repair costs.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve transferring $14,000 from the Reserve for Contingency Purchased Services line item to the Nature Center Purchased Services line item, said monies to be used for roof repairs at the Mosquito Hill Nature Center, as detailed in the attached fiscal note which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Parks Director.

Dated this 9th day of January 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: January 9, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 1-10-24

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for Transfer from Contingency Fund for Mosquito Hill Roof Leak

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

While the remodel work was taking place at the nature center, the contractors brought some roof leaks to our attention. Multiple waterproofing failures were reported during the interior remodeling work by the contractor at the nature center. In order to protect the newly remodeled space and prevent further damage, we are requesting this work to commence as soon as possible issues range from lack of ridge trim, additional ice and water shield needed, ridge vent opening repairs, and apply cap steel in areas as needed. Since we are a small department with a limited budget, we do not have the funds to cover the repairs. A quote was provided of approximately $14,000. In order to protect the newly remodeled area from further damage, the Parks department is requesting a $14,000 transfer from contingency funds.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☒ Expenses (Cost) ☐ None – 2024 Budget

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Nature Center	Purchased Services	1006900.5500	14,000
Reserve for Contingency	Purchased Services	1002247.5500	(14,000)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost _____ Annual Revenue _____

Fiscal Note Prepared by: _____

For Financial Services purposes only

Reviewed By: Justin J Wright

Date: 11/16/2023

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number _____ Amount _____

Comments:

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 RESOLUTION # 92--2023-24

Public Safety Committee. Approve to enter into a new Intergovernmental Agreement with Calumet County which authorizes the Outagamie County Family Court Services Department to conduct custody evaluations for Calumet County and charge a fee for completion of the evaluation, with no fiscal impact to the 2024 budget as the estimated revenues are already included in the budget, as noted on the attached Intergovernmental Agreement and the fiscal note.

MOTION: Public Safety Committee. Approve to enter into a new Intergovernmental Agreement with Calumet County which authorizes the Outagamie County Family Court Services Department to conduct custody evaluations for Calumet County and charge a fee for completion of the evaluation, with no fiscal impact to the 2024 budget as the estimated revenues are already included in the budget, as noted on the attached Intergovernmental Agreement and the fiscal note.

MADE BY: Patience SECONDED BY: Lamers

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

RESOLUTION NO.: 92—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County and Calumet County desire to enter into a new Intergovernmental Agreement for Outagamie County Family Court Services to continue to perform custody evaluations on behalf of Calumet County. The term of the new Intergovernmental Agreement shall be for two years from the date signed in January 2024, and shall be automatically renewed for three additional one year terms unless either party provides a written notice of termination within 30 days of the expiration of the current or any succeeding renewal term. Outagamie County's service and fee schedule is as follows:

- $48.00 per hour which includes $45.71 for salary and fringe benefits plus a 5% administrative fee. Custody evaluations typically average 40 to 50 hours to complete
- Participating Calumet County parents shall be liable for the entire fee and shall pay a $1,000 retainer, with each parent paying half, prior to the commencement of the evaluation
- Calumet County shall be billed for any amounts exceeding the retainer, as well as any portion of the retainer waived by Calumet County, and Calumet County agrees that it shall be responsible for collecting such amounts from the parents.

In the event the participating parents do not pay the billed amount in full, Calumet County agrees to pay the outstanding balance within 60 days of receiving the invoice. Calumet County further agrees to pay the interest on any outstanding balance beyond 60 days at a rate of 1% per month.

There is no impact on the 2024 budget as these estimated revenues are already included in the budget.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors hereby agrees to enter into a new Intergovernmental Agreement with Calumet County which authorizes the Outagamie County Family Court Services Department to conduct custody evaluations for Calumet County and charge a fee for completion of the evaluation, with no fiscal impact to the 2024 budget as the estimated revenues are already included in the budget, as noted on the attached Intergovernmental Agreement Between Outagamie County and Calumet County and fiscal note, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Family Court Services Director, the Outagamie County Corporation Counsel, and the Outagamie County Finance Director.

Dated this 9th day of January 2024

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: January 9, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 1-10-24

Vetoed: _____

Signed: _____
County Executive

INTERGOVERNMENTAL AGREEMENT BETWEEN
OUTAGAMIE COUNTY AND CALUMET COUNTY

RECITALS

Calumet County, in reviewing its custody evaluation process, has determined, given its relatively small evaluation needs, that it would be more cost effective to continue to contract for its custody evaluations.

Since 2019, Calumet County has contracted with Outagamie County Family Court Services to conduct custody evaluations for Calumet County residents. In October 2023, after a discussion between Calumet County and Outagamie County Family Court Services, it was determined that Outagamie County has the capacity and ability to continue to perform custody evaluations on behalf of Calumet County.

Providing such a services would continue to benefit both counties, and in Outagamie County's case would continue to provide additional revenue for the Family Court Services program by utilizing existing staff to conduct custody evaluations for Calumet County, staff resources permitting.

NOW, THEREFORE, for good and valuable consideration as set forth below, Calumet County and Outagamie County agree as follows:

A. The term of this new agreement shall be for two years from the date signed in January 2024 as approved by the Outagamie County Board of Supervisors, and shall be automatically renewed for three additional one year terms unless either party provides a written notice of termination within 30 days of the expiration of the current or any succeeding renewal term. Said notice may be e-mailed to the Director of Family Court Services of either county.

B. Outagamie County's service and fee schedule are as follows:

   1. $48.00 per hour which includes $45.71 for salary and fringe benefits plus a 5% administrative fee. Custody evaluations typically average 40 to 50 hours to complete.

   2. Participating parents shall be liable for the entire fee and shall pay a $1,000.00 retainer, with each parent paying half, prior to the commencement of the evaluation.

3. Calumet County shall be billed for any amounts exceeding the retainer, as well as any portion of the retainer fee waived by Calumet County, and Calumet County agrees that it shall be responsible for collecting such amounts from the parents. In the event the participating parents do not pay the billed amount in full, Calumet County agrees to pay the outstanding balance within 60 days of receiving the invoice. Calumet County further agrees to pay interest on any outstanding balance beyond 60 days at a rate of 1% per month.

C. Outagamie County shall provide the services set forth in Exhibit A, however, Outagamie County's obligation to provide such services shall be subject to availability of staff to conduct a requested custody evaluation. Calumet County agrees that Outagamie County Family Court Services must meet the custody evaluation needs of Outagamie County residents first, and the services described herein shall not compromise such services to Outagamie County residents.

Outagamie County Family Court Services shall inform Calumet County in writing within three days of receiving a request for custody evaluation services from Calumet County, as to its ability to perform the requested services.

D. Outagamie County's liability carrier shall be primarily responsible for any negligent act(s) of Outagamie County employees, agents, contractors or officers flowing from the services provided in this agreement, however, Calumet County agrees to indemnify Outagamie County for any insurance deductibles deemed payable by Outagamie County.

Dated this____ day of _____, 2024

OUTAGAMIE COUNTY

Dated this ___ day of _____, 2024

_____

Thomas Nelson, County Executive

Dated this ___ day of _____, 2024

_____

Jeff Nooyen, County Board Chairperson

Dated this ___ day of _____, 2024

_____

Jeffrey King, County Clerk

Approved as to form this 29th day of November, 2023

By: _____

Dawn T. Shaha

Outagamie County Deputy Corporation Counsel

Outagamie County Est. 1851

FAMILY COURT SERVICES
320 S. Walnut St., Appleton, WI 54911
Telephone: (920) 832-5660
Fax No.: (920) 832-4418

To: Attorney Dawn Shaha, Outagamie County Deputy Corporation Counsel

From: Paul Hardin Schroth, Family Court Services Director

Date: November 1, 2023

Regarding: Addendum to address the scope of services for custody evaluations.

(EXHIBIT A)

-In order to proceed, we need a signed court order and retainer payment of $1,000 ($500 per parent). The evaluator does not begin the evaluation until the retainer is paid in full. Evaluators require 120 days to complete the evaluation which starts on the day in which everything is in our office

-Our hourly fee is $48 per hour. The average evaluation takes 40 to 45 hours to complete. The remainder of the fee, including mileage, is billed after the final court hearing.

-The evaluation process includes a series of interviews with the parents, the children, significant others, and any other relevant person, including collateral sources.

-We start the interviewing process by meeting jointly on one occasion with the parents. We then meet individually with each parent on average 3 additional times. Unless there is a restraining order preventing the parents from meeting together, an initial joint appointment is set with both parents in order to explain the process and to get releases of information signed.

-In the three individual interviews, the evaluator and each parent discusses family of origin concerns and history, relationship/adult history, co-parenting concerns, parenting history, any concerns regarding the children, and what they are requesting from the court regarding placement/custody concerns for their child(ren).

-The evaluator conducts a home visit of each parent's house. The children, significant other, and any other significant member of the house should be present for the visit.

-If the child is school age, the evaluator will meet typically three times with the child(ren). This would include at both parents' houses and once at his/her school or at Family Court Services to address family history and any concerns affecting the child.

-Part of the evaluation process includes collecting numerous collateral reports from outside agencies such as: schools, medical, psychological, drug/alcohol assessments, counseling, child protection, and police reports.

-A report with recommendations is written and submitted to the court with a preliminary bill. The attorneys are notified that the court has the report.

-The evaluator will automatically appear at the final hearing. Generally, most evaluations stipulate prior to or the day of the hearing.

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Renewal of Intergovernmental Agreement between OCFCS and Calumet County

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Outagamie County and Calumet County desire to enter into a new intergovernmental agreement for Outagamie County Family Court Services to continue to perform custody evaluations on behalf of Calumet County. The term of the new intergovernmental agreement shall be for two years from the date signed in January 2024, and shall be automatically renewed for three additional one year terms unless either party provides a written notice of termination within 30 days of the expiration of the current or any succeeding renewal term. Outagamie County's service and fee schedule are as follows: a) $48.00 per hour which includes $45.71 for salary and fringe benefits plus a 5% administrative fee. Custody evaluations typically average 40 to 50 hours to complete; b) Participating Calumet parents shall be liable for the entire fee and shall pay a $1,000 retainer, which each parent paying half, prior to the commencement of the evaluation; c) Calumet County shall be billed for any amounts exceeding the retainer, as well as any portion of the retainer waived by Calumet County, and Calumet County agrees that it shall be responsible for collecting such amounts from the parents. In the event the participating parents do not pay the billed amount in full, Calumet County agrees to pay the outstanding balance within 60 days of receiving the invoice. Calumet County further agrees to pay interest on any outstanding balance beyond 60 days at a rate of 1% per month. There is no impact on the 2024 budget as these estimated revenues are already included in the budget.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially () n/a ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (X) no ( )

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X) To be determined

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
No budget adjustment - revenues already included in 2024 budget			

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue $4,000

Fiscal Note Prepared by: Paul Schroth/Trent Woelfel

For Financial Services purposes only	
Reviewed By:	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount
Date: 11/15/2023	
Comments:	

ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS

DATE January 9, 2023 ORDINANCE # L--2023-24

Legislative/Audit and Human Resources Committee. Approve to amend the Outagamie County Board Rules language in Section 2-20(c), Meetings of the County Board, to change the meeting schedule from the second Tuesday to the fourth Tuesday in the months of June, July, and August.

MOTION: Legislative/Audit and Human Resources Committee. Approve to amend the Outagamie County Board Rules language in Section 2-20(c), Meetings of the County Board, to change the meeting schedule from the second Tuesday to the fourth Tuesday in the months of June, July, and August.

MADE BY: Klemp SECONDED BY: Koury

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
1	Thompson	x			
2	Miller	x			
3	Smith	x			
4	Patience	x			
5	Gabrielson	x			
6	Kostelny	x			
7	Hammen	x			
8	Lawrence	x			
9	Krueger	x			
10	Lamers	x			
11	Ferguson	x			
12	McCabe	x			
13	Wegand	x			
14	Hermes	x			
15	MacDonald	x			
16	Schroeder	x			
17	Croatt				x
18	Spears				x

DST	NAME	AYE	NAY	ABSTAIN	ABSENT
19	Cooke	x			
20	Santonato	x			
21	Cuff	x			
22	Hagen	x			
23	Klemp	x			
24	Thiede	x			
25	Nooyen	x			
26	Weinberg	x			
27	Culbertson	x			
28	Monfils				x
29	Winterfeldt	x			
30	Nejedlo	x			
31	Clegg	x			
32	Thyssen	x			
33	VanderHeiden	x			
34	Rettler				x
35	Koury	x			
36	Lautenschlager	x			

AYE	32
NAY	0
ABSTAIN	0
ABSENT	4
TOTAL	36

APPROVED x
DEFEATED

ORDINANCE NO.: L—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Legislative/Audit and Human Resources Committee is requesting to amend the Outagamie County Board Rules. The amendment includes updating language in Section 2-20(c), Meetings of the County Board, as pertains to the meeting schedule in the months of June, July, and August.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve the following amendment to Chapter 2 of the Outagamie County Code of Ordinances (additions are underlined and in italics; deletions are struck through):

Section 2-20. – Meetings of the County Board.

(c) *Regular*. Meetings other than the November annual meeting and the April organizational meeting shall be semimonthly and shall be held on the second and fourth Tuesday beginning at 7:00 p.m. Unless declared by the Board Chair, there will be one meeting per month in the months of June, July, and August which shall be held on the ~~second~~ *fourth* Tuesday of the month. If needed, there shall be a second November meeting on Tuesday one week after the annual meeting. At regular County Board meetings, a recess, length to be determined by the Chair, will be taken by the entire Board after being in session 1 ½ hours and every 1 ½ hours thereafter as declared by the Chair. One meeting a month may be cancelled for lack of sufficient business at the call of the board chair.

BE IT FURTHER ORDAINED, that this ordinance shall be in effect upon completion of publication in accordance with Wisconsin Statutes, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Corporation Counsel and Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 9th day of January 2024

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

Joe Santonato

John Kostelny

Duly and officially adopted by the County Board on: January 9, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 1-10-24 Vetoed: _____

Signed: _____
County Executive

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the January 9, 2024 County Board Minutes approved by a majority vote at a meeting of the County Board on January 9, 2024 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 9th Day of January, 2024

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: February 2, 2024

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, January 23, 2024.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 32 present, 4 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Kostelny, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Wegand, Hermes, MacDonald, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, VanderHeiden, Koury, and Lautenschlager. Members Absent: Clegg, Thyssen, Rettler, Schroeder

The Board Chairperson requested the Board's confirmation to excuse Supervisor Schroeder, Supervisor Clegg, Supervisor Thyssen, and Supervisor Rettler. No objections; so ordered.

MINUTES OF THE JANUARY 9, 2024 COUNTY BOARD MEETING
Supervisor Patience moved, seconded by Supervisor Weinberg, to approve the minutes of the January 9, 2024, County Board meeting.

ROLL CALL: 31 yes, 1 abstain (Spears), 4 absent. MINUTES OF THE JANUARY 9, 2024, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY – None.

COMMUNICATIONS –
Chairperson Nooyen summarized the following communications:

- One Supervisor has yet to complete the October IT security training that was due in November. Please get this completed as soon as possible.
- Four Supervisors have to complete the December IT security training that was due January 3rd. Please complete this training as soon as possible.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS –

County Executive Nelson nomination for appointment of Pafoua Her, PhD, to the Health & Human Services Board, said term expiring December 31, 2027.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for confirmation of the above-listed appointment.

ROLL CALL: 32 yes, 4 absent. PAFOUA HER IS APPOINTED TO THE HEALTH & HUMAN SERVICES BOARD.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. 93—2023-24 – Highway, Recycling and Solid Waste Committee and Public Safety Committee. Approve to support pending legislation to allow a political subdivision to install and maintain cameras where persons are engaged in work in a highway maintenance or construction area to capture video or photographic evidence of traffic accidents and other violations of the law, as noted on the resolution.

Supervisor Hagen moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 27 yes, 4 no (Krueger, Klemp, Thiede, Lautenschlager), 1 abstain (Winterfeldt), 4 absent. RESOLUTION NO. 93—2023-24 IS ADOPTED.

Resolution No. 94—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail located on a parcel of land being part of the Southeast ¼ of the Southeast ¼ and the Southwest ¼ of the Southeast ¼ of Section 8 in Township 23 North, Range 17 East, Village of Black Creek, Outagamie County, Wisconsin; for the purpose of installing a culvert and to upgrade the existing storm sewer in the village to alleviate flooding issues, as noted on the resolution and attachments.

Supervisor Culbertson moved, seconded by Supervisor Monfils, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 94—2023-24 IS ADOPTED.

Resolution No. 95—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve the following line item changes, as noted on the resolution and fiscal note: increase Land Conservation Salaries by $9,850; increase Land Conservation Fringes by $11,950; decrease Land Conservation Travel/Training by $6,000; decrease Land Conservation Supplies by $15,800; increase TMDL – New Water Supplies by $3,100; and decrease the TMDL - New Water Purchased Services by $3,100, to better allocate and best spend the funds available for the Land Conservation Department.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 95—2023-24 IS ADOPTED.

CLOSED SESSION PURSUANT TO SECTION 19.85(1)(g) WIS STATS. FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED.

Supervisor Lawrence moved, seconded by Supervisor Croatt, to enter into Closed Session as noted above.

ROLL CALL: 32 yes, 4 absent. COUNTY BOARD ENTERS CLOSED SESSION AT 7:23 PM.

END CLOSED SESSION

Supervisor Croatt moved, seconded by Supervisor Spears, to end Closed Session and resume normal business.

VOICE VOTE CARRIED UNANIMOUSLY. COUNTY BOARD ENDS CLOSED SESSION AT 8:37 PM.

Resolution No. 96—2023-24 – Finance Committee. Approve to disallow the claim submitted by Herrling Clark Law Firm Ltd. on behalf of a minor that has been placed on file in the office of the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Supervisor Krueger moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 8 yes (Lawrence, Krueger, Cuff, Klemp, Thiede, Culbertson, Monfils, Koury), 24 no, 4 absent. RESOLUTION NO. 96—2023-24 IS DEFEATED.

RECONSIDERATION/LOCK IN OF DEFEATED RESOLUTION NO. 96—2023-24

Supervisor Krueger moved, seconded by Supervisor Cooke, to reconsider Resolution No. 96—2023-24.

VOICE VOTE CARRIED UNANIMOUSLY. DEFEATED RESOLUTION NO. 96—2023-24 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. DEFEATED RESOLUTION NO. 96—2023-24 IS ADOPTED & LOCKED IN.

REPORTS – None.

ADJOURNMENT
Supervisor Wegand moved, seconded by Supervisor McCabe to adjourn until February 13, 2024, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 8:42 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

Resolution No. 93—2023-24 – Highway, Recycling and Solid Waste Committee and Public Safety Committee. Approve to support pending legislation to allow a political subdivision to install and maintain cameras where persons are engaged in work in a highway maintenance or construction area to capture video or photographic evidence of traffic accidents and other violations of the law, as noted on the resolution.

Supervisor Hagen moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 27 yes, 4 no (Krueger, Klemp, Thiede, Lautenschlager), 1 abstain (Winterfeldt), 4 absent. RESOLUTION NO. 93—2023-24 IS ADOPTED.



VOTE RESULTS — 27 YES | 4 NO | 1 ABSTAIN | 4 ABSENT

Resolution No. 93—2023-24

Highway, Recycling and Solid Waste Committee and Public Safety Committee. Approve to support pending le… and maintain cameras where persons are engaged in work in a highway maintenance or construction area to capture video or photographic evidence of traffic accidents and other violations of the law, as noted on the resolution.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	ABSTAIN
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	ABSENT
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	NO	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	NO	35 KOURY	YES
12 McCABE	YES	24 THIEDE	NO	36 LAUTENSCHLAGER	NO

Outagamie County Est. 1851 — 1-23-24 County Board Meeting - January 23 2024 07:21:14 PM — January 23, 2024 County Board Meeting — OpenMeeting Technologies

RESOLUTION NO.: 93—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Unfortunately, there are thousands of crashes in road work zones every construction season. Law Enforcement officials should be provided with the tools to properly investigate a work zone accident and access the most accurate information. The men and women who make their livings in road construction and spend their days in work zones also deserve to work in the safest environment possible so they can go home each night to their families.

There is pending legislation that would allow a political subdivision to install and maintain cameras in highway work zones for the sole purpose of capturing video or photographic evidence involving traffic accidents and other violations of the law. Evidence captured by a camera authorized under the proposed legislation may be accessed only by a law enforcement agency and only if a police report is filed in connection with a traffic accident or other violation. Evidence captured by a camera authorized under the proposed legislation may not otherwise be used to determine compliance with any state law or local ordinance.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee and Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending legislation that would allow a political subdivision to install and maintain cameras where persons are engaged in work in a highway maintenance or construction area for the purpose of capturing video or photographic evidence of traffic accidents and other violations of the law, and said video and photographic evidence may only be accessed by a law enforcement agency and only if a police report is filed in connection with a traffic accident or other violation of the law that occurred in the highway maintenance or construction area where the camera is installed, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Wisconsin Counties Association, the State Senators and State Representatives representing Outagamie County, and the Governor of the State of Wisconsin.

Dated this 23rd day of January 2024

Respectfully Submitted,
HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE AND PUBLIC SAFETY COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: January 23, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive

State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4859/2
ZDW:emw

2023 ASSEMBLY BILL 651

November 8, 2023 - Introduced by Representatives NOVAK, ARMSTRONG, DITTRICH, GUNDRUM, KITCHENS and JACOBSON, cosponsored by Senators TOMCZYK, BALLWEG and SPREITZER. Referred to Committee on Transportation.

AN ACT *to create* 349.238 of the statutes; **relating to:** authorizing cameras in highway work zones.

Analysis by the Legislative Reference Bureau

This bill authorizes a county, city, town, or village to install and maintain cameras in highway work zones for the purpose of capturing video or photographic evidence of traffic accidents and other violations of the law. Evidence captured by a camera authorized under the bill may be accessed only by a law enforcement agency and only if a police report is filed in connection with a traffic accident or other violation. Evidence captured by a camera authorized under the bill may not otherwise be used to determine compliance with any state law or local ordinance.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 349.238 of the statutes is created to read:

349.238 Authority to install cameras in work zones. (1) A political subdivision may install and maintain cameras where persons are engaged in work in a highway maintenance or construction area for the purpose of capturing video or photographic evidence of traffic accidents and other violations of the law.

(2) Video and photographic evidence captured by a camera authorized under this section may be accessed only by a law enforcement agency, as defined in s. 165.83 (1) (b), and only if a police report is filed in connection with a traffic accident or other violation of the law that occurred in the highway maintenance or construction area where the camera is installed.

(3) Except as provided in sub. (2), no state or local authority may use video or photographic evidence captured by a camera authorized under this section to determine compliance with the laws of this state or local ordinances.

(END)

State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4758/2
ZDW:emw

2023 SENATE BILL 614

November 7, 2023 - Introduced by Senators TOMCZYK, BALLWEG and SPREITZER, cosponsored by Representatives NOVAK, ARMSTRONG, DITTRICH, GUNDRUM, KITCHENS and JACOBSON. Referred to Committee on Transportation and Local Government.

AN ACT *to create* 349.238 of the statutes; **relating to:** authorizing cameras in highway work zones.

Analysis by the Legislative Reference Bureau

This bill authorizes a county, city, town, or village to install and maintain cameras in highway work zones for the purpose of capturing video or photographic evidence of traffic accidents and other violations of the law. Evidence captured by a camera authorized under the bill may be accessed only by a law enforcement agency and only if a police report is filed in connection with a traffic accident or other violation. Evidence captured by a camera authorized under the bill may not otherwise be used to determine compliance with any state law or local ordinance.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 349.238 of the statutes is created to read:

349.238 Authority to install cameras in work zones. (1) A political subdivision may install and maintain cameras where persons are engaged in work in a highway maintenance or construction area for the purpose of capturing video or photographic evidence of traffic accidents and other violations of the law.

(2) Video and photographic evidence captured by a camera authorized under this section may be accessed only by a law enforcement agency, as defined in s. 165.83 (1) (b), and only if a police report is filed in connection with a traffic accident or other violation of the law that occurred in the highway maintenance or construction area where the camera is installed.

(3) Except as provided in sub. (2), no state or local authority may use video or photographic evidence captured by a camera authorized under this section to determine compliance with the laws of this state or local ordinances.

(END)

Resolution No. 94—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail located on a parcel of land being part of the Southeast ¼ of the Southeast ¼ and the Southwest ¼ of the Southeast ¼ of Section 8 in Township 23 North, Range 17 East, Village of Black Creek, Outagamie County, Wisconsin; for the purpose of installing a culvert and to upgrade the existing storm sewer in the village to alleviate flooding issues, as noted on the resolution and attachments.

Supervisor Culbertson moved, seconded by Supervisor Monfils, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 94—2023-24 IS ADOPTED.

VOTE RESULTS — 32 YES | 0 NO | 0 ABSTAIN | 4 ABSENT

Resolution No. 94—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to authorize a Temporary Lim DNR (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail.

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER ABSENT	28 MONFILS YES
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG ABSENT
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN ABSENT
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County — 1-23-24 County Board Meeting - January 23 2024 07:22:02 PM

January 23, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 94—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The State of Wisconsin Department of Transportation (Wi DOT) is requesting a temporary limited easement on the Newton Blackmour State Trail in the Village of Black Creek (the village), Outagamie County, Wisconsin. The project includes installing an additional culvert under the Newton Blackmour State Trail (NBST) as part of a larger storm sewer project in the village. Additionally, the project will upgrade the existing storm sewer in the village to alleviate flooding issues on WIS 47 and other local streets.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize a Temporary Limited Easement made by the State of Wisconsin Department of Natural Resources (Grantor) to the Wisconsin Department of Transportation (Grantee) on the Newton Blackmour State Trail located on a parcel of land being part of the Southeast ¼ of the Southeast ¼ and the Southwest ¼ of the Southeast ¼ of Section 8 in Township 23 North, Range 17 East, Village of Black Creek, Outagamie County, Wisconsin; said land is described and shown on the attached Temporary Limited Easement, Legal Description, and Aerial Maps, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Parks Director and the WisDOT, c/o Right of Way Professionals, Inc., Attn: Dave Selissen, 2215 E. Clairemont Avenue, Suite 1, Eau Claire, WI 54701.

Dated this 23rd day of January 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: January 23, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 1/25/24

Vetoed: _____

Signed: _____
County Executive

TEMPORARY LIMITED EASEMENT

Wisconsin Department of Transportation
Exempt from fee: s. 77.25(2r) Wis. Stats.
Exempt from filing transfer form [s. 77.21(1), 77.22(1) Wis. Stats.]
RE1577 01/2023

THIS EASEMENT, made by **State of Wisconsin, Department of Natural Resources, a Wisconsin state agency**, GRANTOR, conveys a temporary limited easement as described below to the **Wisconsin Department of Transportation**, GRANTEE, for the sum of **Four Thousand One Hundred and 00/100 Dollars ($4,100.00)** for the purpose of **sloping and grading**.

This space is reserved for recording data

Return to
WisDOT c/o
Right of Way Professionals, Inc.
Attn: Dave Selissen
2215 E. Clairemont Avenue, Suite 1
Eau Claire, WI 54701

Parcel Identification Number/Tax Key Number
None

1. **Conditions of Construction and Maintenance.** Relating to installation, construction, operation, maintenance, removal and replacement work within the Easement Area, work shall be completed as follows:
   a. Other than as otherwise permitted herein, the Trail should remain open for public use at all times. Trail closures will not be allowed during snowmobile season and may not be allowed at certain times during bicycling season depending on planned events, activities, or volume of use. All closures must be coordinated with the Grantor's Trail Manager. Any Trail closure of more than 1 day may be done only with prior written permission of the Grantor's Trail Manager.
   b. If the Trail must be blocked at any time due to safety, a flag person must be present or appropriate signage must be installed such that Trail users are informed of the blockage and an acceptable detour (if needed) must be provided by the Grantee so users can pass through safely. Grantee shall not use the Trail for backing of any equipment unless a flag person is present and directing Trail traffic.
   c. Warning signs, lights, or such other safety markers as necessary shall be placed informing Trail users of any construction work or as otherwise directed by the Grantor's Trail Manager.
   d. If needed, as determined by the Grantor's Trail Manager, Grantee shall place passable barricades at entry points for trail users that require trail users to substantially reduce their speed and proceed single file. Barricade points must include signs stating that construction activities are taking place along the Trail, listing a reduced speed limit, and indicating 2-way, single-file traffic.
   e. All excavated open holes must be adequately marked at all times by the Grantee and warning signs must be placed and maintained by Grantee a safe distance ahead in both directions.
   f. All excavated holes shall be filled in and made level with the original grade by the Grantee prior to project activity completion.
   g. Insofar as is practicable and when the Grantor requests other than during the initial construction or due to an emergency situation, the Grantee shall schedule any construction work in an area used for recreational purposes at times when the ground is frozen in order to prevent or reduce soil compaction. All work will be conducted to minimize soil disturbance. All rutting will be repaired, and the Premises restored as promptly as possible by Grantee following its work. If soils are not frozen or stable to a point that avoids rutting, timber mats, mud tracks, or equivalent must be utilized to access installation, construction, maintenance, removal or replacement locations.
   h. Any and all ground settling or Trail surface damage caused by the exercise of the Grantee's rights within a 2-year period from the date of installation or of any maintenance is the sole responsibility of the Grantee and must be restored or repaired to pre-construction or better conditions using the same type and quality materials as approved by the Grantor's Trail Manager. Upon failure to perform by the Grantee within 20 days of notification by the Grantor's Trail Manager of needed repairs or restoration, repairs or restoration may be contracted by the Grantor's Trail Manager and the Grantee shall be liable for all costs associated with such repairs and restoration.
   i. Grantee shall not park or store any vehicles or equipment on the Trail at any time unless authorized in writing by Grantor or Grantor's Trail Manager.

2. AREMA Compliance. The Premises may be encumbered by federal or state railroad interest and subject to future restoration and reconstruction of the right-of-way for rail purposes consistent with Section 208 of the National Trails System Act Amendment of 1983, Publ. L. No. 98-11 (16 U.S.C. 1247(d)) or Wis. Stat. s. 85.09, including possible termination of this Easement, and subject to reservations, exceptions and leases, agreements and permits authorized by the former railroad company or the Grantor prior to the execution of this Easement. Grantor shall provide written notice of the necessity for the reestablishment of railroad, which may result in the termination of this Easement upon the discretion of the railroad. Grantee shall: (1) not materially change the grade or topography of the Trail or the Easement Area; (2) not construct and install or remove any permanent improvement which violates American Railway Engineering and Maintenance-of-Way Association ("AREMA"), or its successors' published practices and procedures or would make such reestablishment of railroad impracticable; and (3) not allow the installation of any facility, above or below grade that does not conform to AREMA's standards or clearances for railroad.

LEGAL DESCRIPTION IS ATTACHED AND MADE A PART OF THIS DOCUMENT BY REFERENCE.

County Consent to Temporary Limited Easement

* Jeff Nooyan Date
*Board Chairperson

* Jeff King Date
*County Clerk

* Thomas M. Nelson Date
*County Executive

APPROVED AS TO FORM:

Kyle J. Sargent
Corporation Counsel
Outagamie County
Date Approved: 12/28/23

The undersigned certify that this instrument is being executed pursuant to a resolution of the board of directors (or shareholders, if authorize by law) of Grantor Corporation.

CORPORATE ACKNOWLEDGEMENT:

State of Wisconsin, Department of Natural Resources, a Wisconsin State Agency
Corporation Name

Officer Signature Date

Print Name & Title

Officer Signature Date

Print Name & Title

Date

State of Wisconsin)
) ss.
_____ County)

On the above date, this instrument was acknowledged before me by the named person(s).

The signer was: ____ Physically in my presence. **OR** ____ In my presence involving the use of communication technology.

Signature, Notary Public, State of

Print or Type Name, Notary Public, State of

Date Commission Expires

QJ10590D5

Project ID
6240-31-21

This instrument was drafted by
Dave Selissen of Right of Way Professionals, Inc.

Parcel No.
11

LEGAL DESCRIPTION

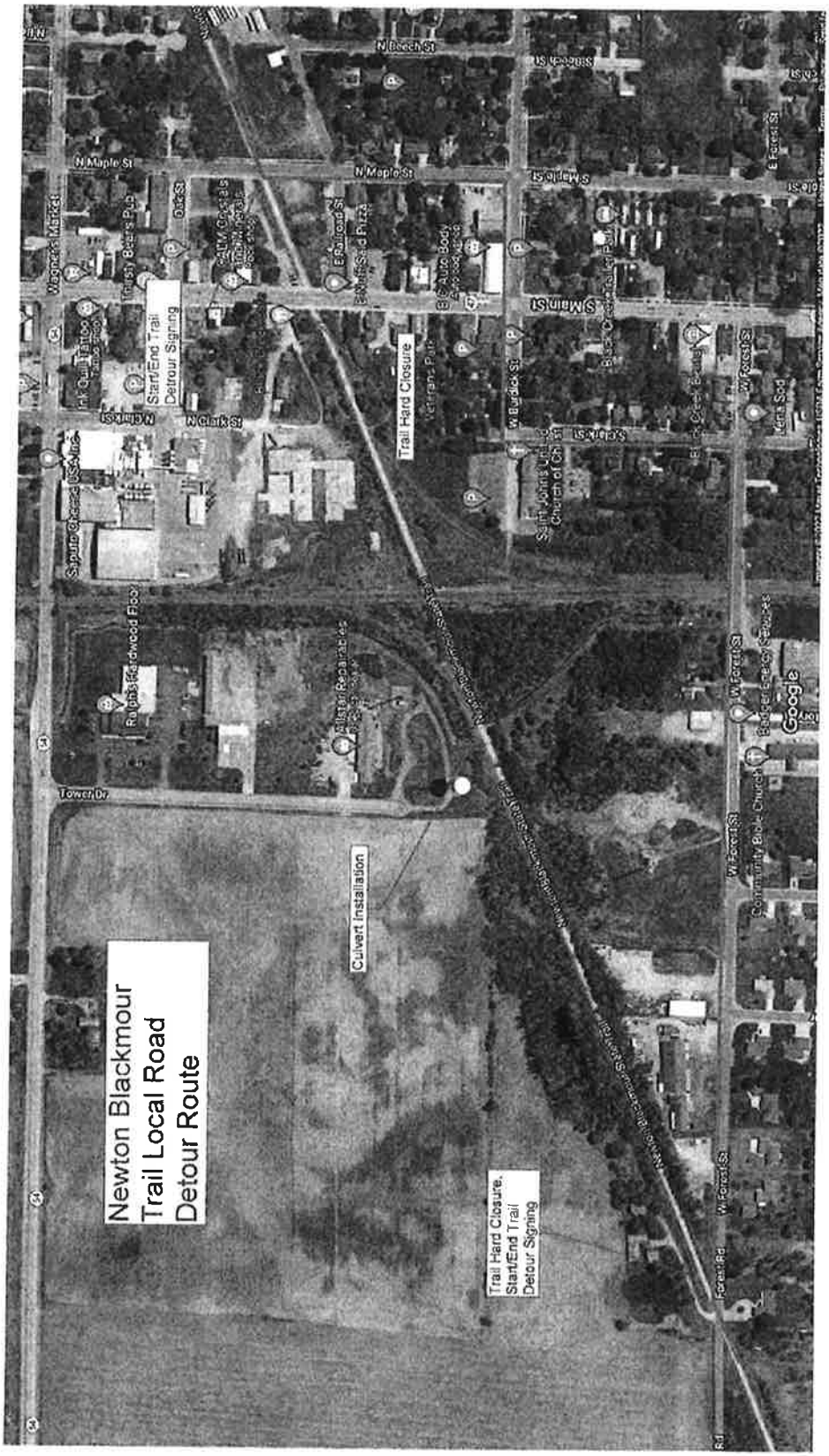
A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON, THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE OR PLANT THEREON ANY VEGETATION THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE. ALL TLE'S EXPIRE AT THE COMPLETION OF THE CONSTRUCTION PROJECT FOR WHICH THIS INSTRUMENT IS GIVEN.

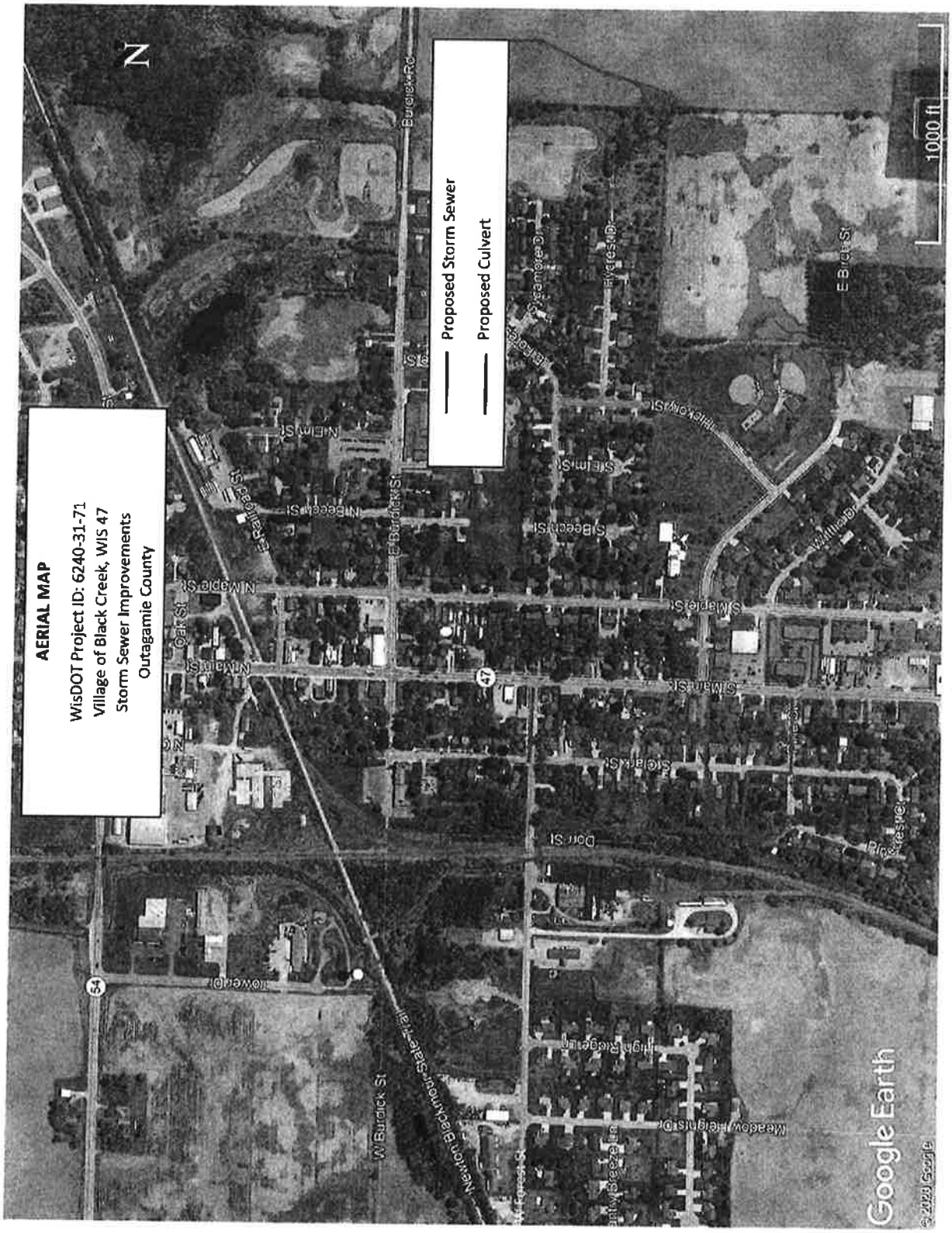
A PARCEL OF LAND BY THE OWNER BEING A PART THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, IN TOWNSHIP 23 NORTH, RANGE 17 EAST, VILLAGE OF BLACK CREEK, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED IN THE FOLLOWING TRAVERSE AS FOLLOWS:

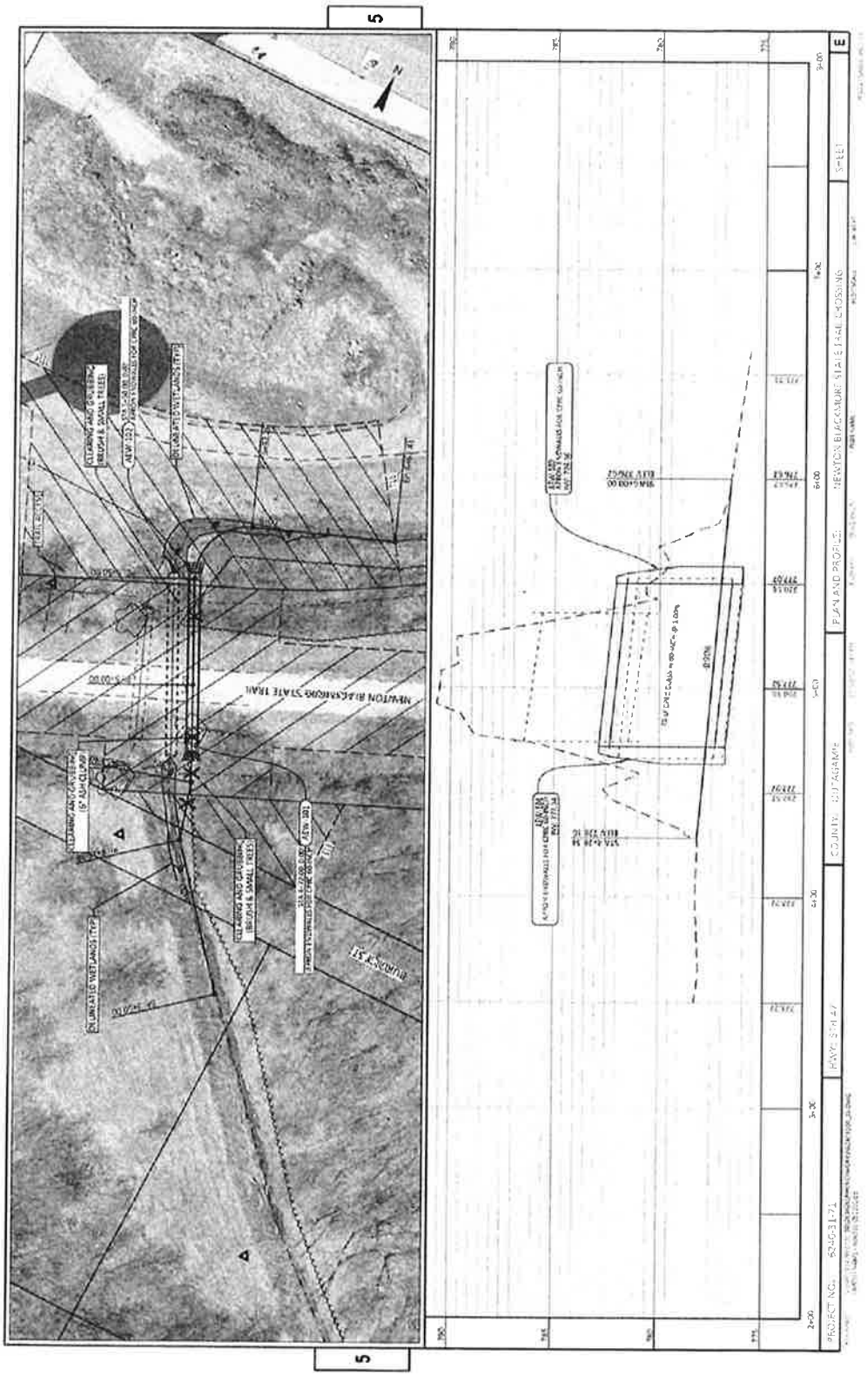
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 8, T23N, R17E, THENCE N89°18'27"W COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8 A DISTANCE OF 1100.16 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING N89°18'27"'W COINCIDENT WITH SAID SOUTH LINE A DISTANCE OF 105.64 FEET;
THENCE N22°31'06"W A DISTANCE OF 25.06 FEET;
THENCE S67°28'54"W A DISTANCE OF 58.45 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 8;
THENCE N89°18'27"W COINCIDENT WITH SAID SOUTH LINE A DISTANCE OF 126.87 FEET;
THENCE N67°28'54"E A DISTANCE OF 129.77 FEET;
THENCE N22°31'22"W A DISTANCE OF 104.43 FEET;
THENCE N88°20'15"W A DISTANCE OF 80.78 FEET TO THE WESTERLY LINE OF LOT 1 FOR OUTAGAMIE COUNTY CERTIFIED SURVEY MAP NUMBER 4143;
THENCE N01°49'09"E COINCIDENT WITH SAID WESTERLY LINE A DISTANCE OF 20.00 FEET;
THENCE S88°10'51"E A DISTANCE OF 69.45 FEET;
THENCE COINCIDENT WITH THE ARC OF A CURVE TO THE LEFT 171.19 FEET WITH SAID CURVE HAVING A RADIUS OF 270.34 FEET AND A CHORD THAT BEARS N73°40'43"E WITH A CHORD LENGTH OF 168.34 FEET;
THENCE S34°27'44"E A DISTANCE OF 39.99 FEET;
THENCE COINCIDENT WITH THE ARC OF A CURVE TO THE RIGHT 48.69 FEET WITH SAID CURVE HAVING A RADIUS OF 461.50 FEET AND A CHORD THAT BEARS S62°12'03"W WITH A CHORD LENGTH OF 48.66 FEET;
THENCE S22°31'22"E A DISTANCE OF 65.34 FEET;
THENCE N67°28'54"E A DISTANCE OF 108.77 FEET;
THENCE S25°14'31"E A DISTANCE OF 50.06 FEET;
THENCE S67°28'54"W A DISTANCE OF 110.87 FEET;
THENCE S22°31'06"E A DISTANCE OF 25.06 FEET;
THENCE N67°28'54"E A DISTANCE OF 35.91 FEET;
THENCE S01°48'35"W A DISTANCE OF 45.70 FEET TO THE POINT OF BEGINNING.
EXCEPTING THE LANDS CONTAINED IN A 30-FOOT WIDE STORM DRAINAGE EASEMENT AS DESCRIBED IN DOCUMENT NUMBER 1158643 AND AS SHOWN ON SHEET 4.08 OF THE RIGHT OF WAY PLAT FOR PROJECT 6240-31-21 AND FILED IN THE OUTAGAMIE COUNTY CLERK'S OFFICE.

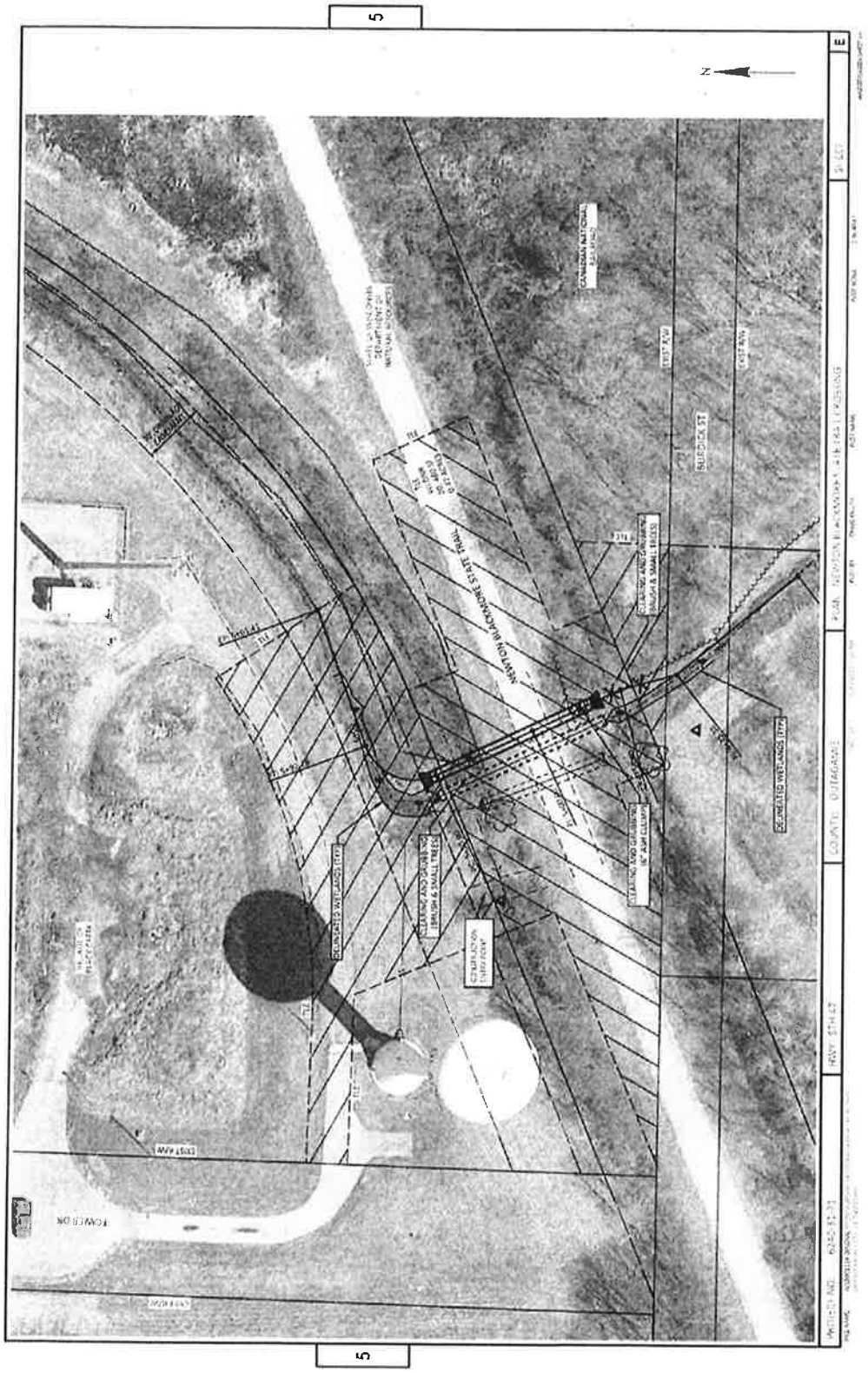
CONTAINING 20,460 SQUARE FEET, MORE OR LESS.

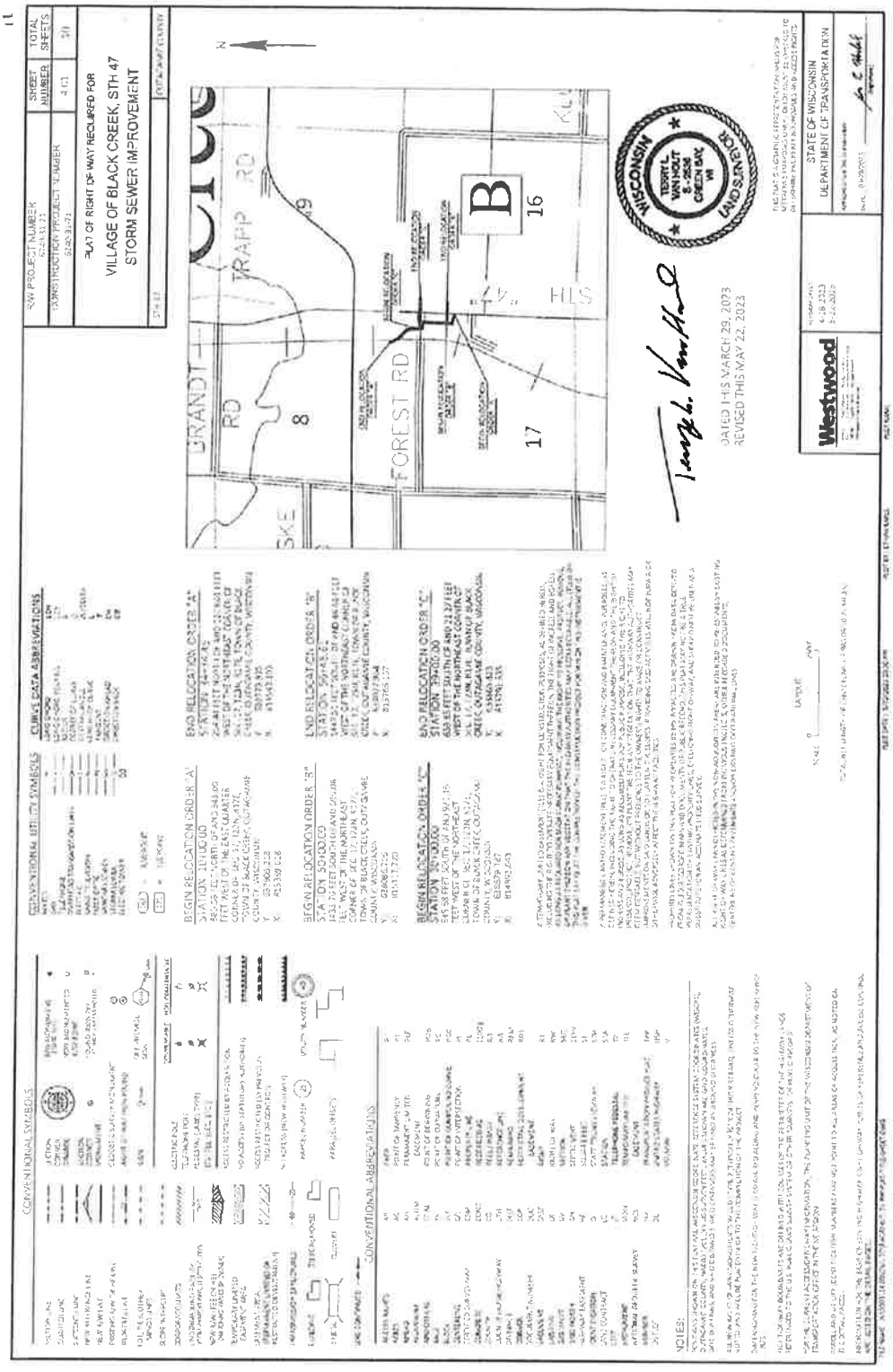
SUBJECT TO ALL OTHER EASEMENTS, RESTRICTIONS, AND COVENANTS, RECORDED AND UNRECORDED.


Newton Blackmour
Trail Local Road
Detour Route
Culvert Installation
Trail Hard Closure.
Start/End Trail
Detour Signing
Trail Hard Closure
Start/End Trail
Detour Signing
N Maple St
N Beech St
N Clark St
W Forest St
E Forest St
S Main St
Tower Dr
Forest Rd
Google


AERIAL MAP
WisDOT Project ID: 6240-31-71
Village of Black Creek, WIS 47
Storm Sewer Improvements
Outagamie County
Proposed Storm Sewer
Proposed Culvert
N
1000 ft
E Burdick St
W Burdick St
N Elm St
S Elm St
N Maple St
S Maple St
N Main St
S Main St
N Beech St
S Beech St
Oak St
Dorr St
Meadow Heights Dr
High Ridge Ln
Newton Blackmour State Trail
Google Earth


NEWTON BLACKMORE STATE TRAIL
PLAN AND PROFILE
NEWTON BLACKMORE STATE TRAIL CROSSING
COUNTY
SHEET
PROJECT NO.




PLAT OF RIGHT OF WAY REQUIRED FOR
VILLAGE OF BLACK CREEK, STH 47
STORM SEWER IMPROVEMENT
GRANDT RD
TRAPP RD
FOREST RD
DATED THIS MARCH 29, 2023
REVISED THIS MAY 22, 2023
Westwood
STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION

SCHEDULE OF LANDS AND INTERESTS REQUIRED

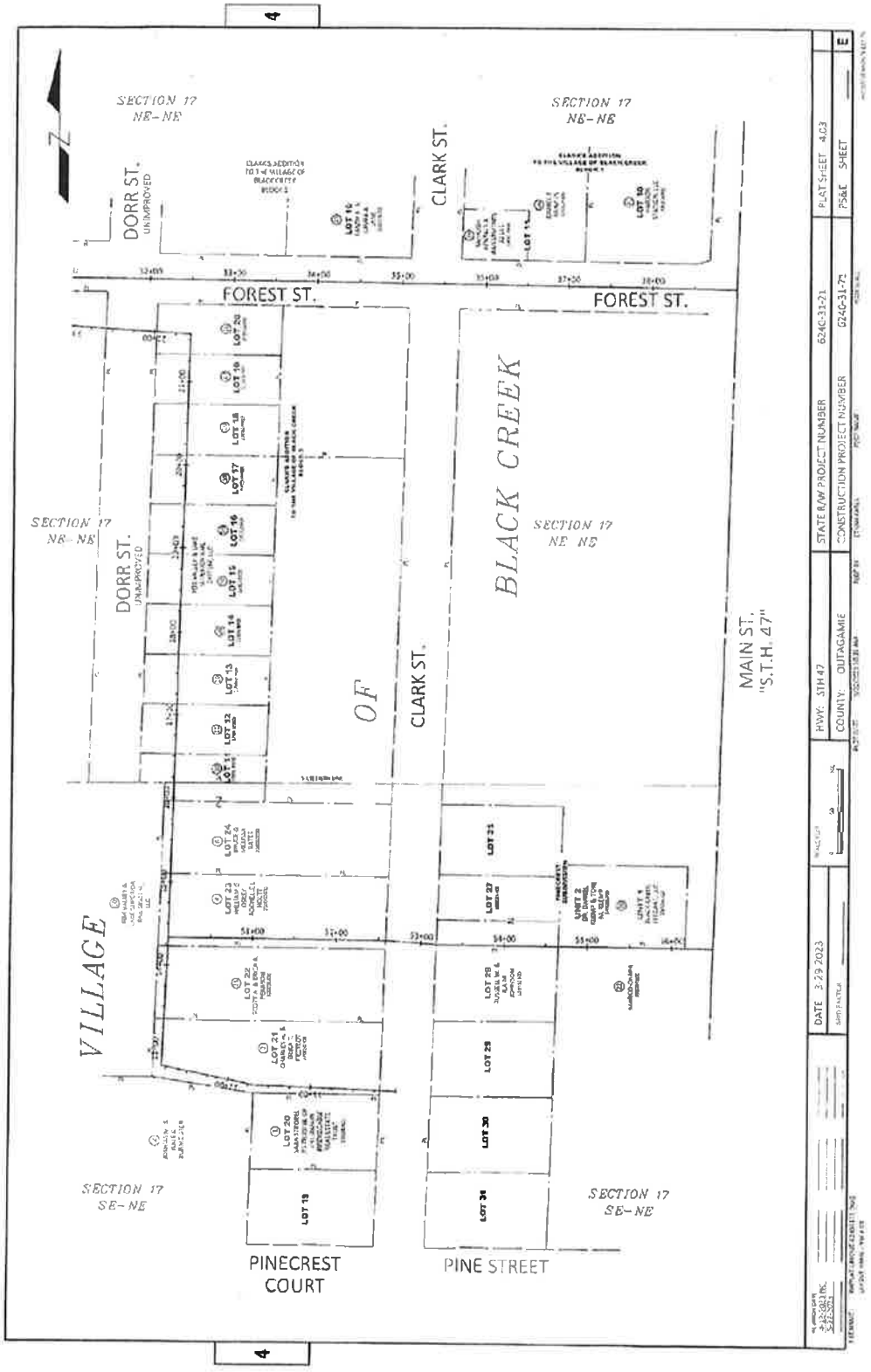
AREAS SHOWN IN THE TOTAL ACRES COLUMN MAY BE APPROXIMATE AND ARE DERIVED FROM TAX ROLL OR OTHER AVAILABLE SOURCES AND MAY NOT INCLUDE LANDS OF THE OWNER WHICH ARE NOT CONTIGUOUS TO THE AREA TO BE ACQUIRED. OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS TO THE COUNTY.

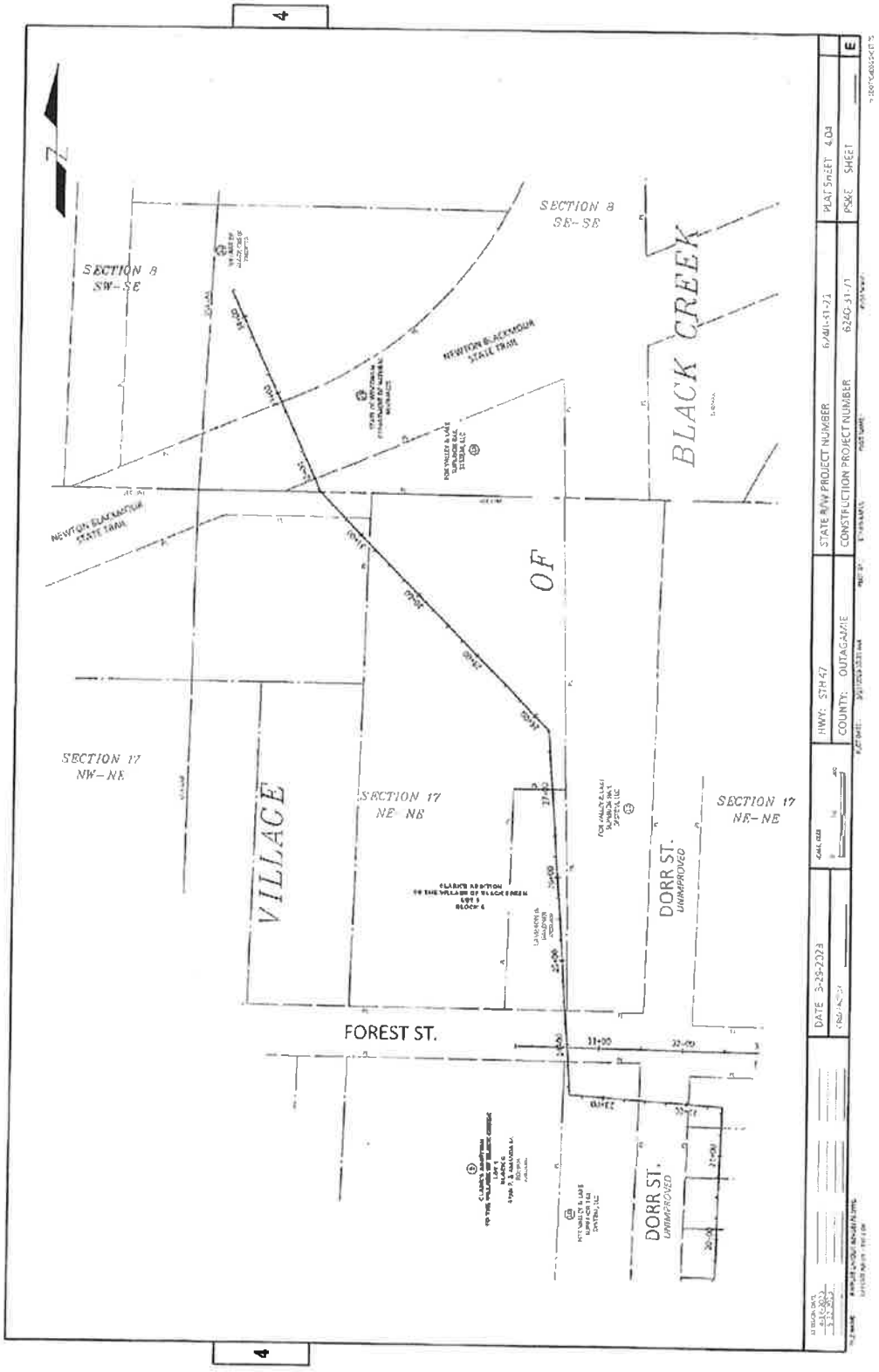
PARCEL NUMBER	SHEET NUMBER(S)	OWNER(S)	INTEREST REQUIRED	FEE R/W AREA REQUIRED - SF			TLE SF REQUIRED	PLE SF REQUIRED
				NEW	EXISTING	TOTAL		
1	4.05	SARA STROBEL AS TRUSTEE OF BRAUN TRUST	TLE	0	0	0	2,162	0
2	4.05	JOSHUA M. & JULIE K. BURMEISTER	TLE	0	0	0	493	0
3	4.05	CHARLES H. & ERIKA T. FIESTEDT	TLE	0	0	0	764	0
4	4.05	WILLIAM G. OSKEY & ROCHELLE L. HOLTZ	TLE	0	0	0	570	0
6	4.05	BRUCE & MELISSA BATES	PLE, TLE	0	0	0	1,089	435
9	4.07	RYAN P. & AMANDA M. ROHAN	PLE	0	0	0	0	187
10	4.05, 4.06, 4.07, 4.08	FOX VALLEY & LAKE SUPERIOR RAIL SYSTEM, LLC	PLE, TLE	0	0	0	30,781	22,527
11	4.08	STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES	TLE	0	0	0	20,460	0
12	4.08	VILLAGE OF BLACK CREEK	TLE	0	0	0	10,085	0
20	4.09	BLACK CREEK EYECARE, LLC (UNIT 1) & DR. DARREL KLEMP AND TONI M. KLEMP (UNIT 2)	TLE	0	0	0	1,500	0
21	4.09	SCOTT A. & ERICA A. PEARSON	TLE	0	0	0	2,318	0
22	4.09	MARCO CHAPA	TLE	0	0	0	750	0
23	4.10	RANDY R. & LAURA A. LANE	TLE	0	0	0	250	0
24	4.10	MCHUGH RENTALS & INVESTMENTS 37 LLC	TLE	0	0	0	396	0
26	4.10	DANIEL J. BRINCKS	TLE	0	0	0	348	0
27	4.10	HARBOR STATION LLC	TLE	0	0	0	705	0

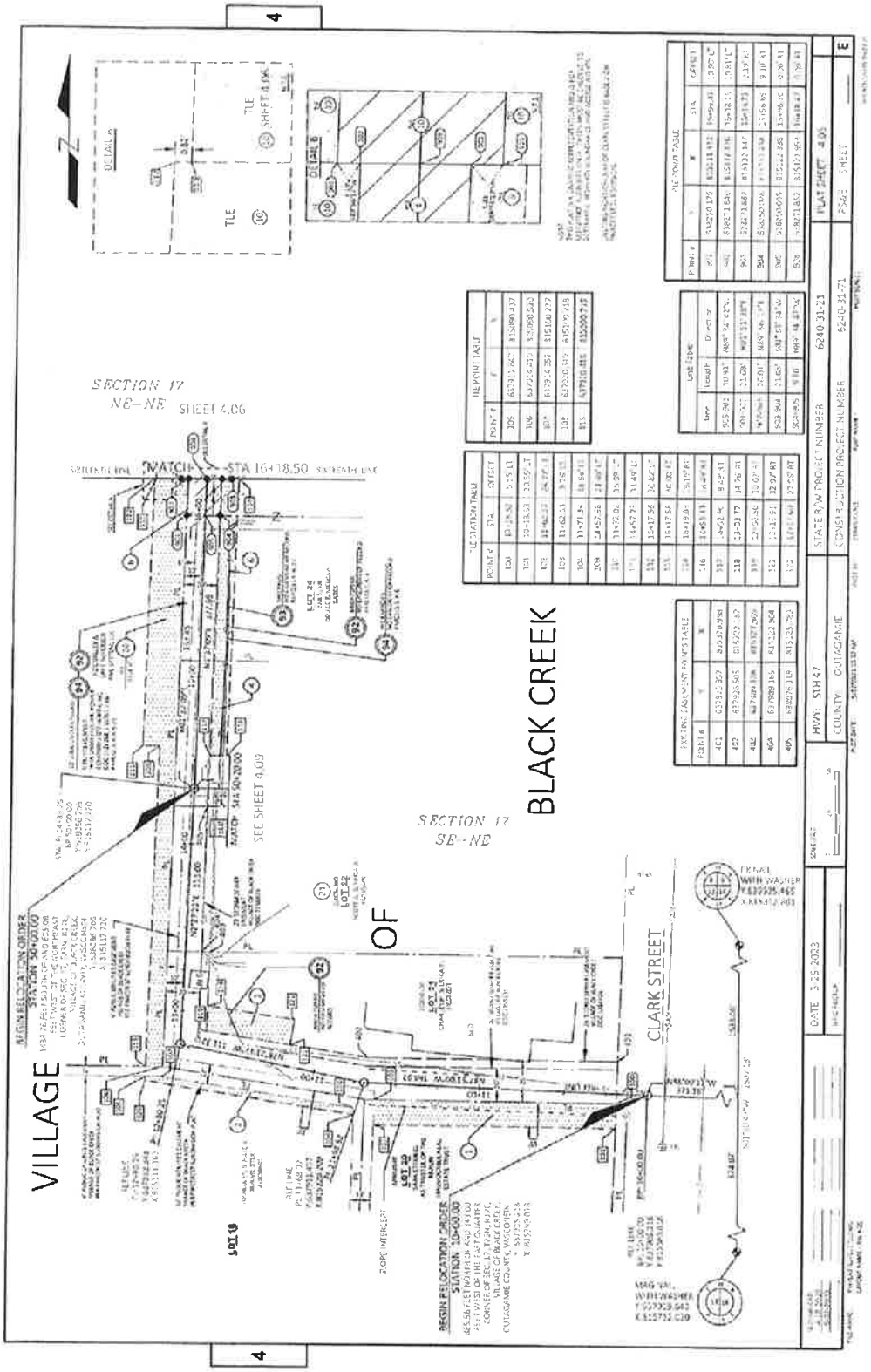
UTILITY INTERESTS REQUIRED			
UTILITY NUMBER	UTILITY OWNER	INTERESTS REQUIRED	EASEMENTS
92	BRIGHT SPEED	RELEASE OF RIGHTS	
93	SPECTRUM	RELEASE OF RIGHTS	
94	WE ENERGIES (ELECTRIC)	RELEASE OF RIGHTS	
95	WE ENERGIES (GAS)	RELEASE OF RIGHTS	

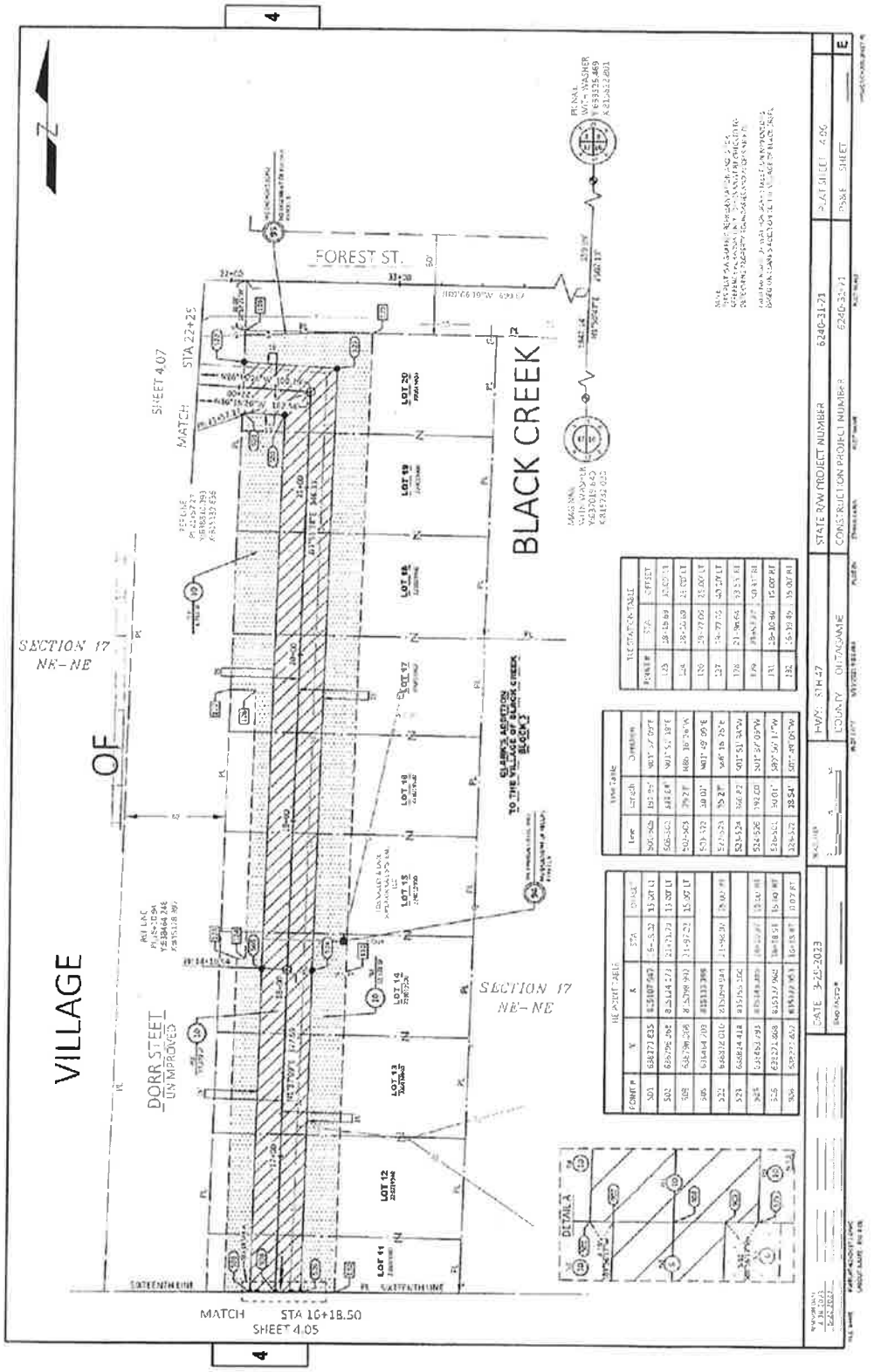
DATE 3-29-2023 | HWY: STH 47 | STATE R/W PROJECT NUMBER 6240-31-21 | PLAT SHEET 4.02 | E

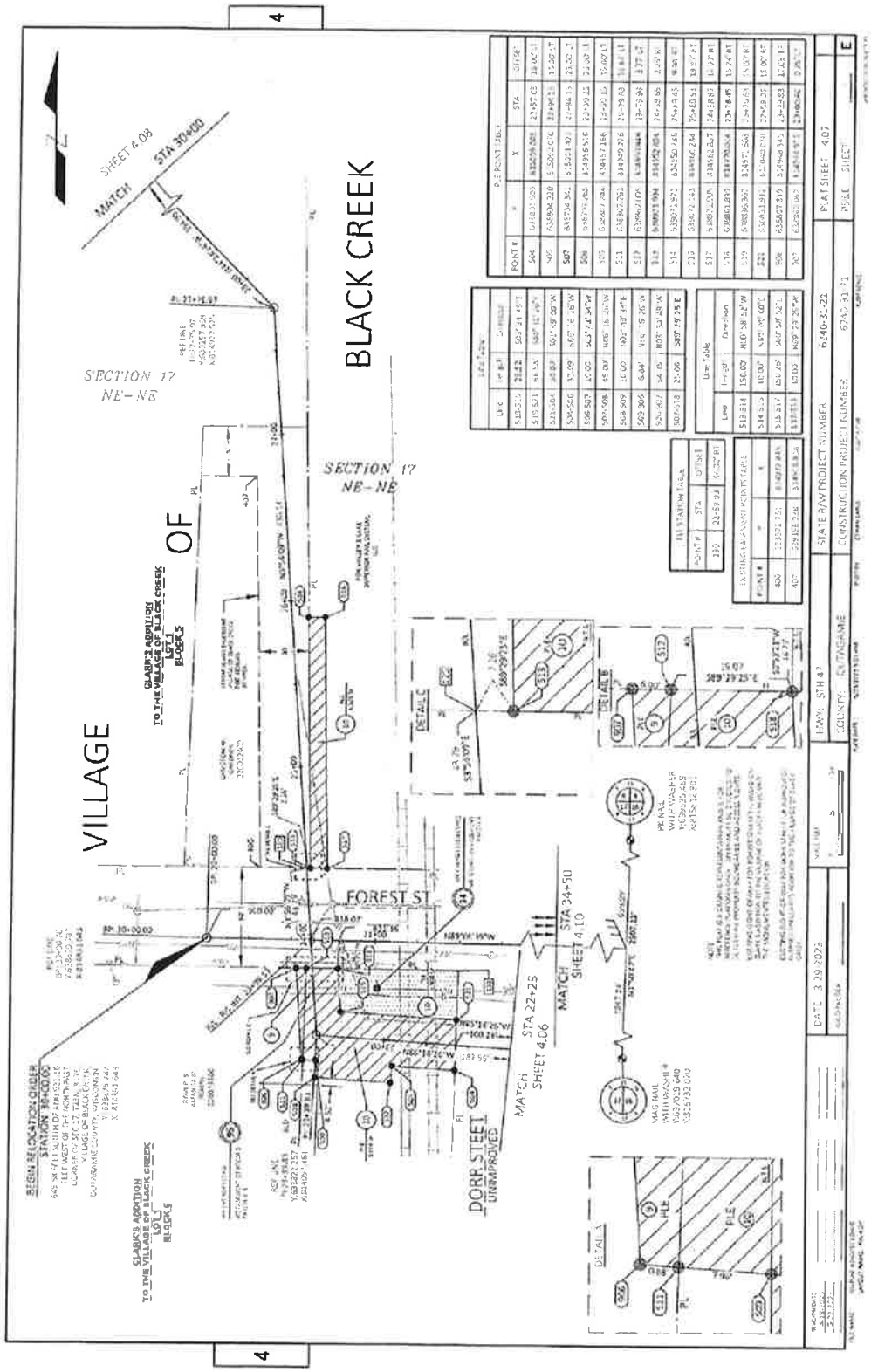
COUNTY: OUTAGAMIE | CONSTRUCTION PROJECT NUMBER 6240-31-71 | PS&E SHEET

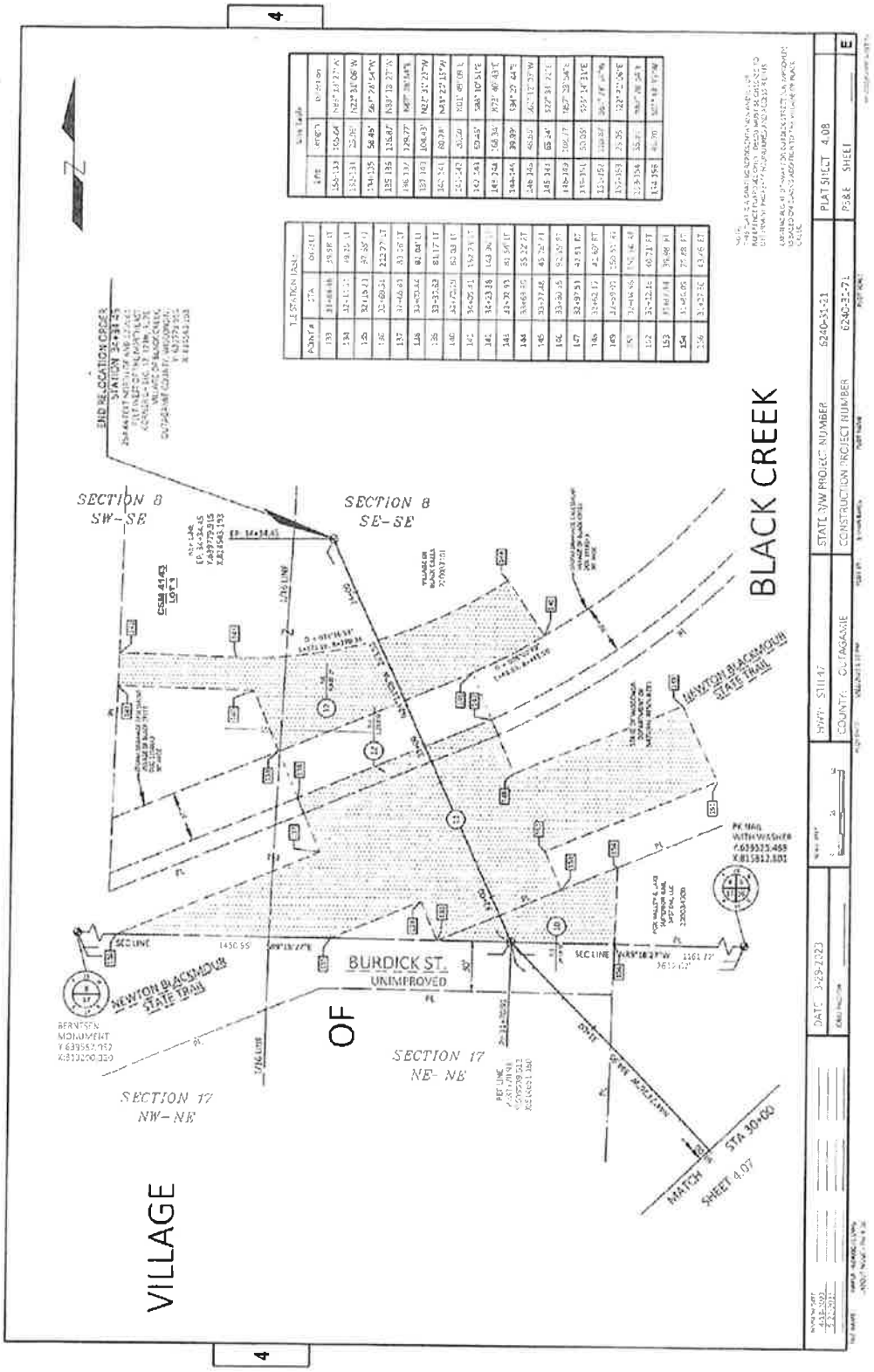

SECTION 17
NE-NE
DORR ST.
UNIMPROVED
CLARK ST.
SECTION 17
NE-NE
FOREST ST.
FOREST ST.
BLACK CREEK
SECTION 17
NE NE
SECTION 17
NE-NE
DORR ST.
UNIMPROVED
OF
CLARK ST.
MAIN ST.
"S.T.H. 47"
VILLAGE
SECTION 17
SE-NE
SECTION 17
SE-NE
PINECREST
COURT
PINE STREET
DATE 3-29-2023
STATE R/W PROJECT NUMBER 6240-31-21
CONSTRUCTION PROJECT NUMBER 6240-31-72
HWY: STH 47
COUNTY: OUTAGAMIE
PLAT SHEET 4-03
PS&E SHEET

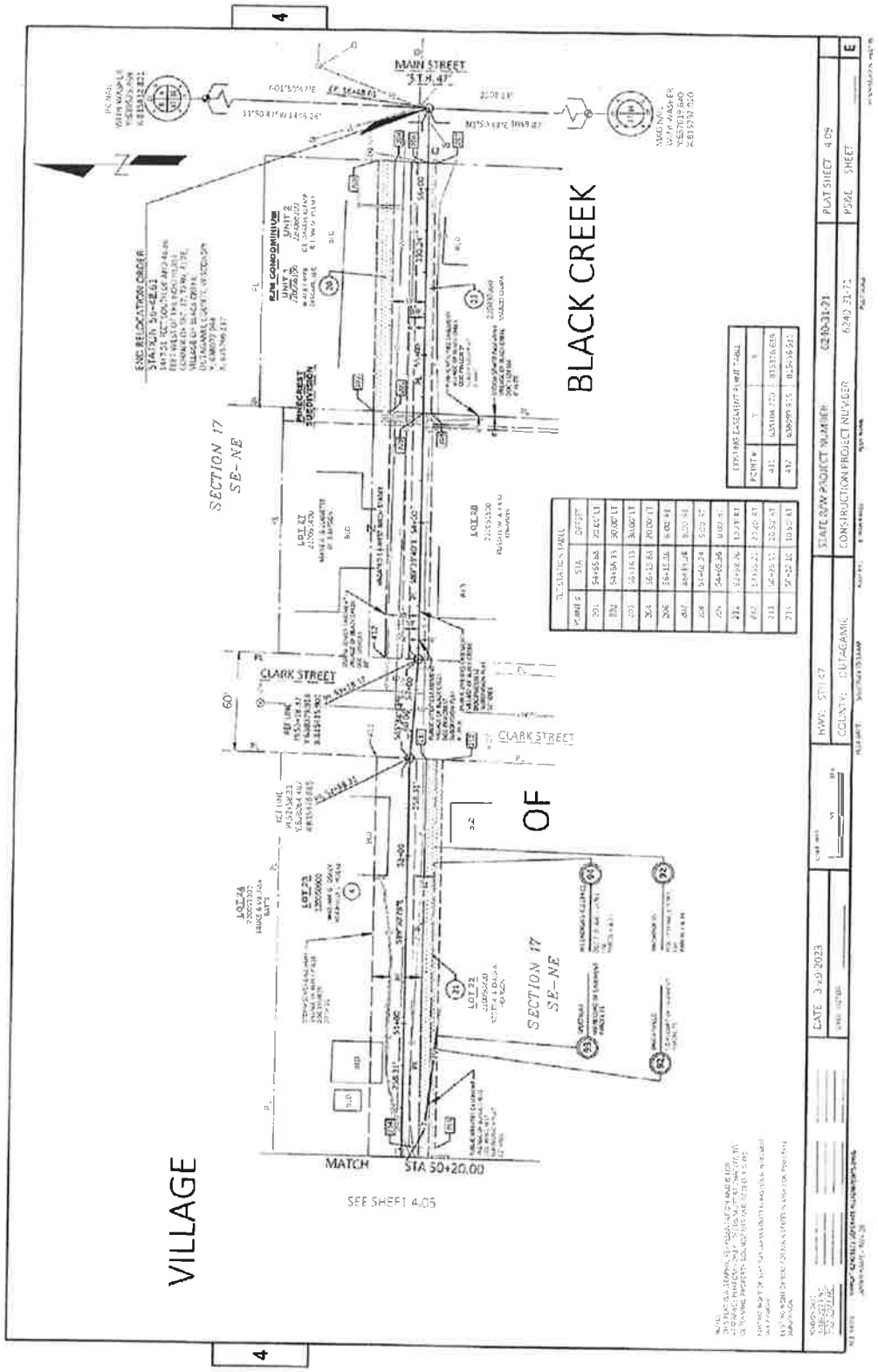

4
SECTION 8
SW-SE
SECTION 8
SE-SE
BLACK CREEK
NEWTON BLACKMOUR
STATE PARK
NEWTON BLACKMOUR
STATE PARK
OF
SECTION 17
NW-NE
VILLAGE
SECTION 17
NE NE
SECTION 17
NE-NE
DORR ST.
UNIMPROVED
FOREST ST.
DORR ST.
UNIMPROVED
HWY: STH 47
COUNTY: OUTAGAMIE
STATE R/W PROJECT NUMBER 6480-41-71
CONSTRUCTION PROJECT NUMBER 6240-31-71
PLAT SHEET 4 OF 4
PSHE SHEET
DATE 3-29-2023
4

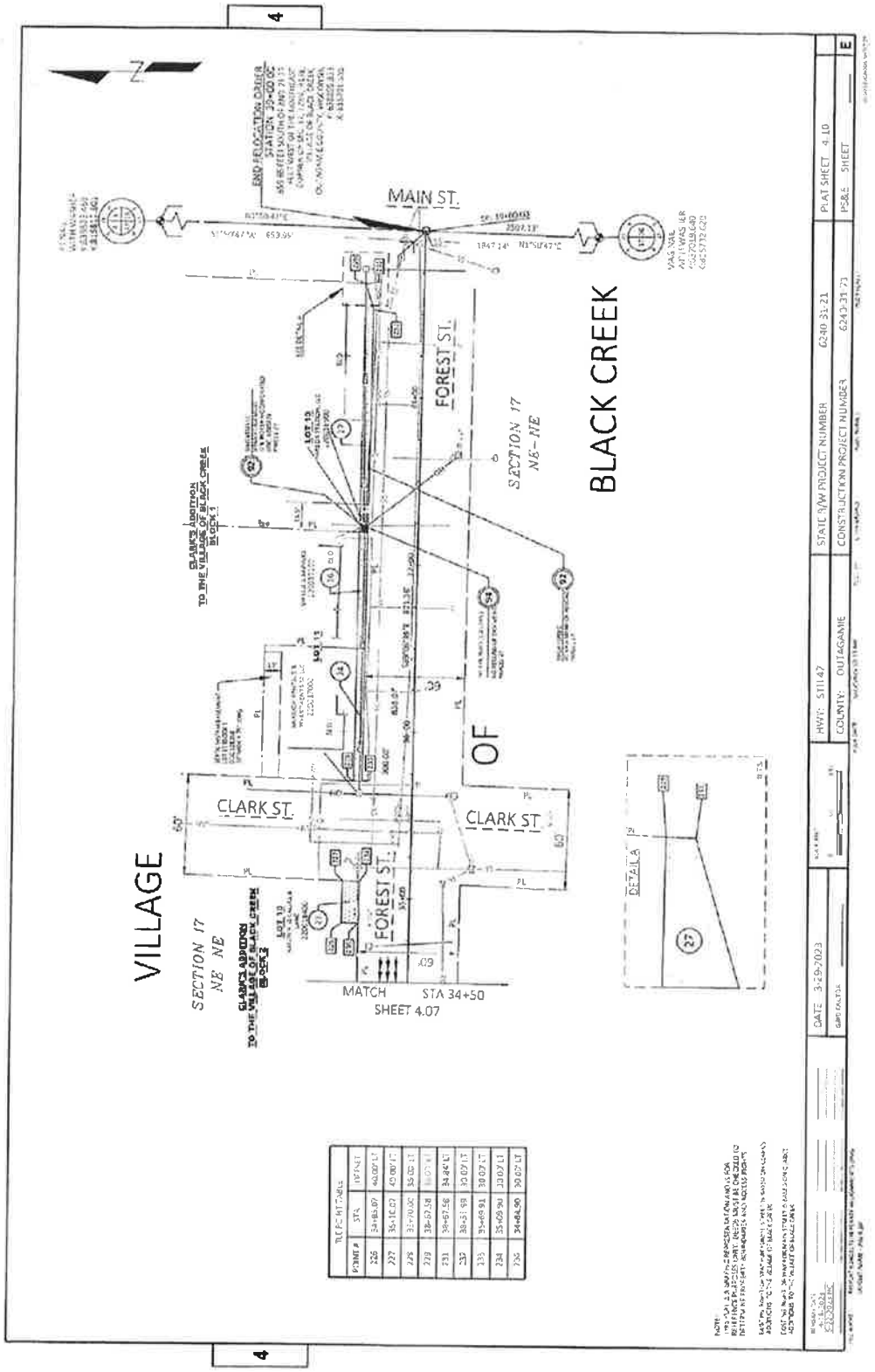

VILLAGE
OF
BLACK CREEK
CLARK STREET
SECTION 17
NE-NE
SHEET 4.06
SECTION 17
SE-NE
SEE SHEET 4.03
MATCH STA 164+18.50
BEGIN RELOCATION ORDER
STATION 504+00.00
BEGIN RELOCATION ORDER
STATION 504+00.00
HWY: STH 47
COUNTY: OUTAGAMIE
CONSTRUCTION PROJECT NUMBER 6240-31-71
STATE R/W PROJECT NUMBER 6240-31-21
FLAT SHEET 4.05
DATE 3-29-2023
DETAIL 8
DETAIL 9
TLE
TLE
SHEET 4.06


FOREST ST.
BLACK CREEK
SECTION 17
NE-NE
VILLAGE OF
DORR STEET
UNIMPROVED
SECTION 17
NE-NE
MATCH STA 10+18.50
SHEET 4.05
SHEET 4.07
MATCH STA 22+25
DETAIL A
STATE R/W PROJECT NUMBER 6240-31-21
CONSTRUCTION PROJECT NUMBER 6240-32-21
HWY: STH 47
COUNTY: OUTAGAMIE
DATE 3-25-2023


BLACK CREEK
VILLAGE OF
SECTION 17
NE-NE
SECTION 17
NE-NE
FOREST ST
DORR STREET
UNIMPROVED
MATCH
SHEET 4.08
STA 30+00
MATCH
SHEET 4.10
STA 34+50
MATCH
SHEET 4.06
STA 22+25
DETAIL A
DETAIL B
DETAIL C
BEGIN RELOCATION ORDER
STATION 30+00.00
CLARK'S ADDITION
TO THE VILLAGE OF BLACK CREEK
LOT
BLOCK
STATE P/W PROJECT NUMBER
6240-31-22
CONSTRUCTION PROJECT NUMBER
PLAN SHEET 4.07
PLAT SHEET
DATE 3/29/2023


BLACK CREEK
VILLAGE OF
SECTION 8
SW-SE
SECTION 8
SE-SE
SECTION 17
NW-NE
SECTION 17
NE-NE
BURDICK ST.
UNIMPROVED
NEWTON BLACKSMITH STATE TRAIL
SEC LINE
MATCH
SHEET 4.07
STA 30+00
PLAT SHEET 4.08
STATE JOB PROJECT NUMBER 6240-31-21
CONSTRUCTION PROJECT NUMBER 6240-31-71
DATE 3-23-2023


BLACK CREEK
VILLAGE OF
SECTION 17 SE-NE
SECTION 17 SE-NE
MAIN STREET
CLARK STREET
CLARK STREET
MATCH STA 50+20.00
SEE SHEET 4.05
STATE R/W PROJECT NUMBER
CONSTRUCTION PROJECT NUMBER
PLAT SHEET 4.04


MAIN ST.
FOREST ST.
CLARK ST.
CLARK ST
FOREST ST.
VILLAGE OF BLACK CREEK
SECTION 17 NE NE
SECTION 17 N8-NE
MATCH STA 34+50
SHEET 4.07
DETAIL A
HWY: STH 47
COUNTY: OUTAGAMIE
STATE P/W PROJECT NUMBER 6240-31-21
CONSTRUCTION PROJECT NUMBER 6243-31-73
PLAT SHEET 4.10
P S & E SHEET
DATE: 3-29-2023

Resolution No. 95—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve the following line item changes, as noted on the resolution and fiscal note: increase Land Conservation Salaries by $9,850; increase Land Conservation Fringes by $11,950; decrease Land Conservation Travel/Training by $6,000; decrease Land Conservation Supplies by $15,800; increase TMDL – New Water Supplies by $3,100; and decrease the TMDL - New Water Purchased Services by $3,100, to better allocate and best spend the funds available for the Land Conservation Department.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 95—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES | 0 NO | 0 ABSTAIN | 4 ABSENT

Resolution No. 95—2023-24

Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve the line item changes — **Passed With 2/3 of Full Membership**

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	ABSENT
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — 1-23-24 County Board Meeting - January 23 2024 07:22:45 PM

January 23, 2024 County Board Meeting — OpenMeeting

RESOLUTION NO.: 95—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Land Conservation Department (LCD) is requesting budget adjustments related to its operational budget and grants for calendar year 2023 in order to better allocate and best spend the funds available. The Land Conservation Department utilizes multiple grants to fund positions within the Department. The Department makes its best estimates to budget time towards the various grants. Various factors including weather, contractor availability, and type of projects may vary chargeable staff time, requiring minor budget adjustments at the end of the year annually.

The total impact of these adjustments are budget neutral and require no additional County funding.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning, and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors, does authorize and approve of increasing the Land Conservation Salaries line item by $9,850; increasing the Land Conservation Fringes line item by $11,950; decreasing the Land Conservation Travel/Training line item by $6,000; decreasing the Land Conservation Supplies line item by $15,800; increasing the TMDL – New Water Supplies line item by $3,100; and decreasing the TMDL - New Water Purchased Services line item by $3,100, as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Land Conservation Department Director and the Outagamie County Finance Director.

Dated this 23rd day of January 2024

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING AND LAND CONSERVATION COMMITTEE

Debbie Vander Heiden

Daniel Rettler

Rick Lautenschlager

Sarah Weinberg

Dustin Koury

Duly and officially adopted by the County Board on: January 23, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 1.25.24 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Fiscal Year 2023 Land Conservation Department Year End Budget Adjustments

2. **Description:** Finance Department sent out requests for Departments to review their budgets for current Fiscal Year 2023. The Land Conservation Department reviewed and returned the requested Budget adjustments for this fiscal to better allocate and best spend the funds available: Land Conservation utilizes multiple grants to fund positions within the Department. The Department makes its best estimates to budget time towards the various grants. Various factors including weather, contractor availability, and type of projects may vary chargeable staff time, requiring minor budget adjustments at the end of the year annually.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no ( )

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (x) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Land Conservation	Salaries	1008200.5100	$9,850
Land Conservation	Fringe	1008200.5200	$11,950
Land Conservation	Travel/Training	1008200.5300	($6,000)
Land Conservation	Supplies	1008200.5400	($15,800)
TMDL - New Water	Supplies	2090600.5400	$3,100
TMDL - New Water	Purchased Services	2090600.5500	($3,100)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost $0.00 Annual Revenue

Fiscal Note Prepared by: Kay L Hamilton, Deputy Finance Director

For Financial Services purposes only	
Reviewed By: Kay L Hamilton	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 1/3/24	
Comments:	

RECONSIDERATION/LOCK IN OF DEFEATED RESOLUTION NO. 96—2023-24

VOICE VOTE CARRIED UNANIMOUSLY. DEFEATED RESOLUTION NO. 96—2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS

0 Requests to Speak

Resolution No. 96—2023-24 - Lock In

Lock in of Resolution No. 96—2023-24

Passed By Voice Vote

1 THOMPSON	PRESENT	13 WEGAND	PRESENT	25 NOOYEN	PRESENT
2 MILLER	PRESENT	14 HERMES	PRESENT	26 WEINBERG	PRESENT
3 SMITH	PRESENT	15 MacDONALD	PRESENT	27 CULBERTSON	PRESENT
4 PATIENCE	PRESENT	16 SCHROEDER	ABSENT	28 MONFILS	PRESENT
5 GABRIELSON	PRESENT	17 CROATT	PRESENT	29 WINTERFELDT	PRESENT
6 KOSTELNY	PRESENT	18 SPEARS	PRESENT	30 NEJEDLO	PRESENT
7 HAMMEN	PRESENT	19 COOKE	PRESENT	31 CLEGG	ABSENT
8 LAWRENCE	PRESENT	20 SANTONATO	PRESENT	32 THYSSEN	ABSENT
9 KRUEGER	PRESENT	21 CUFF	PRESENT	33 VANDERHEIDEN	PRESENT
10 LAMERS	PRESENT	22 HAGEN	PRESENT	34 RETTLER	ABSENT
11 FERGUSON	PRESENT	23 KLEMP	PRESENT	35 KOURY	PRESENT
12 McCABE	PRESENT	24 THIEDE	PRESENT	36 LAUTENSCHLAGER	PRESENT

Outagamie County Est. 1851 **1-23-24 County Board Meeting - January 23 2024 08:43:00 PM**

January 23, 2024 County Board Meeting

OpenMeeting TECHNOLOGIES

RECONSIDERATION/LOCK IN OF DEFEATED RESOLUTION NO. 96—2023-24

Supervisor Krueger moved, seconded by Supervisor Cooke, to reconsider Resolution No. 96—2023-24.

VOICE VOTE CARRIED UNANIMOUSLY. DEFEATED RESOLUTION NO. 96—2023-24 IS RECONSIDERED.

VOTE RESULTS

0 Requests to Speak

Resolution No. 96—2023-24 - Reconsideration

Reconsideration of Resolution No. 96—2023-24

Passed By Voice Vote

1 THOMPSON	PRESENT	13 WEGAND	PRESENT	25 NOOYEN	PRESENT
2 MILLER	PRESENT	14 HERMES	PRESENT	26 WEINBERG	PRESENT
3 SMITH	PRESENT	15 MacDONALD	PRESENT	27 CULBERTSON	PRESENT
4 PATIENCE	PRESENT	16 SCHROEDER	ABSENT	28 MONFILS	PRESENT
5 GABRIELSON	PRESENT	17 CROATT	PRESENT	29 WINTERFELDT	PRESENT
6 KOSTELNY	PRESENT	18 SPEARS	PRESENT	30 NEJEDLO	PRESENT
7 HAMMEN	PRESENT	19 COOKE	PRESENT	31 CLEGG	ABSENT
8 LAWRENCE	PRESENT	20 SANTONATO	PRESENT	32 THYSSEN	ABSENT
9 KRUEGER	PRESENT	21 CUFF	PRESENT	33 VANDERHEIDEN	PRESENT
10 LAMERS	PRESENT	22 HAGEN	PRESENT	34 RETTLER	ABSENT
11 FERGUSON	PRESENT	23 KLEMP	PRESENT	35 KOURY	PRESENT
12 McCABE	PRESENT	24 THIEDE	PRESENT	36 LAUTENSCHLAGER	PRESENT

Outagamie County

1-23-24 County Board Meeting - January 23 2024 08:42:41 PM

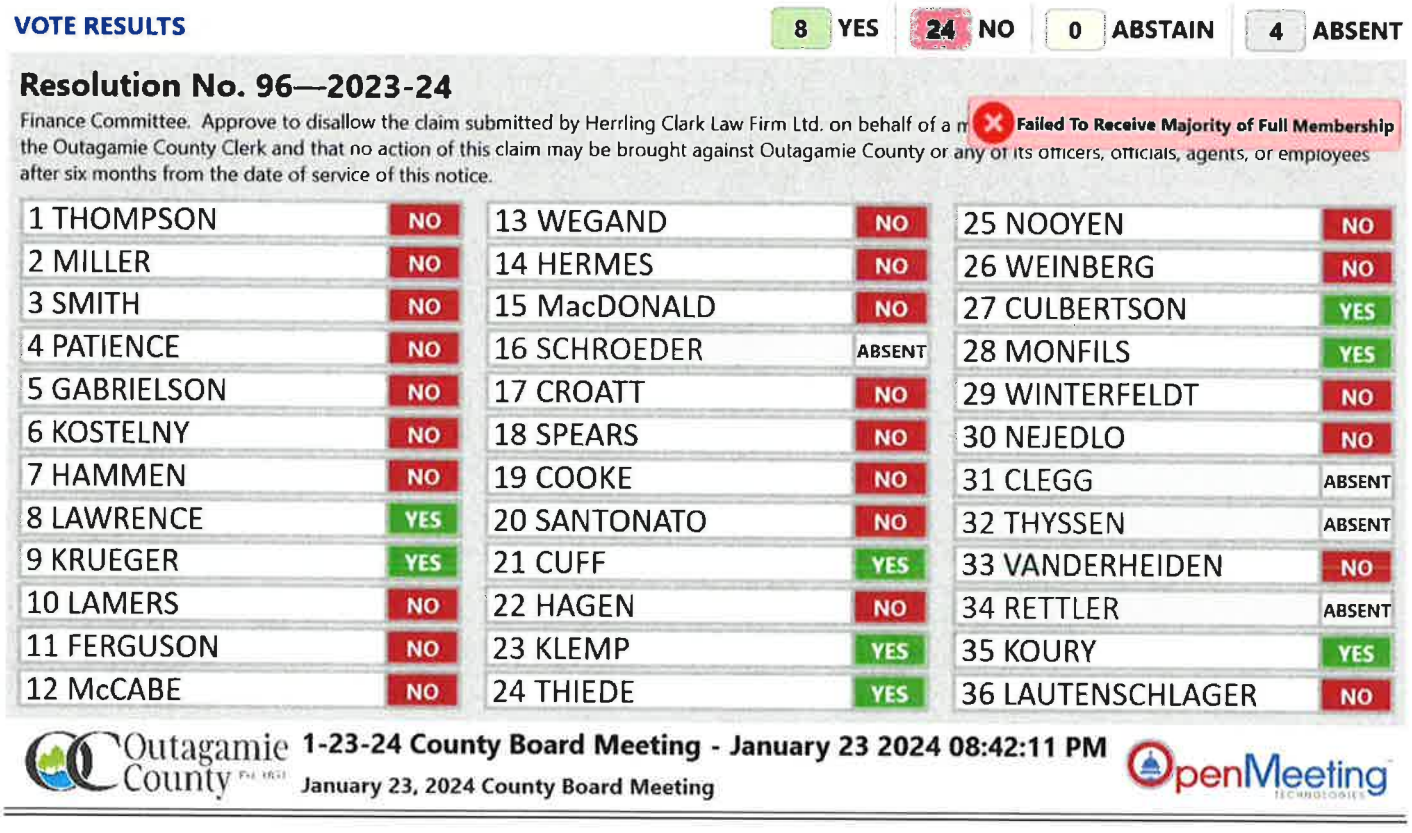
January 23, 2024 County Board Meeting

OpenMeeting

Resolution No. 96—2023-24 – Finance Committee. Approve to disallow the claim submitted by Herrling Clark Law Firm Ltd. on behalf of a minor that has been placed on file in the office of the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Supervisor Krueger moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 8 yes (Lawrence, Krueger, Cuff, Klemp, Thiede, Culbertson, Monfils, Koury), 24 no, 4 absent. RESOLUTION NO. 96—2023-24 IS DEFEATED.



VOTE RESULTS — 8 YES | 24 NO | 0 ABSTAIN | 4 ABSENT

Resolution No. 96—2023-24

Finance Committee. Approve to disallow the claim submitted by Herrling Clark Law Firm Ltd. on behalf of a m … the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice.

Failed To Receive Majority of Full Membership

1 THOMPSON	NO	13 WEGAND	NO	25 NOOYEN	NO
2 MILLER	NO	14 HERMES	NO	26 WEINBERG	NO
3 SMITH	NO	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	NO	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	NO	17 CROATT	NO	29 WINTERFELDT	NO
6 KOSTELNY	NO	18 SPEARS	NO	30 NEJEDLO	NO
7 HAMMEN	NO	19 COOKE	NO	31 CLEGG	ABSENT
8 LAWRENCE	YES	20 SANTONATO	NO	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	NO
10 LAMERS	NO	22 HAGEN	NO	34 RETTLER	ABSENT
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	NO	24 THIEDE	YES	36 LAUTENSCHLAGER	NO

Outagamie County — 1-23-24 County Board Meeting - January 23 2024 08:42:11 PM — January 23, 2024 County Board Meeting — OpenMeeting

RESOLUTION NO.: 96—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

A notice of potential suit was received by Outagamie County's liability carrier, Wisconsin Municipal Mutual Insurance Company (WMMIC) on December 28, 2022. A Notice of Injury and Claim for Damages was received on October 25, 2023 from Herrling Clark Law Firm Ltd. on behalf of a minor, and placed on file in the Outagamie County Clerk's office. Upon review of this matter by WMMIC and the Finance Committee, a recommendation was made that the claim be disallowed.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does disallow the claim submitted by Herrling Clark Law Firm Ltd. on behalf of a minor that has been placed on file in the office of the Outagamie County Clerk and that no action of this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to Herrling Clark Law Firm Ltd., 800 N. Lynndale Drive, Appleton, WI 54914 by certified mail, return receipt requested as a notice of disallowance; Wisconsin Municipal Mutual Insurance Company, 2418 Crossroads Drive, Suite 1500, Madison, WI 53718-7996; the Outagamie County Corporation Counsel; and the Outagamie County Risk Administrator.

Dated this 23rd day of January 2024

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: _____

Signed: _____ _____
Board Chairperson County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive

WMMIC
Wisconsin Municipal Mutual Insurance Company

Chuck Schroeder
320 S. Walnut Street
Appleton, Wisconsin 54911

January 15, 2024

RE: Claimant: [redacted]
Claim number: GLOC00002256
Our Insured: Outagamie County
Date of Loss: 8/27/2022

Dear Chuck Schroeder,

The above referenced claim was filed on 12/28/2022. Following a review of the information and an investigation of the facts, it has been determined that Outagamie County has no liability for this claim. Please issue a formal disallowance and provide a copy of this disallowance to WMMIC.

This claim will be closed on the date of receipt of the disallowance.

A copy of this letter has been placed in the claim file for reference. If you should have any further questions, please contact me.

Sincerely,

Cheyenne MacKenzie, MPA, MUP
Senior Claims Representative
Wisconsin Municipal Mutual Insurance Company
(608) 721-7189
cmackenzie@wmmic.com

2418 Crossroads Drive, Suite 1500, Madison, WI 53718-7996 • Phone: 608-246-3336 • Fax: 608-852-8647 www.wmmic.com

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the January 23, 2024 County Board Minutes approved by a majority vote at a meeting of the County Board on January 23, 2024 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 23rd Day of January, 2024

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: February 26, 2024

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, February 13, 2024.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:01 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 27 present, 9 absent. Members present: Thompson, Smith, Patience, Kostelny, Hammen, Krueger, Lamers, Ferguson, McCabe, Wegand, MacDonald, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Koury, and Lautenschlager. Members Absent: Miller, Gabrielson, Lawrence, Hermes, Schroeder, Croatt, Thiede, Thyssen, Rettler.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Miller, Supervisor Gabrielson, Supervisor Lawrence, Supervisor Croatt, Supervisor Thiede, Supervisor Thyssen and Supervisor Rettler. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE JANUARY 23, 2024 COUNTY BOARD MEETING
Supervisor Patience moved, seconded by Supervisor Krueger, to approve the minutes of the January 23, 2024, County Board meeting.

ROLL CALL: 27 yes, 9 absent. MINUTES OF THE JANUARY 23, 2024, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY –

Chairperson Nooyen reported the request to have the Finance Director Appointment and Resolution No. 101—2023-24 locked in at the meeting.

Resolution No. 98—2023-24 will be held until the February 27, 2024, County Board meeting.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

February 13, 2024 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	01/18/2024	Douglas County	Resolution #10-24 Enhance Wake Regulations	Land Conservation Committee

Chairperson Nooyen summarized the following communications:

- Ten Supervisors have to complete the January IT security training that was due February 8th. Please get this completed as soon as possible.
- Supervisors may have received an email from WCA in regards to the upcoming District Meeting and County Officials Workshop. The District Meeting is for Board Chairs only. The County Officials Workshop is for newly appointed Supervisors and those that have not attended in the past. If anyone is interested in attending, please contact the Legislative Services office.
- There is a card for former County Executive, Toby Paltzer, who has been ill. Supervisors are welcome to sign the card if they would like.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS –

County Executive Nelson nomination for appointment of Jeff Dietzen to the 9-1-1 Communications Center Construction Project Oversight Committee, for the duration of the project.

Supervisor Patience moved, seconded by Supervisor Lamers, for confirmation of the above-listed appointment.

ROLL CALL: 27 yes, 9 absent. JEFF DIETZEN IS APPOINTED TO THE 9-1-1 COMMUNICATIONS CENTER CONSTRUCTION PROJECT OVERSIGHT COMMITTEE.

County Executive Nelson nomination for appointment of Rochelle Oskey to the Land Information Council, term expiring April 2025.

Supervisor VanderHeiden moved, seconded by Supervisor Spears, for confirmation of the above-listed appointment.

ROLL CALL: 27 yes, 9 absent. ROCHELLE OSKEY IS APPOINTED TO THE LAND INFORMATION COUNCIL.

County Executive Nelson nomination for appointment of Michelle Uitenbroek as Finance Director.

Supervisor Hagen moved, seconded by Supervisor Cooke, for confirmation of the above-listed appointment.

ROLL CALL: 27 yes, 9 absent. MICHELLE UITENBROEK IS APPOINTED AS FINANCE DIRECTOR.

RECONSIDERATION OF FINANCE DIRECTOR APPOINTMENT.

Supervisor Krueger moved, seconded by Supervisor Cuff, to reconsider the above listed appointment.

Vote for reconsideration. ROLL CALL: 27 yes, 9 absent. FINANCE DIRECTOR APPOINTMENT IS RECONSIDERED.

Vote for lock in. ROLL CALL: 27 yes, 9 absent. FINANCE DIRECTOR APPOINTMENT IS ADOPTED & LOCKED IN.

County Executive Nelson nomination for appointment of Jeff Dietzen to the Local Emergency Planning Committee, term expiring June 30, 2024.

Supervisor Patience moved, seconded by Supervisor Kostelny, for confirmation of the above-listed appointment.

ROLL CALL: 27 yes, 9 absent. JEFF DIETZEN IS APPOINTED TO THE LOCAL EMERGENCY PLANNING COMMITTEE.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. Z-8—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for George A. Cuff Jr. and Lois A. Cuff, for parcel 120013500, from the A1 - Exclusive Agricultural/Farmland Preservation District to A2 - General Agricultural District in the Town of Hortonia, as depicted on the attached review and map.

Supervisor Weinberg moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 26 yes, 1 abstain (Cuff), 9 absent. RESOLUTION NO. Z-8—2023-24 IS ADOPTED.

Resolution No. 97—2023-24 – Highway, Recycling and Solid Waste Committee. Authorize the County Highway Commissioner to enter into a State/Municipal Agreement for the CTH A & CTH S intersection project and CTH A rehabilitation project, as noted on the attached State/Municipal Agreement For a State-Let Highway Safety Improvement Program (HSIP) Project document; and authorize funding for the county share of the project costs to be included in future budgets, as noted on the attached fiscal note.

Supervisor Hagen moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 97—2023-24 IS ADOPTED.

Resolution No. 98—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to allow the Outagamie County Highway Department to perform paving and related work at Plamann Park; Ash Tree removal at Plamann Park; paving, earthwork and site prep items within the 2024 Airport CIP at the Airport; parking lot rehabilitation at the Sheriff's Office; parking lot rehabilitation at the downtown Courthouse campus; and other work for internal Outagamie County departments in calendar year 2024 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000 with no budget adjustment needed, as noted on the attached fiscal note.

Resolution No. 98—2023-24 will be held until the next County Board meeting.

Resolution No. 99—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve of granting ANR Pipeline Company an Easement for construction of a gas line on Appleton International Airport owned land, Parcel Numbers 006000101, 006000201, and 006000202, as noted on the attached Easement and Right of Way Agreements, Exhibit "A", Supplemental Agreements, Landowner Payment Summary, and Request for Taxpayer Identification Number and Certification, to be signed by the Outagamie County Executive, and authorize and approve the line items by increasing the Airport Rental Properties Rent-Land & Bids by $69,975 and decreasing the Airport Terminal Fund Balance Applied by $69,975, as noted on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 99—2023-24 IS ADOPTED.

Resolution No. 100—2023-24 – Public Safety Committee. Authorize and approve the Outagamie County Sheriff's Office to apply for, accept, and expend the 2023 Justice Assistance Grant (JAG) issued by the US Department of Justice, to be used toward Viper A-5 ballistic helmets and Streamlight ProTAC flashlights, as detailed in the Memorandum of Understanding Between the City of Appleton and Outagamie County, and authorize and approve the line items by increasing the Patrol Intergovernmental Revenue and Patrol Supplies by $12,421 each, as noted on the attached fiscal note.
Supervisor Smith moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 26 yes, 1 abstain (VanderHeiden), 9 absent. RESOLUTION NO. 100—2023-24 IS ADOPTED.

Resolution No. 101—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve the Lease Agreement between Outagamie County and Valley Packaging Industries for county owned property located at 3375 W. Brewster Street, Appleton, for a monthly lease rate of $8,299.75 with no budget adjustment needed as revenues have been included in the 2024 budget, as noted on the attachments, and with passage of this resolution, the County Board Chairperson, County Executive, and County Clerk are authorized to execute the agreement on behalf of Outagamie County.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 101—2023-24 IS ADOPTED.

RECONSIDERATION OF RESOLUTION NO. 101—2023-24.

Supervisor Patience moved, seconded by Supervisor Cooke, to reconsider the above listed resolution.

Vote for reconsideration. ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 101—2023-24 IS RECONSIDERED.

Vote for lock in. ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 101—2023-24 IS ADOPTED & LOCKED IN.

Resolution No. 102—2023-24 – Legislative/Audit and Human Resources Committee. Approve an Agreement between Outagamie County and General Teamsters Union Local 662, collective bargaining representative for the employees of the Outagamie County Highway Department for calendar year 2024,

with no fiscal impact to the 2024 budget as the wages have already been included in the budget as detailed in the attached Agreement and Appendix A.

Supervisor Spears moved, seconded by Supervisor MacDonald, for adoption.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 102—2023-24 IS ADOPTED.

REPORTS – None.

ADJOURNMENT
Supervisor Spears moved, seconded by Supervisor McCabe to adjourn until February 27, 2024, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

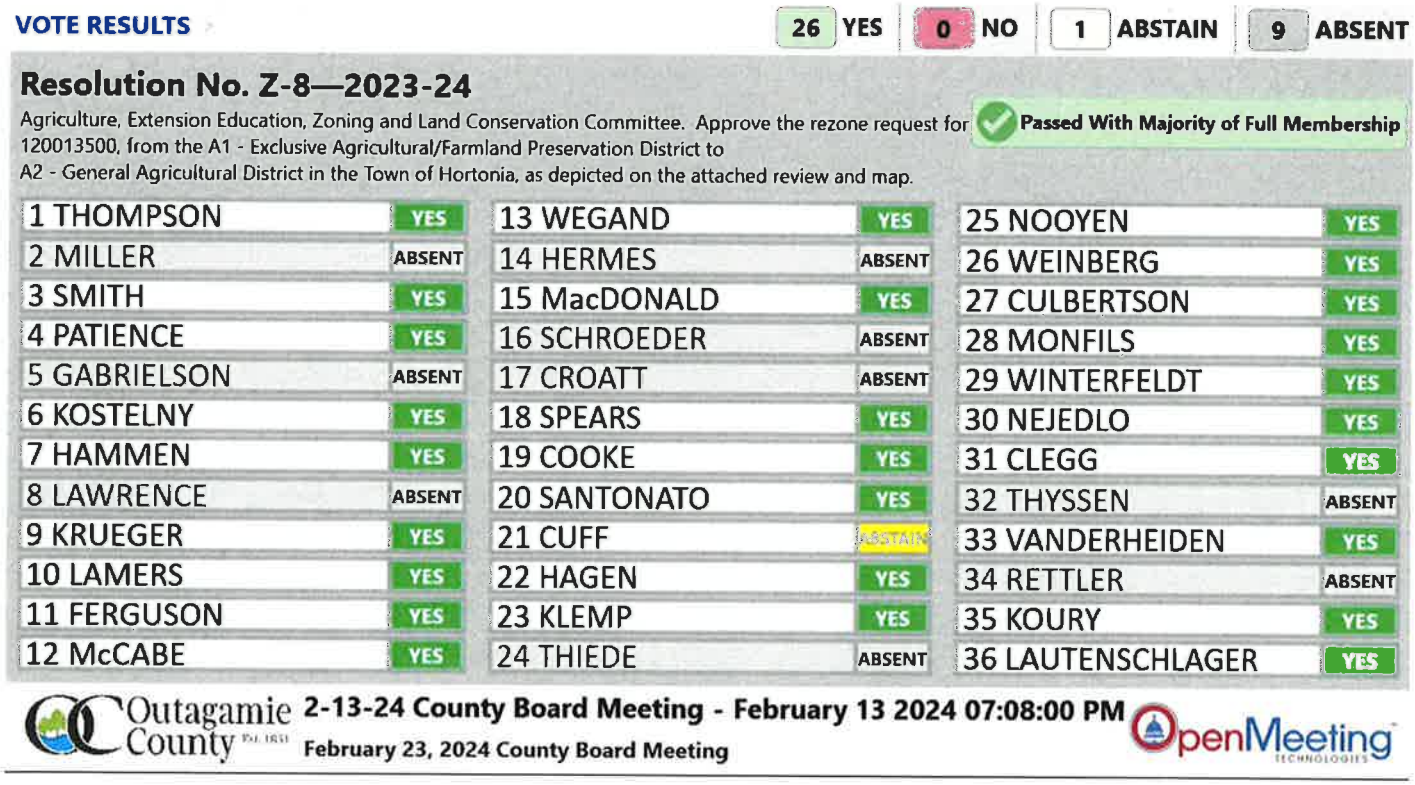
The meeting adjourned at 7:13 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

Resolution No. Z-8—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for George A. Cuff Jr. and Lois A. Cuff, for parcel 120013500, from the A1 - Exclusive Agricultural/Farmland Preservation District to A2 - General Agricultural District in the Town of Hortonia, as depicted on the attached review and map.

Supervisor Weinberg moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 26 yes, 1 abstain (Cuff), 9 absent. RESOLUTION NO. Z-8—2023-24 IS ADOPTED.



RESOLUTION NO.: Z-8—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Town of Hortonia has adopted a comprehensive Zoning Ordinance separate from that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that all zoning amendments made by the Town of Hortonia be approved by Outagamie County before they are effective. The Outagamie County Planning Staff and Zoning Committee both recommend approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the proposed rezoning request for George A. Cuff Jr. and Lois A. Cuff. The proposed rezoning is for parcel 120013500, from the A1 - Exclusive Agricultural/Farmland Preservation District to A2 - General Agricultural District. The parcel is located west of Ledge Hill Road in the Town of Hortonia, Outagamie County, WI, as depicted on the attached review and map, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified copy of this resolution to the Outagamie County Zoning Administrator and the Clerk of the Town of Hortonia.

Dated this 13th day of February 2024

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: February 13, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 2·15·24 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: Outagamie County Zoning Committee
FROM: Sadie DiNatale Burda, Principal Planner
DATE: January 5, 2024
RE: PL202300506: Rezoning – Town, Review and Recommendation

Application Details:

Applicant and Owner:	The Town of Hortonia, Applicant on behalf of George and Lois Cuff (Owners)
Request:	Rezoning - Town
Parcels:	120013500
Location:	West of Ledge Hill Road TOWN OF HORTONIA
Public Hearing:	May 13, 2020 at 6:00 PM held by the Town of Hortonia

Background:

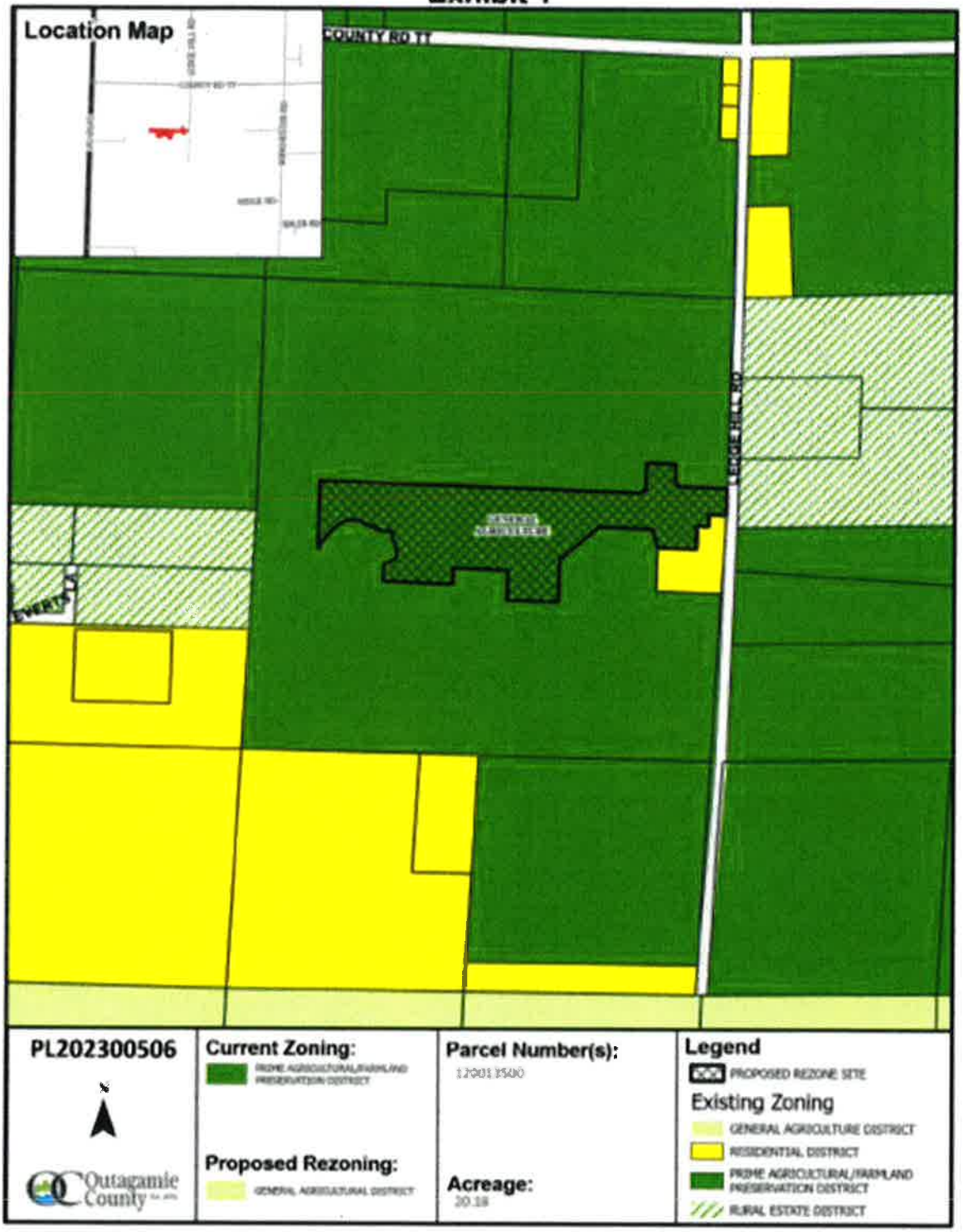
Outagamie County received a Town Rezoning request from the Town of Hortonia, as depicted on the attached Rezoning Map. The proposal would rezone parcel 120013500 (20.18 acres) from A1 - Exclusive Agricultural/Farmland Preservation District to A2 - General Agricultural District. The rezoning would permit the property owner to accommodate agriculture-related uses that are, or may be, incompatible with Wisconsin Chapter 91 Farmland Preservation.

The Town of Hortonia exercises village powers and adopted General Town Zoning. The Town of Hortonia is required to find this rezoning consistent with its Comprehensive Plan. They have identified the rezoning to be consistent with its Comprehensive Plan and the Town Board has voted to approve the rezoning request.

Staff Recommendation:

Based on County staff's review of this proposed Town Rezoning, Staff recommends to: approve the rezoning of parcel 120013500 from A1 - Exclusive Agricultural/Farmland Preservation District to A2 - General Agricultural District.

Exhibit 1


Location Map
COUNTY RD YY
EVERTS LN
PL202300506
Current Zoning:
PRIME AGRICULTURAL/FARMLAND PRESERVATION DISTRICT
Proposed Rezoning:
GENERAL AGRICULTURAL DISTRICT
Parcel Number(s):
Acreage:
20.18
Legend
PROPOSED REZONE SITE
Existing Zoning
GENERAL AGRICULTURE DISTRICT
RESIDENTIAL DISTRICT
PRIME AGRICULTURAL/FARMLAND PRESERVATION DISTRICT
RURAL ESTATE DISTRICT
Outagamie County

Outagamie County

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

Town (or Applicable Village):	Hortonia
Request:	Rezoning
Applicant or Petitioner Name:	Lyn Neuenfeldt -Clerk; Cuff Farms/ Lois and Sandy Cuff
Applicant Contact Information (Preferred):	920-359-0531/ Clerk-Lyn Neuenfeldt- clerk@townofhortoni
Site Parcel Number(s):	120013500
Site Address (if applicable):	N2299 Ledge Hill Road in the Town of Hortonia
Pre-Application Meeting Number (if applicable):	
Description of the Request: *(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)*	Updating County Map to reflect Rezone that was not Recorded. Parcels listed will be changed from A-1 (prime Ag) to A-2. Parcels will be combined in concurrent CSM application approved by the town and filed with the County. Future proposed uses of the land, while still agricultural are not

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of Hortonia, at a legally convened meeting of the Board held on 12/31/2022, voted to Approve the Rezoning request:

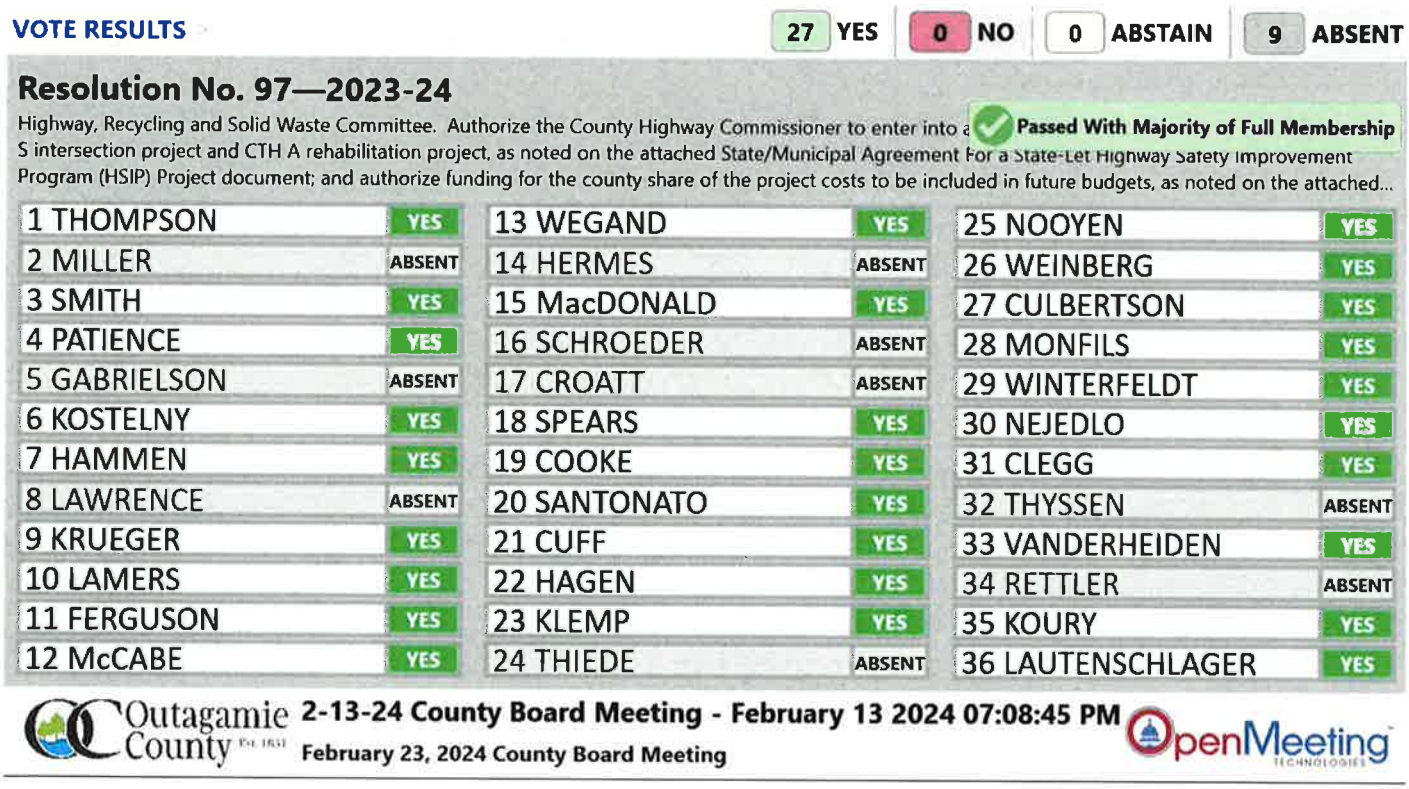
Clerk Signature — Original-22May 2020/1-05-2023 Date

Motion Outcome by a Vote of:	3 For	0	Against
General Comments/Reasons for the Decision: *(See next page for instructions. If needed, you may include additional pages.)*	Having met all the requirements of the Town of Hortonia's Zoning Code and Comprehensive Plan, the Town Board Approves application for Rezoning of Cuff Farms as requested.		

Resolution No. 97—2023-24 – Highway, Recycling and Solid Waste Committee. Authorize the County Highway Commissioner to enter into a State/Municipal Agreement for the CTH A & CTH S intersection project and CTH A rehabilitation project, as noted on the attached State/Municipal Agreement For a State-Let Highway Safety Improvement Program (HSIP) Project document; and authorize funding for the county share of the project costs to be included in future budgets, as noted on the attached fiscal note.

Supervisor Hagen moved, seconded by Supervisor Nejedlo, for adoption.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 97—2023-24 IS ADOPTED.



VOTE RESULTS

27 YES | 0 NO | 0 ABSTAIN | 9 ABSENT

Resolution No. 97—2023-24

Highway, Recycling and Solid Waste Committee. Authorize the County Highway Commissioner to enter into a ... Passed With Majority of Full Membership
S intersection project and CTH A rehabilitation project, as noted on the attached State/Municipal Agreement For a State-Let Highway Safety Improvement Program (HSIP) Project document; and authorize funding for the county share of the project costs to be included in future budgets, as noted on the attached...

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	ABSENT	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	ABSENT	36 LAUTENSCHLAGER	YES

Outagamie County Est. 1851 2-13-24 County Board Meeting - February 13 2024 07:08:45 PM OpenMeeting TECHNOLOGIES
February 23, 2024 County Board Meeting

RESOLUTION NO.: 97—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Outagamie County Highway Department recently submitted an application for federal aid under the Highway Safety Improvement Program (HSIP), which has been awarded to reconstruct the intersection of CTH A and CTH S as well as rehabilitate the pavement on CTH A from CTH S to WIS 47.

The project is currently estimated to cost $4,063,639 of which $3,283,585 of federal funds have been obligated. Outagamie County's share is estimated to be $780,054. Estimated costs cover design, construction, and state review with construction currently scheduled for State Fiscal Year 2029. The county share of the project costs are anticipated to be funded in future budgets.

This resolution authorizes the Outagamie County Highway Commissioner to enter into a State/Municipal Agreement for the project and to support future funding for the CTH A & CTH S intersection improvement and the rehabilitation of CTH A from CTH S to WIS 47.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the Outagamie County Highway Commissioner to enter into a State/Municipal Agreement for the CTH A & CTH S intersection project and CTH A rehabilitation project, as noted on the attached State/Municipal Agreement For a State-Let Highway Safety Improvement Program (HSIP) Project document which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize funding for the county share of the project costs to be included in future budgets as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance Director.

Dated this 13th day of February 2024.

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: February 13, 2024

Signed: _____ Board Chairperson _____ County Clerk

Approved: 2.15.24 Vetoed: _____

Signed: _____ County Executive

STATE/MUNICIPAL AGREEMENT FOR A STATE- LET HIGHWAY SAFETY IIMPROVEMENT PROGRAM (HSIP) PROJECT **Program Name: HSIP PROGRAM** **Sub-program #: 206** **Cycle: 2024-2027**	Date: December 12, 2023 I.D.: 6521-05-00/70/71 Road Name: CTH A Limits: CTH S Intersection; CTH S – STH 47 County: Outagamie Roadway Length: 1.90 miles Functional Classification: Major Collector Project Sponsor: Outagamie County

The signatory, **Outagamie County**, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Sections 86.25(1), (2), and (3) and Section 66.0301 of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Municipality agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Existing Facility - Describe and give reason for request: The existing intersection of CTH A and CTH S is a two-way stop-controlled intersection with free flow traffic moving north and south along CTH A. CTH S is stop controlled with a right turn lane designated by a raised concrete island on both east and west legs. Safety at the intersection is a concern due to increasing traffic and truck volumes and the increasing number of crashes. Over the five-year period from 2018-2022, a total of 16 crashes occurred at this intersection resulting in one fatality, four injuries, and four possible injuries.
CTH A from CTH S to STH 47 is a rural section of county highway with 12' lanes and 4' paved shoulders and 8' gravel shoulders. No edge line or centerline rumble strips are present. Safety is a concern on this segment due to the increasing traffic volumes and increasing number of crashes. Over the five-year period from 2018-2022, a total of seven crashes occurred, resulting in one fatality and five injuries. Varying types of crashes have occurred on this segment including run-off the road (ROTR), head-on collision after crossing the centerline and right-angle crashes.

Proposed Improvement - Nature of work: The proposed improvement involves constructing a single lane roundabout at the intersection of CTH A and CTH S.
It also includes repaving CTH A with a 6-ft paved shoulder and installing both shoulder and centerline rumble strips.

Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Municipality. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable federal requirements: NONE

The Municipality agrees to the following 2024-2027 HSIP project funding conditions:

Project design and construction costs are funded with up to 90% federal funding when the Municipality agrees to provide the remaining 10% and any funds in excess of the federal funding limit. Non-participating costs are 100% the responsibility of the Municipality. Any work performed by the Municipality prior to federal authorization is not eligible for federal funding. The Municipality will be notified by the State that the project is authorized and available for charging.

This project is currently scheduled in State Fiscal Year 2029. **In accordance with the State's sunset policy for HSIP projects, the subject 2024-2027 HSIP improvement must be let by June 30, 2034.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to State. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

The dollar amounts shown in the Summary of Costs Table below are estimates. The final Municipal share is dependent on the final federal participation, and actual costs will be used in the final division of cost for billing and reimbursement. In no event shall federal funding exceed the estimate of **$3,283,585** in the Summary of Costs Table, unless such increase is approved in writing by the State through the State's Change Management Policy prior to the Municipality incurring the increased costs.

	SUMMARY OF COSTS				
PROJECT TYPE	**Total Est. Cost**	**Federal Funds**	**%**	**Project Sponsor Funds**	**%**
ID 6521-05-00					
Design	$302,000	$271,800	90%	$30,200	10%+BAL
State Review	$17,300	$15,570	90%	$1,730	10%+BAL
Subtotal 6521-05-00:	$319,300	$287,370	CAP	$31,930	BAL
ID 6521-05-70					
Priority 1: Participating Construction	$1,363,486.12	$1,227,137.51	90%	$136,348.61	10%+BAL
Priority 2: Participating Construction	$415,211	$0	0%	$415,211	100%
Construction Engineering	$257,213.88	$231,492.49	90%	$25,721.39	10%+BAL
State Review	$21,800	$19,620	90%	$2,180	10%+BAL
Non-Participating Construction	$0	$0	0%	$0	100%
Subtotal 6521-05-70:	$2,057,711	$1,478,250	CAP	$579,461	BAL
ID 6521-05-71					
Participating Construction	$1,459,799.50	$1,313,819.55	90%	$145,979.95	10%+BAL
Construction Engineering	$210,828.50	$189,745.65	90%	$21,082.85	10%+BAL
State Review	$16,000	$14,400	90%	$1,600	10%+BAL
Non-Participating Construction	$0	$0	0%	$0	100%
Subtotal 6521-05-71:	$1,686,628	$1,517,965	CAP	$168,663	BAL
Total Est. Cost Distribution	**$4,063,639**	**$3,283,585**	**MAX***	**$780,054**	**N/A**

*Design ID# **6521-05-00** federal funding is limited to **$287,370.**
*Construction ID# **6521-05-70** federal funding is limited to **$1,478,250**.
*Construction ID# **6521-05-71** federal funding is limited to **$1,517,965**.

This request is subject to the terms and conditions that follow and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signatures certify the content has not been altered by the municipality. Signed for and on behalf of: **Outagamie County** (please sign in blue ink.)		
Name	Title	Date
Signed for and on behalf of the State:		
Name	Title	Date

GENERAL TERMS AND CONDITIONS:

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.

2. Work prior to federal authorization is ineligible for federal funding.

3. The Municipality, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:

    a. Environmental requirements, including but not limited to those set forth in the 23 U.S.C. 139 and National Environmental Policy Act (42 U.S.C. 4321 et seq.)

    b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The municipality agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition, the Municipality agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The Municipality agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.

    c. Prevailing wage requirements, including but not limited to 23 U.S.C 113.

    d. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.

    e. Competitive bidding and confidentiality requirements set forth in 23 U.S.C 112 and Wis. Stat. 84.06. This includes the sharing of financial data prior to the conclusion of the competitive bid period.

    f. All applicable Disadvantaged Business Enterprise (DBE) requirements that the State specifies.

    g. Federal statutes that govern the Surface Transportation Program (STP), including but not limited to 23 U.S.C. 133.

    h. General requirements for administrating federal and state aids set forth in Wis. Stat. 84.03.

STATE RESPONSIBILITIES AND REQUIREMENTS:

4. Funding of each project phase is subject to inclusion in Wisconsin's approved 2024-2027 HSIP program. Federal funding will be limited to participation in the costs of the following items, as applicable to the project:

    a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.

    b. The substructure, superstructure, grading, base, pavement, and other related bridge and approach items.

    c. Storm sewer mains necessary for the surface water drainage.

    d. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.

    e. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).

    f. Signing and pavement marking.

    g. New installations or alteration of street lighting and traffic signals or devices.

    h. Landscaping.

    i. Preliminary engineering and design.

    j. State review services

5. The work will be administered by the State and may include items not eligible for federal participation.

6. As the work progresses, the State will bill the Municipality for work completed that is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs subject to funding limits in the Summary of Costs Table. If reviews or audits show any of the work to be ineligible for federal/state funding, the Municipality will be responsible for any withdrawn costs associated with the ineligible work.

MUNICIPAL RESPONSIBILITIES AND REQUIREMENTS:

7. Work necessary to complete the 2024-2027 HSIP improvement project to be financed entirely by the Municipality or other utility or facility owner includes the items listed below.

    a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.

    b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.

    c. Detour routes and haul roads. The municipality is responsible for determining the detour route.

    d. Conditioning, if required and maintenance of detour routes.

    e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.

    f. All work related to underground storage tanks and contaminated soils.

g. Street and bridge width in excess of standards, in accordance with the current WisDOT Facilities Development Manual (FDM).

h. Other 100% Municipality funded items:

8. The construction of the subject improvement will be in accordance with the appropriate standards unless an exception to standards is granted by State prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Municipality unless such exception is granted.

9. Work to be performed by the Municipality without federal funding participation necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Municipality but must be coordinated with all other work undertaken during construction.

10. The Municipality is responsible for financing administrative expenses related to Municipal project responsibilities.

11. The Municipality will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in Wis. Stat. 51.01 (5), sexual orientation as defined in Wis. Stat. 111.32 (13m), or national origin.

12. The Municipality will pay to the State all costs incurred by the State in connection with the improvement that exceed federal/state financing commitments or are ineligible for federal/state financing. To guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.

13. **In accordance with the State's sunset policy for HSIP projects, the subject 2024-2027 HSIP improvement must be let by June 30, 2034.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to State. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

14. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred on behalf of the project.

15. The Municipality will at its own cost and expense:

    a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, sidewalks and parking lanes [including snow and ice removal]) for such maintenance in a manner consistent with reasonable industry standards, and will make ample provision for such maintenance each year.

    b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during their construction.

    c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.

    d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.

    e. Provide complete plans, specifications, and estimates to State upon request.

    f. Provide relocation orders and real estate plats to State upon request.

g. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.

h. Provide maintenance and energy for lighting.

i. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

16. It is further agreed by the Municipality that:

a. The Municipality assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the state and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this agreement.

b. The Municipality assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Municipality. The Municipality is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Municipality will reimburse State if State incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.

c. The Municipality will be 100% responsible for all costs associated with utility issues involving the Contractor, including costs related to utility delays.

d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Municipality or by others, will be in conformity with such *Manual of Uniform Traffic Control Devices* as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred in by the Federal Highway Administration.

e. The right-of-way available or provided for the project will be held and maintained inviolate for public highway or street purposes. Those signs prohibited under federal aid highway regulations, posters, billboards, roadside stands, or other private installations prohibited by federal or state highway regulations will not be permitted within the right-of-way limits of the project. The Municipality, within its jurisdictional limits, will remove or cause to be removed from the right-of-way of the project all private installations of whatever nature which may be or cause an obstruction or interfere with the free flow of traffic, or which may be or cause a hazard to traffic, or which impair the usefulness of the project and all other encroachments which may be required to be removed by the State at its own election or at the request of the Federal Highway Administration, and that no such installations will be permitted to be erected or maintained in the future.

f. The Municipality is responsible for any damage caused by legally hauled loads, including permitted oversize and overweight loads. The contractor is responsible for any damage caused to haul roads if the contractor does not obey size and weight laws, use properly equipped and maintained vehicles, and does not prevent spilling of materials onto the haul road (WisDOT *Standard Specifications* 618.1, 108.7, 107.8). The local maintaining authority can impose special or seasonal weight limitations as defined in Wis. Stat. 349.16, but this should not be used for the sole purpose of preventing hauling on the road.

The bid item 618.0100 Maintenance and Repair of Haul Roads (project) is ineligible for federal funding on local program projects as per the State/Municipal Agreement. The repair of damages as a result of hauling materials for the project is the responsibility of the Municipality as specified in the State/Municipal Agreement Terms and Conditions under "Municipal Responsibilities and Requirements."

LEGAL RELATIONSHIPS:

17. The State shall not be liable to the Municipality for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Municipality for damages or delays resulting from injunctions or other restraining orders obtained by third parties.

18. The State will not be liable to any third party for injuries or damages resulting from work under or for the Project. The Municipality and the Municipality's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Municipality and its sureties; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Municipality or its sureties; or because of any claims or amounts recovered for any infringement by the Municipality and its sureties of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the employees of the Municipality and its sureties; or any other law, ordinance, order or decree relating to the Municipality's operations.

19. Contract modification: This State/Municipal Agreement can only modified by written instruments duly executed by both parties. No term or provision of either this State/Municipal Agreement or any of its attachments may be changed, waived or terminated orally.

20. Binding effects: All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third-party enforcement rights.

21. Choice of law and forum: This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The Parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.

PROJECT FUNDING CONDITIONS

22. Non-appropriation of funds: With respect to any payment required to be made by the State under this State/Municipal Agreement, the parties acknowledge the State's authority to make such payment is contingent upon appropriation of funds and required legislative approval sufficient for such purpose by the Legislature. If such funds are not so appropriated, either the Municipality or the State may terminate this State/Municipal Agreement after providing written notice not less than thirty (30) days before termination.

23. Maintenance of records: During the term of performance of this State/Municipal Agreement, and for a period not less than three years from the date of final payment to the Municipality, records and accounts pertaining to the performance of this State/Municipal Agreement are to be kept available for inspection and audit by representatives of the State. The State reserves the right to audit and inspect such records and accounts at any time. The Municipality shall provide appropriate accommodations for such audit and inspection.

    In the event that any litigation, claim or audit is initiated prior to the expiration of said records maintenance period, the records shall be retained until such litigation, claim or audit involving the records is complete.

24. The Municipality agrees to the following 2024-2027 HSIP project funding conditions:

    a. ID 6521-05-00: Design is funded with 90% federal funding up to a funding limit of **$287,370** when the Municipality agrees to provide the remaining 10% and any funds in excess of the **$287,370** federal funding limit. This phase includes plan development and state review. The work includes project review, approval of required reports and documents and processing the final Plan, Specification & Estimate (PS&E) document for award of the contract. Costs for this phase include an estimated amount for state review activities, to be funded 90% with federal funding and 10% by the Municipality.

b. Real estate is funded 100% by the Municipality. Real estate acquisition is 100% the responsibility of the Municipality.

c. Costs for utility items are funded 100% by the Municipality.

d. ID 6521-05-70: Construction:

   i. Costs for roadway reconstruction are funded with 90% federal funding up to a funding limit of **$1,478,250**, when the Municipality agrees to provide the remaining 10%, and any funds in excess of the **$1,478,250** federal funding limit.

   ii. Non-participating costs are funded 100% by the Municipality. Costs include construction delivery.

   iii. Costs for this phase include an estimated amount for state review activities, to be funded 90% with federal funding and 10% by the Municipality.

e. ID 6521-05-71: Construction:

   ii. Costs for roadway reconstruction are funded with 90% federal funding up to a funding limit of **$1,517,965**, when the Municipality agrees to provide the remaining 10%, and any funds in excess of the **$1,517,965** federal funding limit.

   ii. Non-participating costs are funded 100% by the Municipality. Costs include construction delivery.

   iii. Costs for this phase include an estimated amount for state review activities, to be funded 90% with federal funding and 10% by the Municipality.

[End of Document]

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request to support future funding for the CTH A & CTH S intersection and pavement rehabilitation.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Highway Department submitted an application for Highway Safety Improvement Funds (HSIP) and was approved for 90% federal funding for the project. The project includes construction of a roundabout at the intersection of CTH S & CTH A and paved shoulder on CTH A. The cost of the project is anticipated to be $4,063,639 of which the federal funding is capped at $3,283,585. The county would be responsible for $780,054 which is 10% and any excess. The project is scheduled for the year 2029 county share, along with the federal portion to account for the full cost of construction will be included in the 2029 Highway budget.

Therefore, the Highway Department is seeking support from the County Board to grant the Highway Commissioner authority to enter into a State Municipal Agreement for the project and to support future funding of the CTH S & CTH A intersection construction.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [X] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) n/a (X) N/A – future budget

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X) N/A – future budget

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Not Applicable – Future Budget			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0.00 Annual Revenue 0.00

Fiscal Note Prepared by: Michelle Uitenbroek

For Financial Services purposes only	
Reviewed By: Kaye L Hamilton Date: 1/17/2024	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditure Account Number — Amount
Comments:	

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LOCK IN OF RESOLUTION NO. 98—2023-24

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 98—2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 98—2023-24 - Lock In

Lock in of Resolution No. 98—2023-24

Passed With 3/4 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	ABSENT
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	ABSENT
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

2-27-24 County Board Meeting - February 27 2024 07:29:53 PM

February 23, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NO. 98—2023-24

Supervisor Wegand moved, seconded by Supervisor Gabrielson, to reconsider Resolution No. 98—2023-24.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 98—2023-24 IS RECONSIDERED.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 98—2023-24 - Reconsideration

Reconsideration of Resolution No. 98—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	ABSENT
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	ABSENT
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 2-27-24 County Board Meeting - February 27 2024 07:29:40 PM OpenMeeting

February 23, 2024 County Board Meeting

Resolution No. 98—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to allow the Outagamie County Highway Department to perform paving and related work at Plamann Park; Ash Tree removal at Plamann Park; paving, earthwork and site prep items within the 2024 Airport CIP at the Airport; parking lot rehabilitation at the Sheriff's Office; parking lot rehabilitation at the downtown Courthouse campus; and other work for internal Outagamie County departments in calendar year 2024 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000 with no budget adjustment needed, as noted on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Wegand, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 98—2023-24 IS ADOPTED.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 98—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to allow the Outagamie Coun... related work at Plamann Park; Ash Tree removal at Plamann Park; paving, earthwork and site prep items within the 2024 Airport CIP at the Airport; parking lot rehabilitation at the Sheriff's Office; parking lot rehabilitation at the downtown Courthouse campus; and other work for internal Outagamie County depart...

Passed With 3/4 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	ABSENT
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	ABSENT
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **2-27-24 County Board Meeting - February 27 2024 07:28:37 PM**

February 23, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 98—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***3/4 MAJORITY – 27 VOTES***

Pursuant to §59.52(29)(a) Wis. Stats., all public work, including any contract for the construction, repair, remodeling or improvement of any public work, building or furnishing of supplies or material of any kind where the estimated cost of such work will exceed $25,000 shall be let by contract to the lowest responsible bidder. However, the board may, by a three-fourths vote, provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids.

It has been determined that it is most cost effective to utilize the Outagamie County Highway Department to complete various paving, earthwork and site prep projects in 2024 for internal county departments given the current bidding environment and scheduling challenges. These may include, but are not limited to, the following projects:

- Parks – Plamann Park paving and related work. Estimated cost of $3.3 million with sufficient funding budgeted in 2024.
- Parks – Plamann Park Ash Tree removal. Estimated cost of $200,000 budgeted in 2024.
- Airport – Various paving, earthwork and site prep items within the 2024 Airport CIP. Estimated cost ranging from $1.5 million to $2.5 million with sufficient funding budgeted in 2024.
- Maintenance – Rehabilitation of Sheriff's Office parking lots. Estimated cost of $73,900 with sufficient funding budgeted in 2024.
- Maintenance – Rehabilitation of downtown Courthouse campus parking lot. Estimated cost of $84,000 with sufficient funding budgeted in 2024.

The County Highway Department is able to complete the work due to budgeting annually for other internal county department work. Therefore, this request is for approval by the County Board to allow internal county departments to utilize the Outagamie County Highway Department to complete these and any other 2024 internal projects the Highway Department is able to complete within their annual work plan. At this time, no budget adjustment is required as there is an allocation of cost and related revenue for internal county work included in the 2024 budget.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does allow the Outagamie County Highway Department to perform paving and related work at Plamann Park; Ash Tree removal at Plamann Park; paving, earthwork and site prep items within the 2024 Airport CIP at the Airport;

parking lot rehabilitation at the Sheriff's Office; parking lot rehabilitation at the downtown Courthouse campus; and other work for internal Outagamie County departments in calendar year 2024 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000 with no budget adjustment needed as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner, the Outagamie County Parks Director, the Appleton International Airport Director, the Outagamie County Facilities Director, the Outagamie County Executive, and the Outagamie County Finance Director.

Dated this 13th day of February 2024

Respectfully submitted,
PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: February 27, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 2.28.24

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request approval to utilize Outagamie County Highway Department for internal county department paving and other earthwork & site prep projects in 2024.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

It has been determined that it is most cost effective to utillze the Outagamie County Highway Department to complete carious paving, earthwork and site prep projects in 2024 for internal county departments given the current bidding environment and scheduling challenges. These may include but are not limited to the following projects:

1) Parks- Plamann Park paving and related work. Estimated cost of $3.3 million with sufficient funding currently budgeted in 2024
2) Parks – Plamann Park Ash Tree Removal. Estimated cost of $200,000 budgeted in 2024
3) Airport - There are various paving, earthwork and site prep items within the Airport CIP in 2024 that Highway could complete ranging from $1.5 - $2.5M, in total. These projects are budgeted in 2024 and sufficient funding is available.
4) Maintenance – Sheriff's parking lots rehabilitation. Estimated cost of $73,900 budgeted in 2024.
5) Maintenance – Courthouse campus parking lot rehabilitation. Estimated cost $84,000 budgeted in 2024.

The Highway Department is able to compete the work due to budgeting annually for other internal county department work. Therefore, this request is for approval by the County Board to allow internal country departments to utilize the Outagamie County Highway Department to complete these and any other 2024 internal projects the Highway Department is able to complete within their annual work plan. At this time, no budget adjustment is required as there is an allocation of cost and related revenues for internal county work included in the 2024 budget.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [X] None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) n/a (X)

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes ( ) no (X)
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
** No Budget Adjustment Needed **			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact?
Annual Cost 0.00
Annual Revenue 0.00

OUTAGAMIE COUNTY FISCAL NOTE

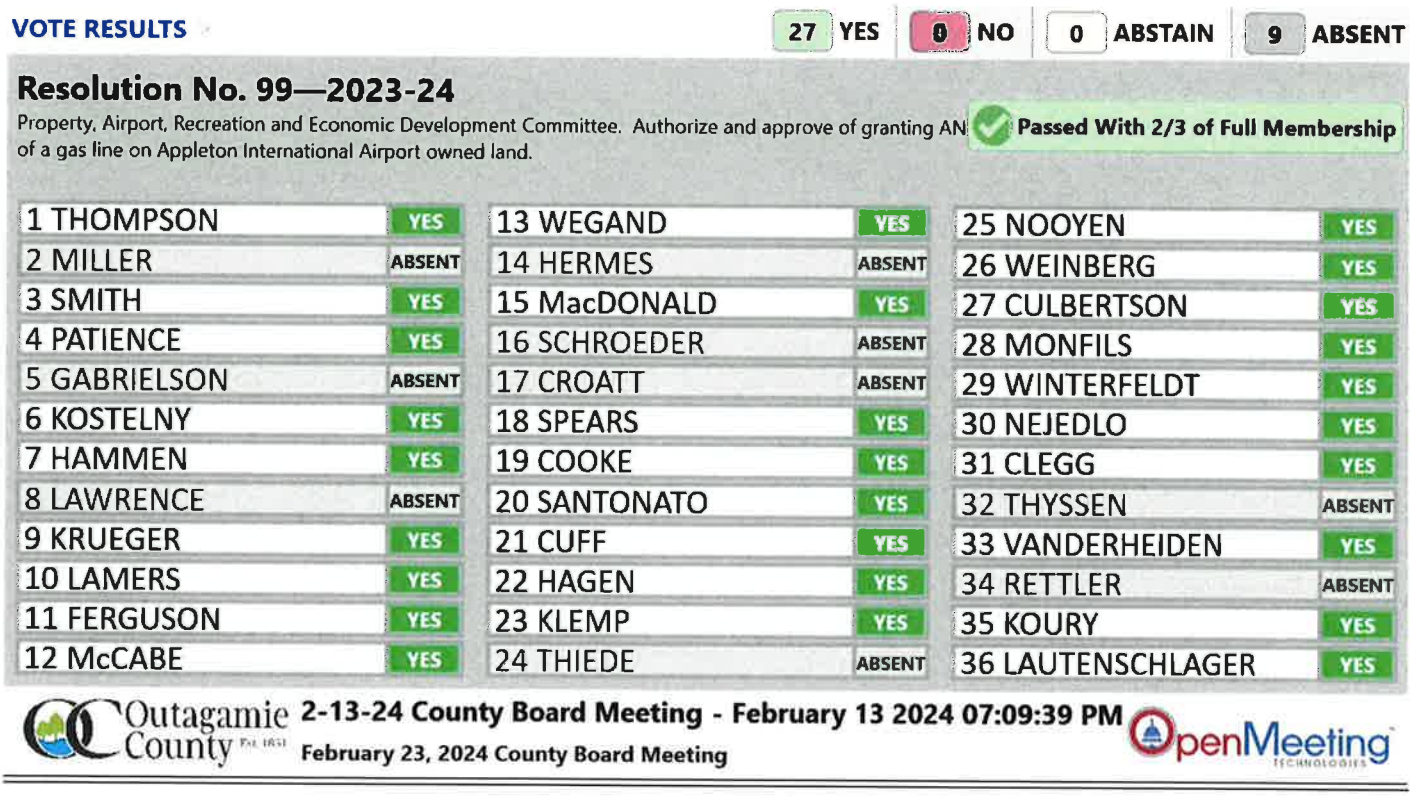
Fiscal Note Prepared by: Michelle Ultenbroek/Dean Steingraber/Abe Weber/Loren Dieck/Paul Farrell

For Financial Services purposes only	
Reviewed By: Kay L Hamilton	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditure Account Number — Amount
Date: 1/17/24	
Comments:	

Resolution No. 99—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve of granting ANR Pipeline Company an Easement for construction of a gas line on Appleton International Airport owned land, Parcel Numbers 006000101, 006000201, and 006000202, as noted on the attached Easement and Right of Way Agreements, Exhibit "A", Supplemental Agreements, Landowner Payment Summary, and Request for Taxpayer Identification Number and Certification, to be signed by the Outagamie County Executive, and authorize and approve the line items by increasing the Airport Rental Properties Rent-Land & Bids by $69,975 and decreasing the Airport Terminal Fund Balance Applied by $69,975, as noted on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 99—2023-24 IS ADOPTED.



VOTE RESULTS

27 YES | 0 NO | 0 ABSTAIN | 9 ABSENT

Resolution No. 99—2023-24

Property, Airport, Recreation and Economic Development Committee. Authorize and approve of granting AN of a gas line on Appleton International Airport owned land.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	ABSENT	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	ABSENT	36 LAUTENSCHLAGER	YES

Outagamie County

2-13-24 County Board Meeting - February 13 2024 07:09:39 PM

February 23, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 99—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Appleton International Airport is requesting approval to grant an easement to ANR Pipeline Company for construction of a gas line on Airport land (property description in the attached Easement and Right-Of-Way Agreements). ANR Pipeline will pay the Airport $89,975 for access rights. Included in the $89,975 is $20,000 which covers two years of lost revenue from farmland leases. A budget adjustment is needed for 2024 to account for the $69,975. The farmland has already been included in the budget.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of granting ANR Pipeline Company an Easement for construction of a gas line on Appleton International Airport owned land, Parcel Numbers 006000101, 006000201, and 006000202, as noted on the attached Easement and Right of Way Agreements, Exhibit "A", Supplemental Agreements, Landowner Payment Summary, and Request for Taxpayer Identification Number and Certification, said documents to be signed by the Outagamie County Executive, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Airport Rental Properties Rent-Land & Bids line item by $69,975 and decreasing the Airport Terminal Fund Balance Applied line item by $69,975 as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Appleton International Airport Director, the Outagamie County Executive, and the Outagamie County Finance Director.

Dated this 13th day of February 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: February 13, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 2.15.24 Vetoed: _____

Signed: _____
County Executive

EASEMENT AND RIGHT OF WAY AGREEMENT

Tract Number: WI-WN-006.000
ROW Doc. No.:

THIS EASEMENT AND RIGHT OF WAY AGREEMENT (this "**Agreement**"), is made as of this ____ day of _____, 20__, by and between **Outagamie County**, whose address is **W6390 Challenger Drive, Ste. 201, Appleton, Wisconsin 54914** (whether one or more, the "**Grantor**"), and **ANR Pipeline Company**, a Delaware corporation, whose address is 700 Louisiana Street, Ste. 700, Houston, Texas 77002 (the "**Grantee**"). Grantor and Grantee are hereinafter sometimes referred to individually as a "**Party**" and collectively as the "**Parties**."

After recording return to:
Ohio Valley Acquisition
1305 N Barker Rd. Suite 8
Brookfield, WI 53045

Parcel No. 006000101

WHEREAS, Grantor is the present owner of certain real property being described in that certain Warranty Deed, dated October 15, 2004, from Lonny J. Mahoney and Katherine I. Mahoney, as husband and wife, John Mueller, and Katherine I. Mahoney, as Trustee of the L & H Mueller Revocable Trust to Outagamie County recorded in the Register of Deeds Office for Winnebago County, Wisconsin as Document Number 1333924, identified as parcel number 006000101, being more particularly described as the North ½ of the NE Fractional ¼ of Section 1, T20N, R16E, in the Town of Clayton, Excepting there from the following described parcel: Commencing at the NE corner of said Section; thence South 89°23'08" West along the Northerly line of said Section, 264.07 feet to the point of beginning; thence South 26°07'00" West, 36.95 feet to an iron rod; thence continuing on said bearing 1,099.65 feet to an iron rod; thence North 63°53'00" West, 675.00 feet to an iron rod; thence South 26°07'00" West 813.93 feet to an iron rod on a property line fence; thence South 88°36'25" West along said fence, 372.67 feet to an iron rod; thence North 0°58'36" West, 152.62 feet to an iron rod; thence North 26°07'00" East, 850.29 feet to an iron rod, thence North 63°53'00" West, 675.00 feet to an iron rod; thence North 26°07'00" East, 206.74 feet to an iron rod, thence continuing on the same bearing 37.07 feet to the Northerly line of said Section 1; North 89°01'24" East along said Northerly line, 1,619.98 feet; thence North 89°23'08" East along said Northerly line, 344.25 feet to the point of beginning; ALSO Excepting and reserving taking for the airport; ALSO Excepting the premises conveyed to Victor Bauman, Jr., in document #437720, said lands now included in Certified Survey Maps #2792 and #3422; ALSO Less and Excepting all that part of the NW ¼ of the NE ¼ of Section 1, T20N, R16E, bound by the County Highway "BB" reference line and a line described as follows: Commencing at the North ¼ corner of Said Section 1; thence North 0°01 'West, 2.1 feet to a point on the County Highway "BB" reference line; thence North 89° East along said reference line, 189.46 feet to a point and a perpendicular line hereinafter referred to as "Point A" and "Line A"; thence continuing 100.00 feet to a point and a perpendicular line hereinafter referred to as "Point B" and "Line B"; thence continuing along the County Highway "BB" reference line 132 feet, more or less, to a point on the East property line (extended) and the Point of Beginning of the described line; thence Southwesterly along said property line to a point located 50.00 feet distant at right angles from the County Highway "BB" reference line; thence Westerly parallel to said reference line to a point on "Line B" thence to a point on "Line A" 45.00 feet Southerly form "Point A' thence Westerly parallel to said reference line 186 feet more or less, to and through the West property line; thence Northerly along said property line to the County Highway "BB" reference line; ALSO Excepting all that part of the NE ¼ of the NE ¼, Section 1, T20N, R16E, bounded by a line described as follows: Commencing at the NE corner of said Section 1; thence South 0°44'East, 6.62 feet to a point on the County Highway "BB" reference line; thence North 89°16' East, 0.51 feet, thence South 1°03' West, 150.00 feet; thence South 89°16' West, 150.00 feet to a point hereinafter referred to as "Point B", and a line from "Point B" to "Point A", hereinafter referred to as "Line A"; thence continuing South 89°16' West, 110 feet more or less, to and through the West property line (extended); thence Southwesterly along said property line toa point located 55.00 feet distant at right angles form the County Highway BB reference line; thence Easterly parallel to said reference line to a point on "Line A"; thence Southeasterly along "Line A" to the point of beginning all in the Town of Clayton, all in Winnebago County, Wisconsin (the "**Property**"); and

WHEREAS, Grantee desires the right to use an easement and right of way in connection with the construction, operation, and maintenance of Grantee's Facilities (as defined below), on, over, under and through Grantor's Property, which easement and right of way is more particularly described in Exhibit A attached hereto and incorporated herein.

NOW THEREFORE, in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in further consideration of the mutual covenants and promises contained herein, the Parties hereto, intending to be legally bound, hereby promise and agree as follows:

1. **Grant of Easement**. Grantor, for itself, its heirs, executors, administrators, successors and assigns, hereby grants, sells, conveys and warrants to Grantee, for itself, its employees, agents, contractors, subcontractors, successors and assigns, an exclusive perpetual easement and right of way to survey, excavate, fabricate, lay, construct, install, inspect, maintain, improve, operate, make use of, repair, relocate, replace, alter, change the size of, upgrade, reconstruct, remove and/or abandon in place one or more pipelines and all above and below ground equipment and appurtenances thereto, including, but not limited to, roadways, fittings, launchers, receivers, cathodic protection equipment, pipeline markers, overhead or

underground electric lines, regulators (collectively, the "**Facilities**") for the transportation of natural gas, hydrocarbon, petroleum products, petroleum byproducts, and any of their constituents, water and/or any other substances that can be transported through pipelines, on, over, under, across and/or through a strip of land 50 feet in width, as more particularly described in Exhibit A (the "**Right of Way**") together with all privileges necessary or convenient for the full use of the rights herein granted, and the right of pedestrian and vehicular ingress and egress over and across the Property and any adjacent land owned by Grantor, including, without limitation, the right to open, construct, improve, repair, maintain, and use existing and future roads and gates located on Grantor's Property.

2. **Temporary Easement Area**. In addition to the perpetual Right of Way granted hereunder, during the original construction of the Facilities (including, without limitation, Grantee's reclamation, mitigation and/or restoration activities), Grantee shall be entitled to use the areas that may be defined as "Temporary Work Space", "Additional Temporary Work Space" and/or "Staging Area" (collectively, the "**Temporary Easement Area**") as shown on Exhibit A for the surveying, laying, and constructing of the Facilities installed pursuant to the terms herein and all activities incident thereto.

3. **Location**. Grantor and Grantee acknowledge that the actual location of the Right of Way and/or Temporary Easement Area may change because of engineering and/or other site or construction related factors. In such event, Grantor agrees to execute and deliver to Grantee any additional documents needed to correct the legal description of the Right of Way and/or Temporary Easement Area to conform to the actual location of the Right of Way and/or Temporary Easement Area. If such documents are required, they will be prepared by Grantee at Grantee's expense.

4. **Grantor's Continuing Rights / Encroachments**. Grantor may fully use and enjoy the Right of Way and the Temporary Easement Area to the extent that such use and enjoyment does not interfere with Grantee's rights under this Agreement or create an actual or potential hazard to the Facilities or Grantee's exercise of its rights hereunder; provided, however, Grantor shall not (i) place or permit to be placed any temporary or permanent structure or encroachment of any kind, including but not limited to buildings, mobile homes, trees, telephone poles or wires, electric poles or wires, water or sewer lines, meters or utility boxes, paved roads or passage ways or the like, in, on, over, or under the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), unless specifically approved in writing by Grantee, (ii) excavate or otherwise alter the ground elevation or otherwise create a water impoundment over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), (iii) change the depth of cover over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities) containing any installed pipeline or facility, without the prior written consent of Grantee, and (iv) store any materials of any kind or operate or allow to be operated any heavy machinery or equipment over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), nor cause the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities) to be covered by standing water, except in the course of normal seasonal irrigation. Grantee shall have the right to clear the Right of Way and Temporary Easement Area of all such encroachments, and clear, cut, trim and remove any and all trees, brush, shrubbery, overhanging branches or other vegetation from the Right of Way and Temporary Easement Area, using methods permitted by law, and Grantee shall have no liability to Grantor for any claims, damages or other losses associated with Grantee's exercise of its rights to clear the Right of Way and/or Temporary Easement Area of all encroachments and vegetation. Grantor agrees to abide by Grantee's reasonable guidelines related to the safe operation and inspection of its pipelines and facilities and maintenance of the Right of Way and Temporary Easement Area. Grantor further agrees not to convey any other rights of way or other conflicting rights within the Right of Way and/or Temporary Easement Area to any third parties without the prior written consent of Grantee.

5. **Compliance with Applicable Laws**. Grantee shall comply with all applicable federal, state and local laws, regulations, orders and rules related to the exercise of Grantee's rights hereunder and each pipeline shall be installed at a depth conforming with industry standards and the requirements of applicable laws.

6. **Gas Service**. Grantor forever waives any present or future statutory, regulatory, judicial or contractual right which Grantor has or may have to receive gas service from any pipeline laid under this Agreement and, further, Grantor forever releases Grantee, from any present or future statutory, regulatory, judicial or contractual obligation, Grantee has, or may have, to provide natural gas service from any of its pipelines or storage facilities to any and all residences or structures on Grantor's Property.

7. **Indemnity**. Grantee agrees to indemnify and hold harmless Grantor from, against and in respect of any and all liability, claims, damages, costs, and losses of whatever character (collectively, the "**Claims**") arising from personal injury or death or damage to property of Grantor and any and all Claims of whatever character asserted by third parties, to the extent such Claims result from the gross negligence or willful misconduct of Grantee, its employees, agents, contractors and subcontractors in connection with the exercise of Grantee's rights under this Agreement. Grantor agrees to indemnify and hold harmless Grantee and its affiliates, subsidiaries, successors and assigns from, against, and in respect of any and all Claims arising from personal injury or death or damage to property of Grantee, its employees, agents, contractors, and subcontractors and any and all Claims of whatever character asserted by third parties, to

the extent such Claims result from the gross negligence or willful misconduct of Grantor or Grantor's invitees or licensees.

Notwithstanding the foregoing or anything to the contrary contained herein, Grantor acknowledges and agrees that Grantee has compensated Grantor, in advance, for any and all damages, costs and expenses which may arise out of, are connected with, or relate in any way to Grantor's conveyance, or Grantee's exercise, of the rights set forth herein, including but not limited to, any and all tree, crop, plant, timber, harvest or yield loss damages, or any other damages, costs and expenses attributable to or arising from Grantee's proper execution of the initial construction, mitigation, and restoration activities within the Right of Way and Temporary Easement Area and the proper installation, presence, maintenance or operation of the Facilities upon the Property. Notwithstanding the foregoing, nothing contained herein shall be construed to release Grantee from liability for any damages, costs or expenses caused solely by the gross negligence or willful misconduct of Grantee.

8. **Further Assurances**. Grantor shall execute and deliver such further instruments and take such other actions as may be reasonably requested by Grantee from time to time to effectuate, confirm or perfect the terms and intent of this Agreement and the rights granted to Grantee hereunder, including but not limited to joining in the execution of any and all governmental applications, authorizations, licenses, documents and title curative instruments.

9. **Additional Rights**. In addition to the rights granted herein, should restoration be required on the Property outside the easements granted herein, Grantee shall have the right to take all actions necessary to complete such restoration and such actions shall not constitute a trespass. Grantee shall pay Grantor the market rate to rent such property utilized during restoration.

10. **Successors and Assigns**. This Agreement and the covenants and agreements contained herein are covenants running with the land, shall be assignable in whole or in part, and shall be binding on and shall inure to the benefit of the Parties hereto and their respective heirs, successors, assigns, executors, administrators, and legal representatives.

11. **Severability**. In the event any provision or any portion of any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable by reason of any law or public policy, such provision or portion thereof shall be considered to be deleted, and the remainder of this Agreement shall constitute the agreement between the Parties hereto covering the subject matter hereof.

12. **Entire Agreement; Modification**. This Agreement and any exhibits attached hereto constitutes the full and entire agreement of the Parties regarding the subject matter hereof and supersedes all prior or contemporaneous verbal or written agreements, representations or understandings pertaining thereto. This Agreement may be modified or amended only by a written agreement signed by each of the Parties hereto.

13. **Governing Law**. This Agreement shall be governed by the laws of the State in which the Property is located, without regard to conflicts laws or choice of law rules thereof.

14. **Joint Efforts**. The Parties stipulate and agree that this Agreement shall be deemed and considered for all purposes as prepared through the joint effort of the Parties and shall not be construed against one or the other as a result of the preparation, submittal, recording, or other event of negotiation, drafting or execution hereof.

15. **Authority**. Each Party and signatory to this Agreement represents and warrants to the other Party that it has full power, authority and legal rights, and has obtained all approvals necessary, to execute, deliver and perform this Agreement. Grantor binds itself, its heirs, successors, assigns, executors, administrators, and legal representatives to warrant and forever defend the interests and rights conveyed herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claims the same or any part thereof.

16. **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall constitute an original, but all of which shall constitute but one and the same instrument.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

WITNESS:

_____

GRANTOR:

Outagamie County

By:_____

Name:_____

Title:_____

ACKNOWLEDGMENT OF GRANTOR

STATE OF _____,

COUNTY OF _____, to-wit:

Before me, the undersigned officer, personally appeared _____, who acknowledged themself to be the _____ of **Outagamie County**, and that he/she, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the company.

Given under my hand and official seal this _____ day of_____, 20_____.

My commission expires _____.

_____

[SEAL] Notary Public

WITNESS:

GRANTEE:

ANR Pipeline Company,
a Delaware corporation

_____ By:_____
Name:_____
Title:_____

_____ By:_____
Name:_____
Title:_____

ACKNOWLEDGMENT OF GRANTEE

STATE OF _____,

COUNTY OF _____, to-wit:

Before me, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the _____ of **ANR Pipeline Company**, a Delaware corporation, and that he/she, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the company.

Given under my hand and official seal this _____ day of_____, 20_____.

My commission expires _____.

_____

[SEAL] Notary Public

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COUNTY OF _____, to-wit:

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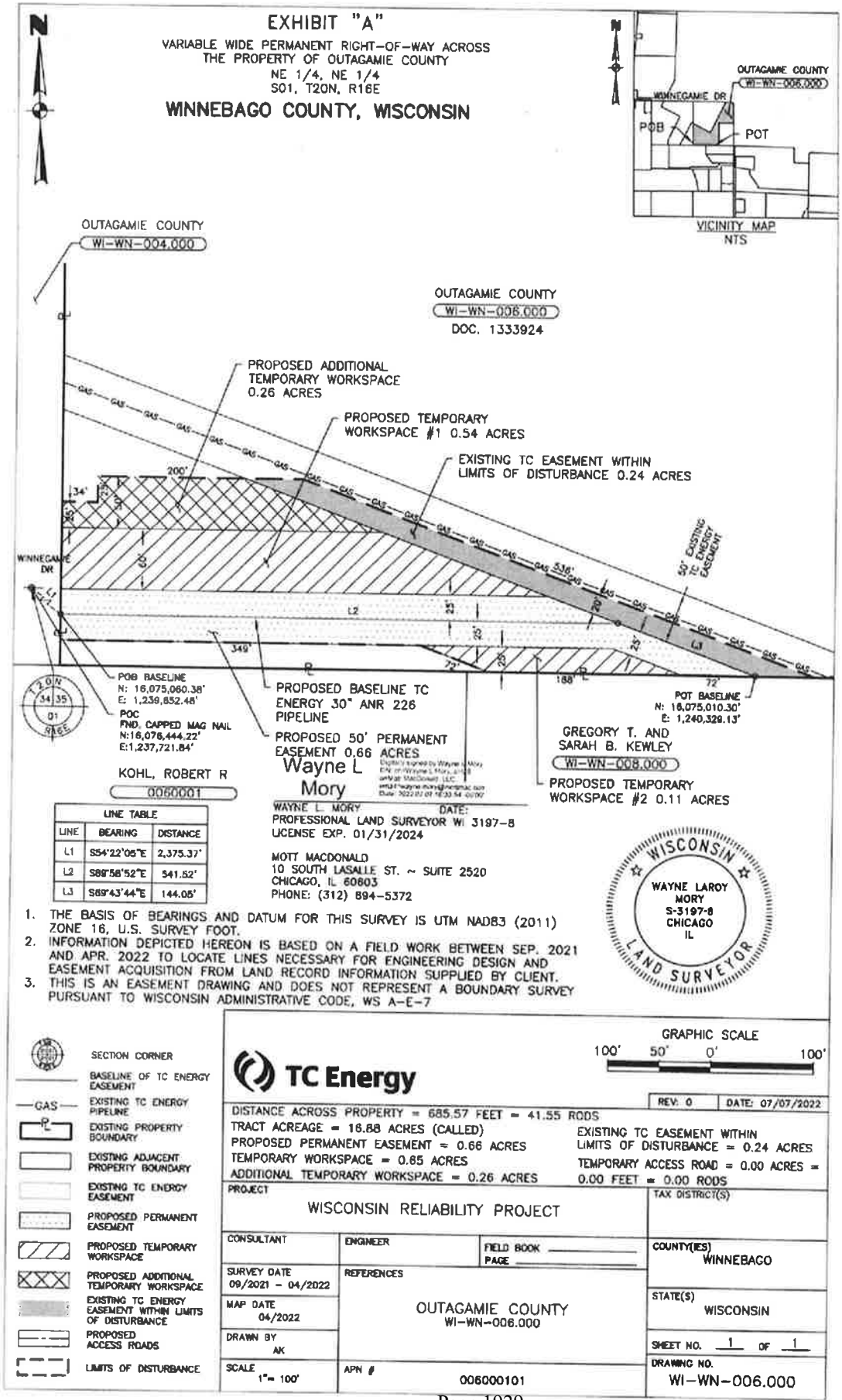
Given under my hand and official seal this _____ day of_____, 20_____.

My commission expires _____.

_____

[SEAL] **Notary Public**

This instrument was prepared by:
Alyssa Trepl
Ohio Valley Acquisition
1305 N Barker Rd. Suite 8
Brookfield, WI 53045


EXHIBIT "A"
VARIABLE WIDE PERMANENT RIGHT-OF-WAY ACROSS
THE PROPERTY OF OUTAGAMIE COUNTY
NE 1/4, NE 1/4
S01, T20N, R16E
WINNEBAGO COUNTY, WISCONSIN
OUTAGAMIE COUNTY
WI-WN-006.000
WINNEGAMIE DR
POB
POT
VICINITY MAP
NTS
OUTAGAMIE COUNTY
WI-WN-004.000
OUTAGAMIE COUNTY
WI-WN-006.000
DOC. 1333924
PROPOSED ADDITIONAL
TEMPORARY WORKSPACE
0.26 ACRES
PROPOSED TEMPORARY
WORKSPACE #1 0.54 ACRES
EXISTING TC EASEMENT WITHIN
LIMITS OF DISTURBANCE 0.24 ACRES
50' EXISTING TC ENERGY EASEMENT
WINNEGAMIE DR
POB BASELINE
N: 16,075,060.38'
E: 1,239,852.48'
POC
FND. CAPPED MAG NAIL
N:16,076,444.22'
E:1,237,721.84'
PROPOSED BASELINE TC
ENERGY 30" ANR 226
PIPELINE
PROPOSED 50' PERMANENT
EASEMENT 0.66 ACRES
POT BASELINE
N: 16,075,010.30'
E: 1,240,329.13'
GREGORY T. AND
SARAH B. KEWLEY
WI-WN-008.000
PROPOSED TEMPORARY
WORKSPACE #2 0.11 ACRES
KOHL, ROBERT R
0060001
LINE TABLE
LINE | BEARING | DISTANCE
L1 | S54°22'05"E | 2,375.37'
L2 | S89°58'52"E | 541.52'
L3 | S69°43'44"E | 144.05'
Wayne L Mory
WAYNE L. MORY DATE:
PROFESSIONAL LAND SURVEYOR WI 3197-8
LICENSE EXP. 01/31/2024
MOTT MACDONALD
10 SOUTH LASALLE ST. ~ SUITE 2520
CHICAGO, IL 60603
PHONE: (312) 894-5372
WISCONSIN
WAYNE LAROY
MORY
S-3197-8
CHICAGO
IL
LAND SURVEYOR
1. THE BASIS OF BEARINGS AND DATUM FOR THIS SURVEY IS UTM NAD83 (2011) ZONE 16, U.S. SURVEY FOOT.
2. INFORMATION DEPICTED HEREON IS BASED ON A FIELD WORK BETWEEN SEP. 2021 AND APR. 2022 TO LOCATE LINES NECESSARY FOR ENGINEERING DESIGN AND EASEMENT ACQUISITION FROM LAND RECORD INFORMATION SUPPLIED BY CLIENT.
3. THIS IS AN EASEMENT DRAWING AND DOES NOT REPRESENT A BOUNDARY SURVEY PURSUANT TO WISCONSIN ADMINISTRATIVE CODE, WS A-E-7
SECTION CORNER
BASELINE OF TC ENERGY EASEMENT
EXISTING TC ENERGY PIPELINE
EXISTING PROPERTY BOUNDARY
EXISTING ADJACENT PROPERTY BOUNDARY
EXISTING TC ENERGY EASEMENT
PROPOSED PERMANENT EASEMENT
PROPOSED TEMPORARY WORKSPACE
PROPOSED ADDITIONAL TEMPORARY WORKSPACE
EXISTING TC ENERGY EASEMENT WITHIN LIMITS OF DISTURBANCE
PROPOSED ACCESS ROADS
LIMITS OF DISTURBANCE
GRAPHIC SCALE
100' 50' 0' 100'
TC Energy
REV: 0 DATE: 07/07/2022
DISTANCE ACROSS PROPERTY = 685.57 FEET = 41.55 RODS
TRACT ACREAGE = 16.68 ACRES (CALLED)
PROPOSED PERMANENT EASEMENT = 0.66 ACRES
TEMPORARY WORKSPACE = 0.65 ACRES
ADDITIONAL TEMPORARY WORKSPACE = 0.26 ACRES
EXISTING TC EASEMENT WITHIN LIMITS OF DISTURBANCE = 0.24 ACRES
TEMPORARY ACCESS ROAD = 0.00 ACRES = 0.00 FEET = 0.00 RODS
PROJECT
WISCONSIN RELIABILITY PROJECT
TAX DISTRICT(S)
CONSULTANT
ENGINEER
FIELD BOOK
PAGE
COUNTY(IES)
WINNEBAGO
SURVEY DATE
09/2021 - 04/2022
REFERENCES
OUTAGAMIE COUNTY
WI-WN-006.000
STATE(S)
WISCONSIN
MAP DATE
04/2022
DRAWN BY
AK
SHEET NO. 1 OF 1
SCALE
1"= 100'
APN #
006000101
DRAWING NO.
WI-WN-006.000

EASEMENT AND RIGHT OF WAY AGREEMENT

Tract Number: WI-WN-004.000

THIS EASEMENT AND RIGHT OF WAY AGREEMENT (this "**Agreement**"), is made as of this ____ day of _____, 20__, by and between **Outagamie County**, whose address is **W6390 Challenger Drive, Ste. 201, Appleton, Wisconsin 54914** (whether one or more, the "**Grantor**"), and **ANR Pipeline Company**, a Delaware corporation, whose address is 700 Louisiana Street, Ste. 700, Houston, Texas 77002 (the "**Grantee**"). Grantor and Grantee are hereinafter sometimes referred to individually as a "**Party**" and collectively as the "**Parties.**"

After recording return to:
Ohio Valley Acquisition
1305 N Barker Rd. Suite 8
Brookfield, WI 53045

Parcel No. 006000201

WHEREAS, Grantor is the present owner of certain real property being described in that certain Warranty Deed, dated October 15, 2004, from Lonny J. Mahoney and Katherine I. Mahoney, as husband and wife, John Mueller, and Katherine I. Mahoney, as Trustee of the L & H Mueller Revocable Trust to Outagamie County recorded in the Register of Deeds Office for Winnebago County, Wisconsin as Document Number 1333924, identified as parcel number 006000201, being more particularly described as the North ½ of the NE Fractional ¼ of Section 1, T20N, R16E, in the Town of Clayton, Excepting there from the following described parcel: Commencing at the NE corner of said Section; thence South 89°23'08" West along the Northerly line of said Section, 264.07 feet to the point of beginning; thence South 26°07'00" West, 36.95 feet to an iron rod; thence continuing on said bearing 1,099.65 feet to an iron rod; thence North 63°53'00" West, 675.00 feet to an iron rod; thence South 26°07'00" West 813.93 feet to an iron rod on a property line fence; thence South 88°36'25" West along said fence, 372.67 feet to an iron rod; thence North 0°58'36" West, 152.62 feet to an iron rod; thence North 26°07'00" East, 850.29 feet to an iron rod, thence North 63°53'00" West, 675.00 feet to an iron rod; thence North 26°07'00" East, 206.74 feet to an iron rod, thence continuing on the same bearing 37.07 feet to the Northerly line of said Section 1; North 89°01'24" East along said Northerly line, 1,619.98 feet; thence North 89°23'08" East along said Northerly line, 344.25 feet to the point of beginning; ALSO Excepting and reserving taking for the airport; ALSO Excepting the premises conveyed to Victor Bauman, Jr., in document #437720, said lands now included in Certified Survey Maps #2792 and #3422; ALSO Less and Excepting all that part of the NW ¼ of the NE ¼ of Section 1, T20N, R16E, bound by the County Highway "BB" reference line and a line described as follows: Commencing at the North ¼ corner of Said Section 1; thence North 0°01'West, 2.1 feet to a point on the County Highway "BB" reference line; thence North 89° East along said reference line, 189.46 feet to a point and a perpendicular line hereinafter referred to as "Point A" and "Line A"; thence continuing 100.00 feet to a point and a perpendicular line hereinafter referred to as "Point B" and "Line B"; thence continuing along the County Highway "BB" reference line 132 feet, more or less, to a point on the East property line (extended) and the Point of Beginning of the described line; thence Southwesterly along said property line to a point located 50.00 feet distant at right angles from the County Highway "BB" reference line; thence Westerly parallel to said reference line to a point on "Line B" thence to a point on "Line A" 45.00 feet Southerly form "Point A' thence Westerly parallel to said reference line 186 feet more or less, to and through the West property line; thence Northerly along said property line to the County Highway "BB" reference line; ALSO Excepting all that part of the NE ¼ of the NE ¼, Section 1, T20N, R16E, bounded by a line described as follows: Commencing at the NE corner of said Section 1; thence South 0°44'East, 6.62 feet to a point on the County Highway "BB" reference line; thence North 89°16' East, 0.51 feet, thence South 1°03' West, 150.00 feet; thence South 89°16' West, 150.00 feet to a point hereinafter referred to as "Point B", and a line from "Point B" to "Point A", hereinafter referred to as "Line A"; thence continuing South 89°16' West, 110 feet more or less, to and through the West property line (extended); thence Southwesterly along said property line toa point located 55.00 feet distant at right angles form the County Highway BB reference line; thence Easterly parallel to said reference line to a point on "Line A"; thence Southeasterly along "Line A" to the point of beginning all in the Town of Clayton, all in Winnebago County, Wisconsin (the "**Property**"); and

WHEREAS, Grantee desires the right to use an easement and right of way in connection with the construction, operation, and maintenance of Grantee's Facilities (as defined below), on, over, under and through Grantor's Property, which easement and right of way is more particularly described in Exhibit A attached hereto and incorporated herein.

NOW THEREFORE, in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in further consideration of the mutual covenants and promises contained herein, the Parties hereto, intending to be legally bound, hereby promise and agree as follows:

1. **Grant of Easement**. Grantor, for itself, its heirs, executors, administrators, successors and assigns, hereby grants, sells, conveys and warrants to Grantee, for itself, its employees, agents, contractors, subcontractors, successors and assigns, an exclusive perpetual easement and right of way to survey, excavate, fabricate, lay, construct, install, inspect, maintain, improve, operate, make use of, repair, relocate, replace, alter, change the size of, upgrade, reconstruct, remove and/or abandon in place one or more

pipelines and all above and below ground equipment and appurtenances thereto, including, but not limited to, roadways, fittings, launchers, receivers, cathodic protection equipment, pipeline markers, overhead or underground electric lines, regulators (collectively, the "**Facilities**") for the transportation of natural gas, hydrocarbon, petroleum products, petroleum byproducts, and any of their constituents, water and/or any other substances that can be transported through pipelines, on, over, under, across and/or through a strip of land 50 feet in width, as more particularly described in Exhibit A (the "**Right of Way**") together with all privileges necessary or convenient for the full use of the rights herein granted, and the right of pedestrian and vehicular ingress and egress over and across the Property and any adjacent land owned by Grantor, including, without limitation, the right to open, construct, improve, repair, maintain, and use existing and future roads and gates located on Grantor's Property.

2. **Temporary Easement Area**. In addition to the perpetual Right of Way granted hereunder, during the original construction of the Facilities (including, without limitation, Grantee's reclamation, mitigation and/or restoration activities), Grantee shall be entitled to use the areas that may be defined as "Temporary Work Space", "Additional Temporary Work Space" and/or "Staging Area" (collectively, the "**Temporary Easement Area**") as shown on Exhibit A for the surveying, laying, and constructing of the Facilities installed pursuant to the terms herein and all activities incident thereto.

3. **Location**. Grantor and Grantee acknowledge that the actual location of the Right of Way and/or Temporary Easement Area may change because of engineering and/or other site or construction related factors. In such event, Grantor agrees to execute and deliver to Grantee any additional documents needed to correct the legal description of the Right of Way and/or Temporary Easement Area to conform to the actual location of the Right of Way and/or Temporary Easement Area. If such documents are required, they will be prepared by Grantee at Grantee's expense.

4. **Grantor's Continuing Rights / Encroachments**. Grantor may fully use and enjoy the Right of Way and the Temporary Easement Area to the extent that such use and enjoyment does not interfere with Grantee's rights under this Agreement or create an actual or potential hazard to the Facilities or Grantee's exercise of its rights hereunder; provided, however, Grantor shall not (i) place or permit to be placed any temporary or permanent structure or encroachment of any kind, including but not limited to buildings, mobile homes, trees, telephone poles or wires, electric poles or wires, water or sewer lines, meters or utility boxes, paved roads or passage ways or the like, in, on, over, or under the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), unless specifically approved in writing by Grantee, (ii) excavate or otherwise alter the ground elevation or otherwise create a water impoundment over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), (iii) change the depth of cover over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities) containing any installed pipeline or facility, without the prior written consent of Grantee, and (iv) store any materials of any kind or operate or allow to be operated any heavy machinery or equipment over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), nor cause the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities) to be covered by standing water, except in the course of normal seasonal irrigation. Grantee shall have the right to clear the Right of Way and Temporary Easement Area of all such encroachments, and clear, cut, trim and remove any and all trees, brush, shrubbery, overhanging branches or other vegetation from the Right of Way and Temporary Easement Area, using methods permitted by law, and Grantee shall have no liability to Grantor for any claims, damages or other losses associated with Grantee's exercise of its rights to clear the Right of Way and/or Temporary Easement Area of all encroachments and vegetation. Grantor agrees to abide by Grantee's reasonable guidelines related to the safe operation and inspection of its pipelines and facilities and maintenance of the Right of Way and Temporary Easement Area. Grantor further agrees not to convey any other rights of way or other conflicting rights within the Right of Way and/or Temporary Easement Area to any third parties without the prior written consent of Grantee.

5. **Compliance with Applicable Laws**. Grantee shall comply with all applicable federal, state and local laws, regulations, orders and rules related to the exercise of Grantee's rights hereunder and each pipeline shall be installed at a depth conforming with industry standards and the requirements of applicable laws.

6. **Gas Service**. Grantor forever waives any present or future statutory, regulatory, judicial or contractual right which Grantor has or may have to receive gas service from any pipeline laid under this Agreement and, further, Grantor forever releases Grantee, from any present or future statutory, regulatory, judicial or contractual obligation, Grantee has, or may have, to provide natural gas service from any of its pipelines or storage facilities to any and all residences or structures on Grantor's Property.

7. **Indemnity**. Grantee agrees to indemnify and hold harmless Grantor from, against and in respect of any and all liability, claims, damages, costs, and losses of whatever character (collectively, the "**Claims**") arising from personal injury or death or damage to property of Grantor and any and all Claims of whatever character asserted by third parties, to the extent such Claims result from the gross negligence or willful misconduct of Grantee, its employees, agents, contractors and subcontractors in connection with

the exercise of Grantee's rights under this Agreement. Grantor agrees to indemnify and hold harmless Grantee and its affiliates, subsidiaries, successors and assigns from, against, and in respect of any and all Claims arising from personal injury or death or damage to property of Grantee, its employees, agents, contractors, and subcontractors and any and all Claims of whatever character asserted by third parties, to the extent such Claims result from the gross negligence or willful misconduct of Grantor or Grantor's invitees or licensees.

Notwithstanding the foregoing or anything to the contrary contained herein, Grantor acknowledges and agrees that Grantee has compensated Grantor, in advance, for any and all damages, costs and expenses which may arise out of, are connected with, or relate in any way to Grantor's conveyance, or Grantee's exercise, of the rights set forth herein, including but not limited to, any and all tree, crop, plant, timber, harvest or yield loss damages, or any other damages, costs and expenses attributable to or arising from Grantee's proper execution of the initial construction, mitigation, and restoration activities within the Right of Way and Temporary Easement Area and the proper installation, presence, maintenance or operation of the Facilities upon the Property. Notwithstanding the foregoing, nothing contained herein shall be construed to release Grantee from liability for any damages, costs or expenses caused solely by the gross negligence or willful misconduct of Grantee.

8. **Further Assurances**. Grantor shall execute and deliver such further instruments and take such other actions as may be reasonably requested by Grantee from time to time to effectuate, confirm or perfect the terms and intent of this Agreement and the rights granted to Grantee hereunder, including but not limited to joining in the execution of any and all governmental applications, authorizations, licenses, documents and title curative instruments.

9. **Additional Rights**. In addition to the rights granted herein, should restoration be required on the Property outside the easements granted herein, Grantee shall have the right to take all actions necessary to complete such restoration and such actions shall not constitute a trespass. Grantee shall pay Grantor the market rate to rent such property utilized during restoration.

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16. **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall constitute an original, but all of which shall constitute but one and the same instrument.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

WITNESS:

_____

GRANTOR:

Outagamie County

By:_____

Name:_____

Title:_____

ACKNOWLEDGMENT OF GRANTOR

STATE OF _____,

COUNTY OF _____, to-wit:

Before me, the undersigned officer, personally appeared _____, who acknowledged themself to be the _____ of **Outagamie County**, and that he/she, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the county.

Given under my hand and official seal this _____ day of _____, 20_____.

My commission expires _____.

_____

[SEAL] Notary Public

WITNESS:

GRANTEE:

ANR Pipeline Company,
a Delaware corporation

_____ By:_____
Name:_____
Title:_____

_____ By:_____
Name:_____
Title:_____

ACKNOWLEDGMENT OF GRANTEE

STATE OF _____,

COUNTY OF _____, to-wit:

Before me, the undersigned officer, personally appeared _____, who acknowledged themself to be the _____ of **ANR Pipeline Company**, a Delaware corporation, and that he/she, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the company.

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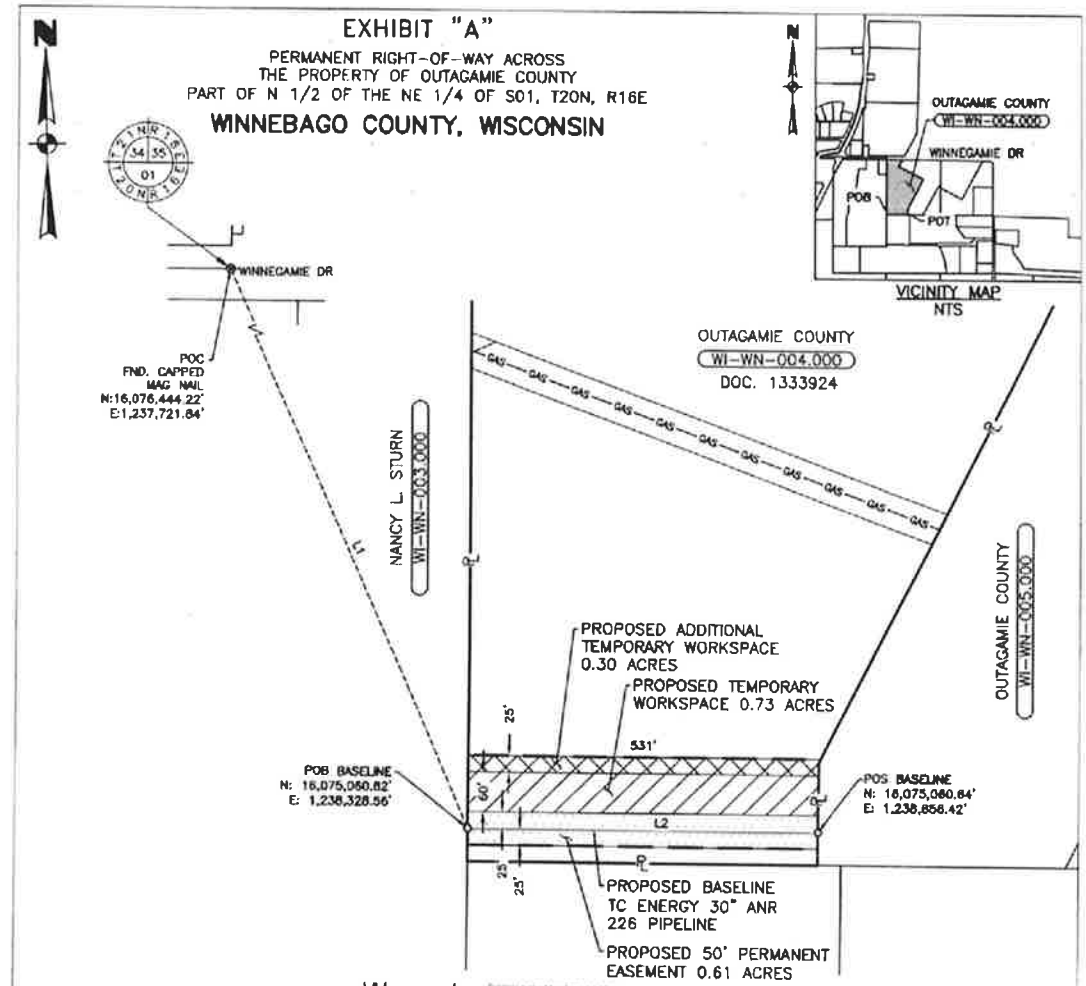
Given under my hand and official seal this _____ day of_____, 20_____.

My commission expires _____.

_____

[SEAL] Notary Public

This instrument was prepared by:
Alyssa Trepl
Ohio Valley Acquisition
1305 N Barker Rd. Suite 8
Brookfield, WI 53045



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S23°40'50"W	1,510.60'
L2	S89°58'52"E	527.87'

Wayne L Mory

WAYNE L. MORY DATE:
PROFESSIONAL LAND SURVEYOR WI 3197-8
LICENSE EXP. 01/31/2024

MOTT MACDONALD
10 SOUTH LASALLE ST. ~ SUITE 2520
CHICAGO, IL 60603
PHONE: (312) 894-5372

WISCONSIN
WAYNE LAROY
MORY
S-3197-8
CHICAGO
IL
LAND SURVEYOR

1. THE BASIS OF BEARINGS AND DATUM FOR THIS SURVEY IS UTM NAD83 (2011) ZONE 16, U.S. SURVEY FOOT.
2. INFORMATION DEPICTED HEREON IS BASED ON A FIELD WORK BETWEEN SEP. 2021 AND APR. 2022 TO LOCATE LINES NECESSARY FOR ENGINEERING DESIGN AND EASEMENT ACQUISITION FROM LAND RECORD INFORMATION SUPPLIED BY CLIENT.
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SECTION CORNER
BASELINE OF TC ENERGY EASEMENT
—GAS— EXISTING TC ENERGY PIPELINE
EXISTING PROPERTY BOUNDARY
EXISTING ADJACENT PROPERTY BOUNDARY
EXISTING TC ENERGY EASEMENT
PROPOSED PERMANENT EASEMENT
PROPOSED TEMPORARY WORKSPACE
PROPOSED ADDITIONAL TEMPORARY WORKSPACE
EXISTING TC ENERGY EASEMENT WITHIN LIMITS OF DISTURBANCE
PROPOSED ACCESS ROADS
LIMITS OF DISTURBANCE

TC Energy

GRAPHIC SCALE
200' 100' 0' 200'

REV: 1 | DATE: 07/12/2022

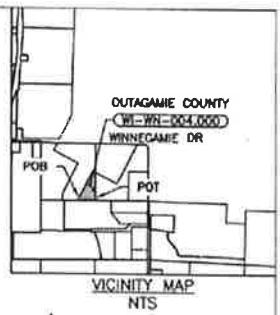
DISTANCE ACROSS PROPERTY = 927.51 FEET = 56.21 RODS
TRACT ACREAGE = 25.17 ACRES (CALLED)
PROPOSED PERMANENT EASEMENT = 1.07 ACRES
TEMPORARY WORKSPACE = 1.24 ACRES
ADDITIONAL TEMPORARY WORKSPACE = 0.50 ACRES
EXISTING TC EASEMENT WITHIN LIMITS OF DISTURBANCE = 0.00 ACRES
TEMPORARY ACCESS ROAD = 0.00 ACRES = 0.00 FEET = 0.00 RODS

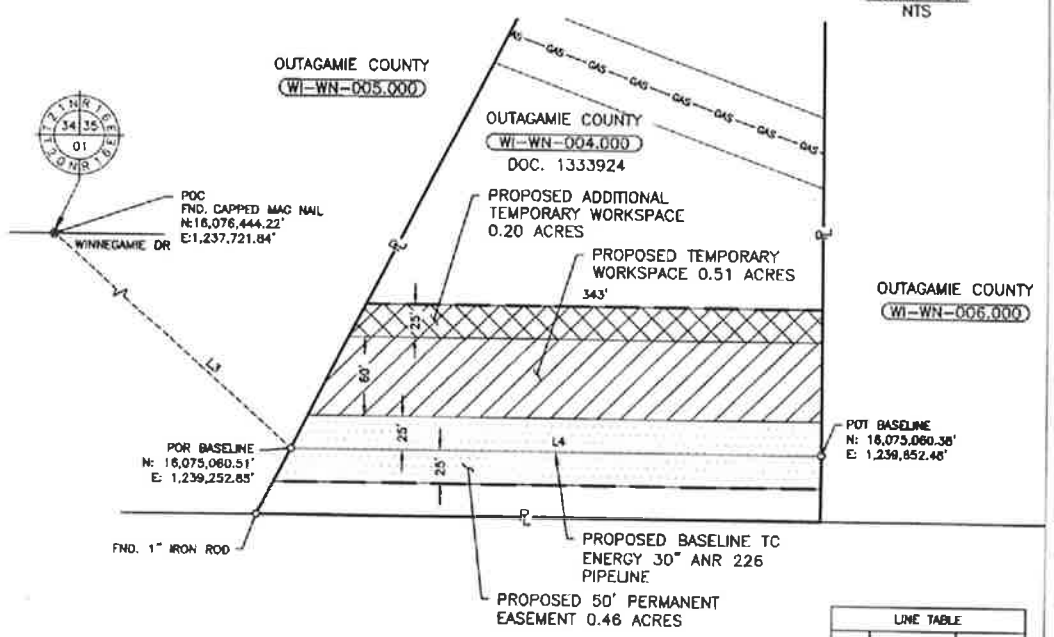
PROJECT: WISCONSIN RELIABILITY PROJECT
TAX DISTRICT(S):
CONSULTANT:
ENGINEER:
FIELD BOOK:
PAGE:
COUNTY(IES): WINNEBAGO
SURVEY DATE: 09/2021 – 04/2022
REFERENCES: OUTAGAMIE COUNTY WI-WN-004.000
STATE(S): WISCONSIN
MAP DATE: 04/2022
DRAWN BY: AK
SHEET NO. 1 OF 2
SCALE: 1" = 200'
APN #: 006000201
DRAWING NO.: WI-WN-004.000

EXHIBIT "A"

PERMANENT RIGHT-OF-WAY ACROSS
THE PROPERTY OF OUTAGAMIE COUNTY
PART OF N 1/2 OF THE NE 1/4 OF S01, T20N, R16E

WINNEBAGO COUNTY, WISCONSIN





LINE TABLE		
LINE	BEARING	DISTANCE
L3	S47°53'35"E	2,063.64'
L4	S89°58'52"E	599.84'

Wayne L Mory

WAYNE L. MORY DATE:
PROFESSIONAL LAND SURVEYOR WI 3197-B
LICENSE EXP. 01/31/2024

MOTT MACDONALD
10 SOUTH LASALLE ST. ~ SUITE 2520
CHICAGO, IL 60603
PHONE: (312) 894-5372

WISCONSIN
WAYNE LAROY MORY
S-3197-B
CHICAGO IL
LAND SURVEYOR

1. THE BASIS OF BEARINGS AND DATUM FOR THIS SURVEY IS UTM NAD83 (2011) ZONE 16, U.S. SURVEY FOOT.
2. INFORMATION DEPICTED HEREON IS BASED ON A FIELD WORK BETWEEN SEP. 2021 AND APR. 2022 TO LOCATE LINES NECESSARY FOR ENGINEERING DESIGN AND EASEMENT ACQUISITION FROM LAND RECORD INFORMATION SUPPLIED BY CLIENT.
3. THIS IS AN EASEMENT DRAWING AND DOES NOT REPRESENT A BOUNDARY SURVEY PURSUANT TO WISCONSIN ADMINISTRATIVE CODE, WS A-E-7

- SECTION CORNER
- BASELINE OF TC ENERGY EASEMENT
- —GAS— EXISTING TC ENERGY PIPELINE
- EXISTING PROPERTY BOUNDARY
- EXISTING ADJACENT PROPERTY BOUNDARY
- EXISTING TC ENERGY EASEMENT
- PROPOSED PERMANENT EASEMENT
- PROPOSED TEMPORARY WORKSPACE
- PROPOSED ADDITIONAL TEMPORARY WORKSPACE
- EXISTING TC ENERGY EASEMENT WITHIN LIMITS OF DISTURBANCE
- PROPOSED ACCESS ROADS
- LIMITS OF DISTURBANCE

GRAPHIC SCALE
100' 50' 0' 100'

TC Energy

REV: 1	DATE: 07/12/2022

DISTANCE ACROSS PROPERTY = 927.51 FEET = 56.21 RODS
TRACT ACREAGE = 25.17 ACRES (CALLED)
PROPOSED PERMANENT EASEMENT = 1.07 ACRES
TEMPORARY WORKSPACE = 1.24 ACRES
ADDITIONAL TEMPORARY WORKSPACE = 0.50 ACRES
EXISTING TC EASEMENT WITHIN LIMITS OF DISTURBANCE = 0.00 ACRES
TEMPORARY ACCESS ROAD = 0.00 ACRES = 0.00 FEET = 0.00 RODS

PROJECT: WISCONSIN RELIABILITY PROJECT			TAX DISTRICT(S)
CONSULTANT	ENGINEER	FIELD BOOK / PAGE	COUNTY(IES): WINNEBAGO
SURVEY DATE: 09/2021 - 04/2022	REFERENCES: OUTAGAMIE COUNTY WI-WN-004.000		STATE(S): WISCONSIN
MAP DATE: 04/2022			SHEET NO. 2 OF 2
DRAWN BY: AK			DRAWING NO. WI-WN-004.000
SCALE: 1"= 200'	APN #: 006000201		

EASEMENT AND RIGHT OF WAY AGREEMENT

Tract Number: WI-WN-005.000

THIS EASEMENT AND RIGHT OF WAY AGREEMENT (this "**Agreement**"), is made as of this ____ day of _____, 20__, by and between **County of Outagamie**, whose address is **W6390 Challenger Drive, Ste. 201, Appleton, Wisconsin 54914** (whether one or more, the "**Grantor**"), and **ANR Pipeline Company**, a Delaware corporation, whose address is 700 Louisiana Street, Ste. 700, Houston, Texas 77002 (the "**Grantee**"). Grantor and Grantee are hereinafter sometimes referred to individually as a "**Party**" and collectively as the "**Parties.**"

After recording return to:
Ohio Valley Acquisition
1305 N Barker Rd. Suite 8
Brookfield, WI 53045

Parcel No. 006000202

WHEREAS, Grantor is the present owner of certain real property being described in that certain Award of Damages, dated November 25, 1968, from County of Outagamie to Roland G. Huebner and Jaye E. Huebner, H/W and Myron C. Hartford and Evelyn O. Hartford, H/W, and The Federal Land Bank of St. Paul, Mortgagee, and Elmer Schefe, Mortgagee recorded in the Register of Deeds Office for Winnebago County, Wisconsin in Volume 1228, Page 63, as Document Number 378786 identified as parcel number 006000202, being more particularly described as that part of the NE ¼ of the NE ¼ and the NW ¼ of the NE ¼ of Section 1, T20N, R16E, Town of Clayton, Winnebago County, Wisconsin described as follows: Commencing at the NE corner of said section; thence S89°-23'-08"W along the northerly line of said section 264.07 feet to the point of beginning thence S26°-07'-00"W 36.95 feet to an iron rod; thence continuing on said bearing 1099.65 feet to an iron rod; thence N63°-53'-00"W 675.00 feet to an iron rod; thence S26°-07'-00"W S13.93 feet to an iron rod on a property line fence; thence S88°-36'-25"W along said fence 372.67 feet to an iron rod; thence N0°-58'-36"W 152.62 feet to an iron rod; thence N26°-07'-00"E 850.29 feet to an iron rod; thence N63°-53'-00"W 675.00 feet to an iron rod; Thence N26°-07'-00"E 206.74 feet to an iron rod; thence continuing on the same bearing 37.07 feet to the northerly line of said Section 1; thence N89°-01'-24"E along said northerly line 1619.98 feet; thence N89-23'-08"E along said northerly line 344.25 feet to the point of beginning; a road right-of-way easement, crossing the above described parcel of land, is being retained by the owner, said easement area being described as follows: that part of the NW ¼ of the NE ¼ of Section 1, T20N, R16E, Town of Clayton, Winnebago County, Wisconsin, being a strip of land 37.5 feet wide measured at right angles to and on the northerly side of the following described property line: Commencing at the northeasterly corner of said Section thence S89°-23'-08"W along the northerly line of said Section 264.07 feet; thence S26°-07'-00"W 36.95 feet to an iron rod; thence continuing on said bearing 1099.65 feet to an iron rod; thence N33°-53'-00"W 675.00 feet to an iron rod; thence S26°-07'-00"W 813.93 feet toa n iron rod at the point of beginning of said property line; thence S88°-36'-25"W along said property line 372.67 feet to an iron rod (the "**Property**"); and

WHEREAS, Grantee desires the right to use an easement and right of way in connection with the construction, operation, and maintenance of Grantee's Facilities (as defined below), on, over, under and through Grantor's Property, which easement and right of way is more particularly described in Exhibit A attached hereto and incorporated herein.

NOW THEREFORE, in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in further consideration of the mutual covenants and promises contained herein, the Parties hereto, intending to be legally bound, hereby promise and agree as follows:

1. **Grant of Easement**. Grantor, for itself, its heirs, executors, administrators, successors and assigns, hereby grants, sells, conveys and warrants to Grantee, for itself, its employees, agents, contractors, subcontractors, successors and assigns, an exclusive perpetual easement and right of way to survey, excavate, fabricate, lay, construct, install, inspect, maintain, improve, operate, make use of, repair, relocate, replace, alter, change the size of, upgrade, reconstruct, remove and/or abandon in place one or more pipelines and all above and below ground equipment and appurtenances thereto, including, but not limited to, roadways, fittings, launchers, receivers, cathodic protection equipment, pipeline markers, overhead or underground electric lines, regulators (collectively, the "**Facilities**") for the transportation of natural gas, hydrocarbon, petroleum products, petroleum byproducts, and any of their constituents, water and/or any other substances that can be transported through pipelines, on, over, under, across and/or through a strip of land 50 feet in width, as more particularly described in Exhibit A (the "**Right of Way**") together with all privileges necessary or convenient for the full use of the rights herein granted, and the right of pedestrian and vehicular ingress and egress over and across the Property and any adjacent land owned by Grantor, including, without limitation, the right to open, construct, improve, repair, maintain, and use existing and future roads and gates located on Grantor's Property.

2. **Temporary Easement Area**. In addition to the perpetual Right of Way granted hereunder, during the original construction of the Facilities (including, without limitation, Grantee's reclamation, mitigation and/or restoration activities), Grantee shall be entitled to use the areas that may be defined as "Temporary Work Space", "Additional Temporary Work Space" and/or "Staging Area" (collectively, the

"**Temporary Easement Area**") as shown on Exhibit A for the surveying, laying, and constructing of the Facilities installed pursuant to the terms herein and all activities incident thereto.

3. **Location**. Grantor and Grantee acknowledge that the actual location of the Right of Way and/or Temporary Easement Area may change because of engineering and/or other site or construction related factors. In such event, Grantor agrees to execute and deliver to Grantee any additional documents needed to correct the legal description of the Right of Way and/or Temporary Easement Area to conform to the actual location of the Right of Way and/or Temporary Easement Area. If such documents are required, they will be prepared by Grantee at Grantee's expense.

4. **Grantor's Continuing Rights / Encroachments**. Grantor may fully use and enjoy the Right of Way and the Temporary Easement Area to the extent that such use and enjoyment does not interfere with Grantee's rights under this Agreement or create an actual or potential hazard to the Facilities or Grantee's exercise of its rights hereunder; provided, however, Grantor shall not (i) place or permit to be placed any temporary or permanent structure or encroachment of any kind, including but not limited to buildings, mobile homes, trees, telephone poles or wires, electric poles or wires, water or sewer lines, meters or utility boxes, paved roads or passage ways or the like, in, on, over, or under the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), unless specifically approved in writing by Grantee, (ii) excavate or otherwise alter the ground elevation or otherwise create a water impoundment over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), (iii) change the depth of cover over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities) containing any installed pipeline or facility, without the prior written consent of Grantee, and (iv) store any materials of any kind or operate or allow to be operated any heavy machinery or equipment over the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities), nor cause the Right of Way and/or the Temporary Easement Area (during the original construction of the Facilities) to be covered by standing water, except in the course of normal seasonal irrigation. Grantee shall have the right to clear the Right of Way and Temporary Easement Area of all such encroachments, and clear, cut, trim and remove any and all trees, brush, shrubbery, overhanging branches or other vegetation from the Right of Way and Temporary Easement Area, using methods permitted by law, and Grantee shall have no liability to Grantor for any claims, damages or other losses associated with Grantee's exercise of its rights to clear the Right of Way and/or Temporary Easement Area of all encroachments and vegetation. Grantor agrees to abide by Grantee's reasonable guidelines related to the safe operation and inspection of its pipelines and facilities and maintenance of the Right of Way and Temporary Easement Area. Grantor further agrees not to convey any other rights of way or other conflicting rights within the Right of Way and/or Temporary Easement Area to any third parties without the prior written consent of Grantee.

5. **Compliance with Applicable Laws**. Grantee shall comply with all applicable federal, state and local laws, regulations, orders and rules related to the exercise of Grantee's rights hereunder and each pipeline shall be installed at a depth conforming with industry standards and the requirements of applicable laws.

6. **Gas Service**. Grantor forever waives any present or future statutory, regulatory, judicial or contractual right which Grantor has or may have to receive gas service from any pipeline laid under this Agreement and, further, Grantor forever releases Grantee, from any present or future statutory, regulatory, judicial or contractual obligation, Grantee has, or may have, to provide natural gas service from any of its pipelines or storage facilities to any and all residences or structures on Grantor's Property.

7. **Indemnity**. Grantee agrees to indemnify and hold harmless Grantor from, against and in respect of any and all liability, claims, damages, costs, and losses of whatever character (collectively, the "**Claims**") arising from personal injury or death or damage to property of Grantor and any and all Claims of whatever character asserted by third parties, to the extent such Claims result from the gross negligence or willful misconduct of Grantee, its employees, agents, contractors and subcontractors in connection with the exercise of Grantee's rights under this Agreement. Grantor agrees to indemnify and hold harmless Grantee and its affiliates, subsidiaries, successors and assigns from, against, and in respect of any and all Claims arising from personal injury or death or damage to property of Grantee, its employees, agents, contractors, and subcontractors and any and all Claims of whatever character asserted by third parties, to the extent such Claims result from the gross negligence or willful misconduct of Grantor or Grantor's invitees or licensees.

Notwithstanding the foregoing or anything to the contrary contained herein, Grantor acknowledges and agrees that Grantee has compensated Grantor, in advance, for any and all damages, costs and expenses which may arise out of, are connected with, or relate in any way to Grantor's conveyance, or Grantee's exercise, of the rights set forth herein, including but not limited to, any and all tree, crop, plant, timber, harvest or yield loss damages, or any other damages, costs and expenses attributable to or arising from Grantee's proper execution of the initial construction, mitigation, and restoration activities within the Right of Way and Temporary Easement Area and the proper installation, presence, maintenance or operation of the Facilities upon the Property. Notwithstanding the foregoing, nothing contained herein shall be construed to release Grantee from liability for any damages, costs or expenses caused solely by the gross negligence or willful misconduct of Grantee.

8. **Further Assurances**. Grantor shall execute and deliver such further instruments and take such other actions as may be reasonably requested by Grantee from time to time to effectuate, confirm or perfect the terms and intent of this Agreement and the rights granted to Grantee hereunder, including but not limited to joining in the execution of any and all governmental applications, authorizations, licenses, documents and title curative instruments.

9. **Additional Rights**. In addition to the rights granted herein, should restoration be required on the Property outside the easements granted herein, Grantee shall have the right to take all actions necessary to complete such restoration and such actions shall not constitute a trespass. Grantee shall pay Grantor the market rate to rent such property utilized during restoration.

10. **Successors and Assigns**. This Agreement and the covenants and agreements contained herein are covenants running with the land, shall be assignable in whole or in part, and shall be binding on and shall inure to the benefit of the Parties hereto and their respective heirs, successors, assigns, executors, administrators, and legal representatives.

11. **Severability**. In the event any provision or any portion of any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable by reason of any law or public policy, such provision or portion thereof shall be considered to be deleted, and the remainder of this Agreement shall constitute the agreement between the Parties hereto covering the subject matter hereof.

12. **Entire Agreement; Modification**. This Agreement and any exhibits attached hereto constitutes the full and entire agreement of the Parties regarding the subject matter hereof and supersedes all prior or contemporaneous verbal or written agreements, representations or understandings pertaining thereto. This Agreement may be modified or amended only by a written agreement signed by each of the Parties hereto.

13. **Governing Law**. This Agreement shall be governed by the laws of the State in which the Property is located, without regard to conflicts laws or choice of law rules thereof.

14. **Joint Efforts**. The Parties stipulate and agree that this Agreement shall be deemed and considered for all purposes as prepared through the joint effort of the Parties and shall not be construed against one or the other as a result of the preparation, submittal, recording, or other event of negotiation, drafting or execution hereof.

15. **Authority**. Each Party and signatory to this Agreement represents and warrants to the other Party that it has full power, authority and legal rights, and has obtained all approvals necessary, to execute, deliver and perform this Agreement. Grantor binds itself, its heirs, successors, assigns, executors, administrators, and legal representatives to warrant and forever defend the interests and rights conveyed herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claims the same or any part thereof.

16. **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall constitute an original, but all of which shall constitute but one and the same instrument.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

WITNESS:

_____

GRANTOR:

County of Outagamie

By:_____

Name:_____

Title:_____

ACKNOWLEDGMENT OF GRANTOR

STATE OF _____,

COUNTY OF _____, to-wit:

Before me, the undersigned officer, personally appeared _____, who acknowledged themself to be the _____ of **County of Outagamie**, and that he/she, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the county.

Given under my hand and official seal this ____ day of_____, 20_____.

My commission expires _____.

_____

[SEAL] Notary Public

WITNESS:

GRANTEE:

ANR Pipeline Company,
a Delaware corporation

_____ By:_____
Name:_____
Title:_____

_____ By:_____
Name:_____
Title:_____

ACKNOWLEDGMENT OF GRANTEE

STATE OF _____,

COUNTY OF _____, to-wit:

Before me, the undersigned officer, personally appeared _____, who acknowledged themself to be the _____ of **ANR Pipeline Company**, a Delaware corporation, and that he/she, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the company.

Given under my hand and official seal this _____ day of_____, 20_____.

My commission expires _____.

_____

[SEAL] Notary Public

STATE OF _____,

COUNTY OF _____, to-wit:

Before me, the undersigned officer, personally appeared _____, who acknowledged themself to be the _____ of **ANR Pipeline Company**, a Delaware corporation, and that he/she, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing on behalf of the company.

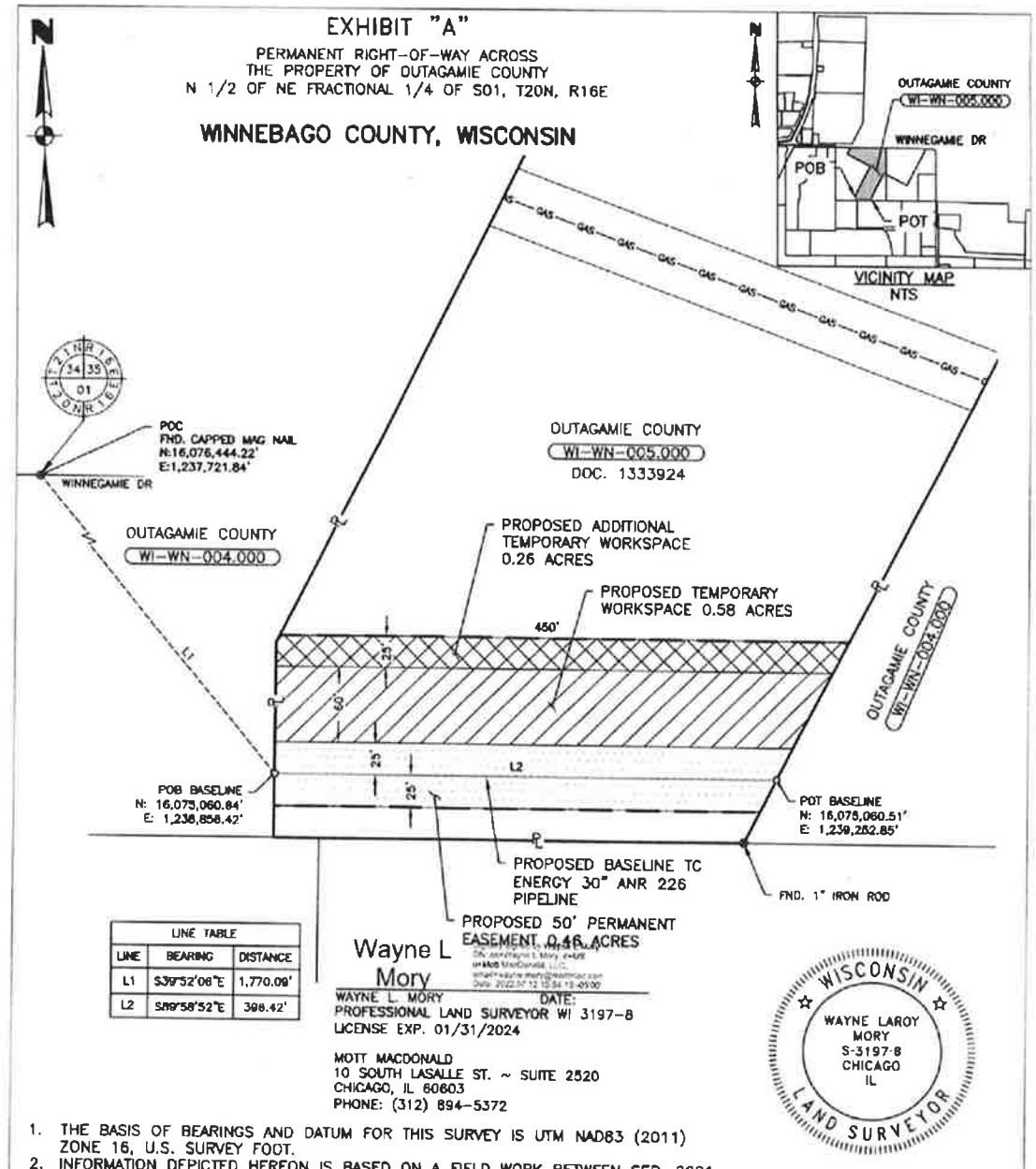
Given under my hand and official seal this _____ day of_____, 20_____.

My commission expires _____.

_____

[SEAL] Notary Public

This instrument was prepared by:
Alyssa Trepl
Ohio Valley Acquisition
1305 N Barker Rd. Suite 8
Brookfield, WI 53045


EXHIBIT "A"
PERMANENT RIGHT-OF-WAY ACROSS
THE PROPERTY OF OUTAGAMIE COUNTY
N 1/2 OF NE FRACTIONAL 1/4 OF S01, T20N, R16E
WINNEBAGO COUNTY, WISCONSIN
OUTAGAMIE COUNTY
WI-WN-005.000
WINNEGAMIE DR
POB
POT
VICINITY MAP
NTS
POC
FND. CAPPED MAG NAIL
N:16,076,444.22'
E:1,237,721.84'
OUTAGAMIE COUNTY
WI-WN-005.000
DOC. 1333924
OUTAGAMIE COUNTY
WI-WN-004.000
PROPOSED ADDITIONAL
TEMPORARY WORKSPACE
0.26 ACRES
PROPOSED TEMPORARY
WORKSPACE 0.58 ACRES
450'
25'
50'
25'
25'
L1
L2
POB BASELINE
N: 16,075,060.84'
E: 1,238,858.42'
POT BASELINE
N: 16,075,060.51'
E: 1,239,252.85'
PROPOSED BASELINE TC
ENERGY 30" ANR 226
PIPELINE
PROPOSED 50' PERMANENT
EASEMENT 0.46 ACRES
FND. 1" IRON ROD
LINE TABLE
LINE | BEARING | DISTANCE
L1 | S39°52'08"E | 1,770.09'
L2 | S89°58'52"E | 398.42'
Wayne L Mory
WAYNE L. MORY DATE:
PROFESSIONAL LAND SURVEYOR WI 3197-8
LICENSE EXP. 01/31/2024
MOTT MACDONALD
10 SOUTH LASALLE ST. ~ SUITE 2520
CHICAGO, IL 60603
PHONE: (312) 894-5372
WISCONSIN
WAYNE LAROY
MORY
S-3197-8
CHICAGO
IL
LAND SURVEYOR
1. THE BASIS OF BEARINGS AND DATUM FOR THIS SURVEY IS UTM NAD83 (2011) ZONE 16, U.S. SURVEY FOOT.
2. INFORMATION DEPICTED HEREON IS BASED ON A FIELD WORK BETWEEN SEP. 2021 AND APR. 2022 TO LOCATE LINES NECESSARY FOR ENGINEERING DESIGN AND EASEMENT ACQUISITION FROM LAND RECORD INFORMATION SUPPLIED BY CLIENT.
3. THIS IS AN EASEMENT DRAWING AND DOES NOT REPRESENT A BOUNDARY SURVEY PURSUANT TO WISCONSIN ADMINISTRATIVE CODE, WS A-E-7
SECTION CORNER
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TC Energy
GRAPHIC SCALE
100' 50' 0' 100'
REV: 1 DATE: 07/12/2022
DISTANCE ACROSS PROPERTY = 396.42 FEET = 24.03 RODS
TRACT ACREAGE = 18.03 ACRES (CALLED)
PROPOSED PERMANENT EASEMENT = 0.46 ACRES
TEMPORARY WORKSPACE = 0.58 ACRES
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EXISTING TC EASEMENT WITHIN LIMITS OF DISTURBANCE = 0.00 ACRES
TEMPORARY ACCESS ROAD = 0.00 ACRES = 0.00 FEET = 0.00 RODS
PROJECT
WISCONSIN RELIABILITY PROJECT
TAX DISTRICT(S)
CONSULTANT
ENGINEER
FIELD BOOK
PAGE
COUNTY(IES)
WINNEBAGO
SURVEY DATE
09/2021 - 04/2022
REFERENCES
OUTAGAMIE COUNTY
WI-WN-005.000
STATE(S)
WISCONSIN
MAP DATE
04/2022
DRAWN BY
AK
SHEET NO. 1 OF 1
SCALE
1"= 100'
APN #
005000202
DRAWING NO.
WI-WN-005.000

Tract Number: WI-WN-004.000/005.000/006.000

Confidential Supplemental Agreement

This Confidential Supplemental Agreement ("**Supplemental Agreement**") is entered into as of the _____ day of 20_____, by and between **Outagamie County,** whose address is **W6390 Challenger Drive, Ste. 201, Appleton, Wisconsin 54914,** whether one or more, and their heirs, successors and assigns (the "**Landowner**"), and ANR Pipeline Company, a Delaware corporation, and its successors and assigns ("**ANR**").

WHEREAS, Landowner and **ANR** entered into that certain Easement and Right-of-Way Agreement (the "**Agreement**"), attached hereto as Exhibit "A"; and

WHEREAS, Landowner and **ANR** desire to memorialize certain independent and collateral covenants related to the Agreement in this Supplemental Agreement.

WHEREAS, The Construction Work Area (CWA) is defined as the entirety of the Workspaces referenced to in the Agreement, including all Temporary, Permanent, Staging and Access Roads more particularly described in Exhibit A

NOW THEREFORE, in consideration of mutual promises and agreements herein contained and for other good and valuable consideration, the receipt whereof is hereby acknowledged, Landowner and **ANR** do hereby agree as follows:

1. **Confidentiality.** Landowner agrees that this Supplemental Agreement is a confidential agreement and Landowner shall not disclose the existence, conditions or the terms of this Supplemental Agreement to third-parties other than to consult with Landowner's legal, tax, financial, and accounting advisors. In no event shall this Supplemental Agreement be recorded.

2. **Miscellaneous.** The terms of the Agreement are incorporated herein by reference and in the event of any conflict between the Agreement and this Supplemental Agreement, the terms of this Supplemental Agreement shall govern and control. Except for purposes of the construction and enforcement of this Supplemental Agreement, the terms and conditions of the Agreement shall remain unmodified. The Agreement, together with this Supplemental Agreement, constitutes the entire agreement between Landowner and **ANR** with respect to the subject matter hereof, and shall inure to the benefit of and be binding on the Landowner's heirs, successors and assigns and **ANR's** successors and assigns.

3. **Pre-construction assessments.** Prior to the start of construction, ANR may conduct various pre-construction baseline assessments, including but not limited to, pond turbidity baseline assessments, septic system impact assessments, water well quality and/or quantity

baseline assessments and foundation baseline inspections. ANR agrees to make prior notification before the conduction of pre-construction assessments and Landowner agrees to reasonably accommodate the access needed.

4. **De-Watering.** In the event water pumping from ditch lines becomes necessary ANR may place, at its sole discretion, any appropriate de-watering structures, including but not limited to filter bags, straw bales, and/or filter sock, outside of but immediately adjacent to the CWA, as defined in the Agreement. De-watering will be completed in a manner that avoids damaging adjacent agricultural land, crops, and/or pasture. In the event ANR's de-watering activities create the need for restoration to Landowner's land, crops, pasture, etc., ANR will provide Landowner reasonable compensation to restore such disturbed areas to their pre-construction condition.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, intending to be legally bound hereby, the undersigned have duly executed this Supplemental Agreement as of the date set forth above.

WITNESS:

_____

GRANTOR:

Outagamie County

By:_____
Name:_____
Title:_____

WITNESS:

_____

_____

GRANTEE:

ANR Pipeline Company,
a Delaware corporation

By:_____
Name:_____
Title:_____

By:_____
Name:_____
Title:_____

CONFIDENTIAL

LANDOWNER PAYMENT SUMMARY

Tract: WI-WN-004.000/005.000/006.000 **Check No:**_____

Landowner Name: Outagamie County **Project Name:** Wisconsin Reliability Project - PL3

PERMANENT EASEMENT AND TEMPORARY WORKSPACE

	LENGTH	WIDTH	ACREAGE	PRICE/ACRE	EASEMENT TOTAL
Permanent Easement			2.19	$20,000	$43,800.00
Temporary Workspace			2.47	$7,500	$18,525.00
Additional Temporary Workspace			1.02	$7,500	$7,650.00
Staging Area			0		$0.00
Temporary Access Road			0		$0.00
Total Consideration for Permanent and Temporary Workspace Acreage					***$69,975.00***

CROP DAMAGES

	CROP TYPE	UNIT PRICE	YIELD	ACREAGE	PERCENTAGE	TOTAL
1ST YR						
2ND YR						
3RD YR						
Total Consideration for Crop Damages						

GENERAL DAMAGES/OTHER

DAMAGES/OTHER	DAMAGES/OTHER DESCRIPTION	AMOUNT
Additional Damage	Additional Damages to Property	$20,000.00
Total Consideration for General Damages		***$20,000.00***

Total Consideration	$89,975.00
Percent Ownership	100%
	$89,975.00
Amount Paid	
Amount Owed	$89,975.00

LANDOWNER SIGNATURE:	DATE:
LAND AGENT SIGNATURE:	DATE:

Notes:

CONFIDENTIAL

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

___ - ___ - ____

or

Employer identification number

__ - _____

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ **Date** ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

Cat. No. 10231X Form **W-9** (Rev. 10-2018)

W-9 Rev Oct 2018.pdf 1 3/11/2022 12:36:51

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for ANR Pipeline Easement at Appleton International Airport

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Appleton International Airport is requesting to grant an easement to ANR Pipeline for construction of a gas line on airport land. ANR Pipeline will pay the Airport $89,975 for access rights. Included in the $89,975 is $20,000 which covers 2 years of lost revenue from farmland leases. A budget adjustment is needed for 2024 to account for the $69,975. The farmland has already been included in the budget.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (X) n/a ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (X) no ( )

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( ) To be determined

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Airport Rental Properties	Rent-Land & Blds	5000117.4505.05	69,975
Airport Terminal	Fund Balance Applied	5000110.8955	(69,975)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0

Annual Revenue $89,975

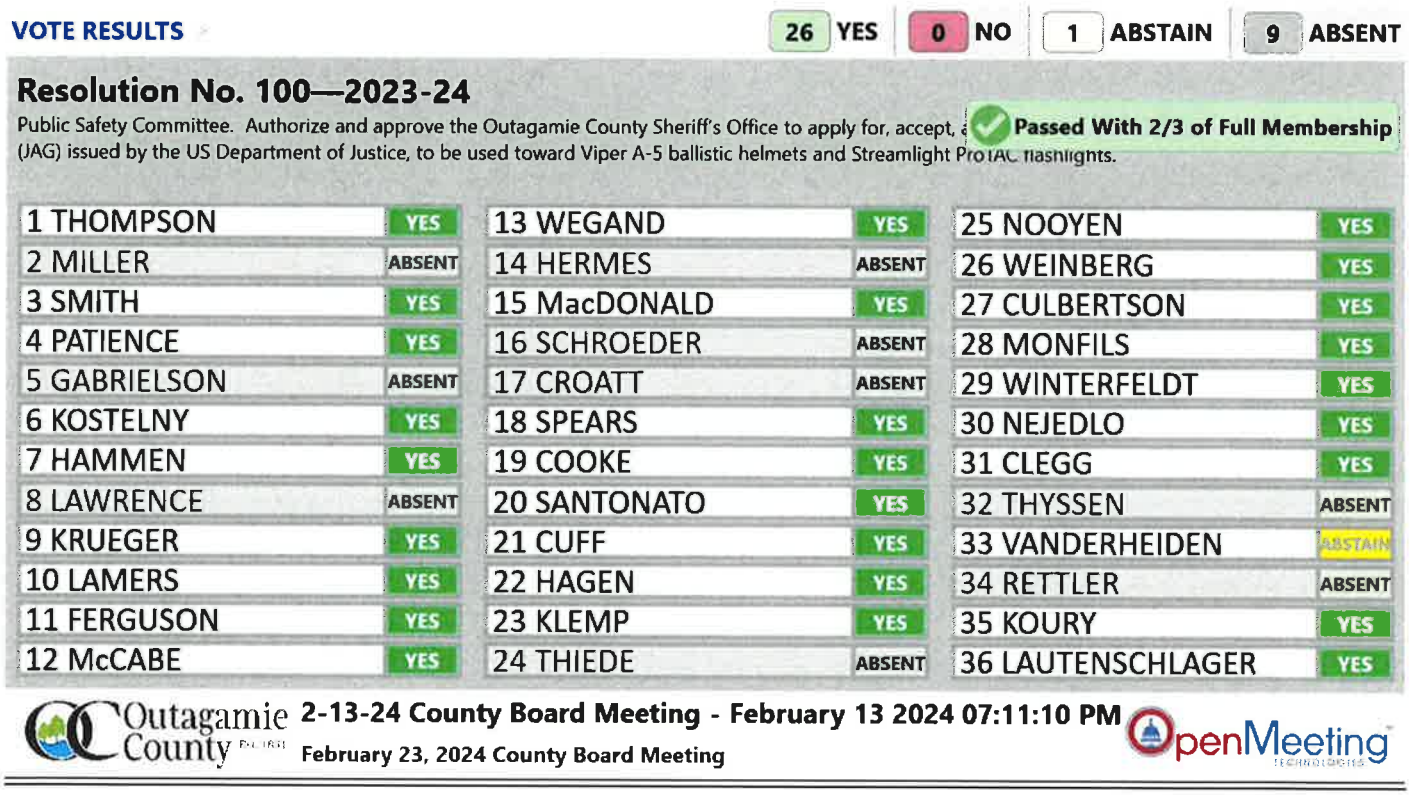
Fiscal Note Prepared by: Abe Weber/Katie Horan

For Financial Services purposes only	
Reviewed By: [signature]	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount
Date: 1/18/24	
Comments:	

Resolution No. 100—2023-24 – Public Safety Committee. Authorize and approve the Outagamie County Sheriff's Office to apply for, accept, and expend the 2023 Justice Assistance Grant (JAG) issued by the US Department of Justice, to be used toward Viper A-5 ballistic helmets and Streamlight ProTAC flashlights, as detailed in the Memorandum of Understanding Between the City of Appleton and Outagamie County, and authorize and approve the line items by increasing the Patrol Intergovernmental Revenue and Patrol Supplies by $12,421 each, as noted on the attached fiscal note.

Supervisor Smith moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 26 yes, 1 abstain (Vanderheiden), 9 absent. RESOLUTION NO. 100—2023-24 IS ADOPTED.



VOTE RESULTS — 26 YES | 0 NO | 1 ABSTAIN | 9 ABSENT

Resolution No. 100—2023-24

Public Safety Committee. Authorize and approve the Outagamie County Sheriff's Office to apply for, accept, a … (JAG) issued by the US Department of Justice, to be used toward Viper A-5 ballistic helmets and Streamlight ProTAC flashlights.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	ABSENT	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSTAIN
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	ABSENT	36 LAUTENSCHLAGER	YES

Outagamie County — 2-13-24 County Board Meeting - February 13 2024 07:11:10 PM — OpenMeeting

February 23, 2024 County Board Meeting

RESOLUTION NO.: 100—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Sheriff's Office is requesting approval to apply for, accept, and expend the 2023 Justice Assistance Grant (JAG) issued by the US Department of Justice. This is a joint grant between the Sheriff's Office and the City of Appleton. The grant award for 2023 is $24,843. The City of Appleton Police Department will receive $12,422 and the Sheriff's Office will receive $12,421. The Sheriff's Office will use their portion of the grant funding toward Viper A-5 ballistic helmets and Streamlight ProTAC flashlights for officers to utilize during active shooter, rescue task force, or other high risk incidents. The helmets will provide the officers with protection from blunt force, blast and ballistic impacts during active shooter incidents in schools, churches, shopping centers or other public venues where an immediate law enforcement response is critical to prevent additional victims or necessary to provide immediate evacuation of injured citizens for medical treatment. The helmets are lightweight and highly customizable to ensure a proper fit and protection for officers. The flashlights are small, lightweight, and provide a high lumen and long run-time to ensure adequate lighting during those high risk search and rescue missions.

While the grant year references 2023, funds will be received and expended in 2024. There is no match required for the grant.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Outagamie County Sheriff's Office to apply for, accept, and expend the 2023 Justice Assistance Grant (JAG) issued by the US Department of Justice, said grant funding to be used toward Viper A-5 ballistic helmets and Streamlight ProTAC flashlights as detailed in the attached Memorandum of Understanding Between the City of Appleton and Outagamie County, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Patrol Intergovernmental Revenue line item and Patrol Supplies line item by $12,421 each as detailed in the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 13th day of February 2024

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: February 13, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 2/15/24 Vetoed: _____

Signed: _____
County Executive

MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF APPLETON AND OUTAGAMIE COUNTY

BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

This Memorandum of Understanding ("Agreement") is made and entered into by and between the City of Appleton, acting by and through its governing body, the City Council, hereinafter referred to as "City," and Outagamie County, acting by and through its governing body, the County Board, hereinafter referred to as "County," both of Outagamie County, State of Wisconsin.

WHEREAS, the 2023 Edward Byrne Memorial Justice Assistance Grant Program ("JAG Program") program allows states, tribes and local governments to support a broad range of activities to prevent and control crime based on their own local need and conditions; and

WHEREAS, each governing body finds that the performance of this agreement is in the best interests of both parties and that the undertaking will benefit the public; and

WHEREAS, the City was awarded JAG Program grant in the amount of Twenty Four Thousand Eight Hundred Forty-Three dollars and zero cents ($24,843.00); and

WHEREAS, the City shall retain Twelve Thousand Four Hundred Twenty-Two Dollars and no cents ($12,422.00) from the JAG Program grant for the purchase of law enforcement equipment; and

WHEREAS, the City agrees to provide the County Twelve Thousand Four Hundred Twenty-One Dollars and no cents ($12,421.00) from the JAG Program grant for the purchase of law enforcement equipment.

NOW THEREFORE, the undersigned agree to the following:

1) The City agrees to pay the County a total of Twelve Thousand Four Hundred Twenty-One Dollars and no cents ($12,421.00) of the JAG Program grant.

2) The County agrees to use the Twelve Thousand Four Hundred Twenty-One and no Cents ($12,421.00) for the purchase of law enforcement equipment by the end of the grant period.

3) Each party to this Agreement shall be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

City of Appleton

By: _____ _____
Jacob A. Woodward, Mayor Date

Outagamie County

By: _____ 8.2.23
Thomas M. Nelson, County Executive Date

Approved as to Form:

_____ _____
City Attorney, City of Appleton Corporation Counsel, Outagamie County

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** THE SHERIFF'S OFFICE TO APPLY, ACCEPT AND EXPEND GRANT FUNDS WITH THE CITY OF APPLETON FOR THE 2023 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Sheriff's Office requests approval to apply, accept and expend the 2023 JAG grant issued by the US Department of Justice. This is a joint grant between the Sheriff's Office and the City of Appleton. The grant award for 2023 is $24,843. The City of Appleton Police Department will receive $12,422 and the Sheriff's Office will receive $12,421. The Sheriff's Office will use their portion of the grant funding towards Viper A-5 ballistic helmets and Streamlight ProTAC flashlights for officers to utilize during active shooter, rescue task force, or other high risk incidents. The helmets will provide our officers with protection from blunt force, blast and ballistic impacts during active shooter incidents in schools, churches, shopping centers or other public venues where an immediate law enforcement response is critical to prevent additional victims or necessary to provide immediate evacuation of injured citizens for medical treatment. The helmets are lightweight and highly customizable to ensure a proper fit and protection for officers. The flashlights are small, lightweight and provide a high lumen and long run-time to ensure adequate lighting during those high risk, search and rescue missions. While the grant year references 2023, funds will be received and expended in 2024. There is no match required for the grant.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Patrol	Intergovernmental Revenue	1008007.4255.09	$12,421
Patrol	Supplies	1008007.5400	$12,421

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact?
Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: LISA VANDENLANGENBERG

For Financial Services purposes only

Reviewed By: [signature]

Date: 12/8/23

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount
1008007.5420.291	12,421

Comments:

LOCK IN OF RESOLUTION NO. 101—2023-24

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 101—2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS 27 YES | 0 NO | 0 ABSTAIN | 9 ABSENT

Resolution No. 101—2023-24 - Lock In

Lock in of Resolution No. 101—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	ABSENT	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	ABSENT	36 LAUTENSCHLAGER	YES

Outagamie County

2-13-24 County Board Meeting - February 13 2024 07:12:35 PM

February 23, 2024 County Board Meeting

OpenMeeting TECHNOLOGIES

RECONSIDERATION OF RESOLUTION NO. 101—2023-24

Supervisor Patience moved, seconded by Supervisor Cooke, to reconsider Resolution No. 101—2023-24.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 101—2023-24 IS RECONSIDERED.

VOTE RESULTS 27 YES | 0 NO | 0 ABSTAIN | 9 ABSENT

Resolution No. 101—2023-24 - Reconsideration

Reconsideration of Resolution No. 101—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	ABSENT	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	ABSENT	36 LAUTENSCHLAGER	YES

Outagamie County

2-13-24 County Board Meeting - February 13 2024 07:12:26 PM

February 23, 2024 County Board Meeting

OpenMeeting TECHNOLOGIES

Resolution No. 101—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve the Lease Agreement between Outagamie County and Valley Packaging Industries for county owned property located at 3375 W. Brewster Street, Appleton, for a monthly lease rate of $8,299.75 with no budget adjustment needed as revenues have been included in the 2024 budget, as noted on the attachments, and with passage of this resolution, the County Board Chairperson, County Executive, and County Clerk are authorized to execute the agreement on behalf of Outagamie County.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 101—2023-24 IS ADOPTED.

VOTE RESULTS — 27 YES | 0 NO | 0 ABSTAIN | 9 ABSENT

Resolution No. 101—2023-24

Property, Airport, Recreation and Economic Development Committee. Authorize and approve the Lease Agree… Packaging Industries for county owned property located at 3375 W. Brewster Street, Appleton, for a monthly lease rate of $8,299.75 with no budget adjustment needed as revenues have been included in the 2024 budget.

Passed With Majority of Full Membership

1 THOMPSON — YES	13 WEGAND — YES	25 NOOYEN — YES
2 MILLER — ABSENT	14 HERMES — ABSENT	26 WEINBERG — YES
3 SMITH — YES	15 MacDONALD — YES	27 CULBERTSON — YES
4 PATIENCE — YES	16 SCHROEDER — ABSENT	28 MONFILS — YES
5 GABRIELSON — ABSENT	17 CROATT — ABSENT	29 WINTERFELDT — YES
6 KOSTELNY — YES	18 SPEARS — YES	30 NEJEDLO — YES
7 HAMMEN — YES	19 COOKE — YES	31 CLEGG — YES
8 LAWRENCE — ABSENT	20 SANTONATO — YES	32 THYSSEN — ABSENT
9 KRUEGER — YES	21 CUFF — YES	33 VANDERHEIDEN — YES
10 LAMERS — YES	22 HAGEN — YES	34 RETTLER — ABSENT
11 FERGUSON — YES	23 KLEMP — YES	35 KOURY — YES
12 McCABE — YES	24 THIEDE — ABSENT	36 LAUTENSCHLAGER — YES

Outagamie County — 2-13-24 County Board Meeting - February 13 2024 07:12:04 PM
February 23, 2024 County Board Meeting
OpenMeeting

RESOLUTION NO.: 101—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Valley Packaging Industries (VPI) currently leases space within an Outagamie County owned building located at 3375 W. Brewster Street, Appleton. The most recent lease agreement with VPI was executed in 2014 and expired in 2015. The lease had an annual lease rate of $3.17 per square foot, however, VPI has been on a month-to-month basis since 2015 without a formal lease. An amendment to the 2014 lease was executed in 2021 that reduced the amount of building space VPI was leasing to 23,914 square feet for a monthly rate of $6,306.92, which equates to an annual square foot rate of $3.17, which is the same square foot rate as set in the 2014 agreement. VPI recently expressed their desire to vacate the building in order to find a building that better fits their evolving needs. However, VPI has requested to remain in the current building for up to nine additional months on a month-to-month basis as they search for a new location. A new lease was drafted to allow VPI to extend their lease on a month-to-month basis for up to nine months at a monthly rate of $8,299.75, which equates to an annual square foot rate of $4.17. While the monthly lease rate increased, the actual 2024 annual operating impact will not be known until VPI gives notice to terminate the lease due to the month-to-month terms.

No budget adjustment is needed at this time as revenues have already been included in the 2024 budget.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Lease Agreement between Outagamie County and Valley Packaging Industries for county owned property located at 3375 W. Brewster Street, Appleton for a monthly lease rate of $8,299.75 with no budget adjustment needed as revenues have already been included in the 2024 budget, as noted on the attached Lease Agreement and fiscal note which by reference are made a part hereof, and

BE IT STILL FURTHER RESOLVED, that with passage of this resolution, the County Board Chairperson, County Executive, and County Clerk are authorized to execute the agreement on behalf of Outagamie County, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive, the Outagamie County Finance Director, the Outagamie County Facilities Director, and the Outagamie County Development and Land Services Director.

Dated this 13th day of February 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: February 13, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 2/15/24 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Valley Packing Industries (VPI) Lease modification

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

See Page 2 for Description

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X) To be determined

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
No budget adjustment at this time. Revenues already included in 2024 budget. Unknown how long VPI is staying. This revenue is recorded to account number 4660100.4510.12.			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost _____ Annual Revenue _____

Fiscal Note Prepared by: Paul Farrell, Kevin Englebert, Trent Woelfel

For Financial Services purposes only	
Reviewed By: Trent Woelfel	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 01/16/2024	
Comments:	

1. **Subject:** Valley Packing Industries (VPI) Lease modification

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

VPI currently leases space within a County-owned building located at 3375 W Brewster Street, Appleton, WI. The most recent lease agreement with VPI was executed in 2014 and expired in 2015. That lease had an annual sf lease rate of $3.17 per sf, however VPI has been on a month-to-month basis since 2015 without a formal lease. An amendment to the 2014 lease was executed in 2021. That amendment reduced the amount of building space VPI was leasing to 23,914 sf at a monthly rate of $6,306.92, which equates to an annual sf rate of $3.17, which is the same sf rate as set in the 2014 agreement. VPI recently expressed their desire to vacate the building in order to find a building that better fits their evolving needs, However, VPI has asked to stay in this building for up to 9 additional months on a month-to-month basis as they search for a new location. A new lease was drafted to allow VPI to extend it lease on a month-to-month basis for up to 9 months at a monthly rate of $8,299.75, which equates to an annual sf rate of $4.17. While the monthly lease rate increased, the actual 2024 annual operating impact will not be known until VPI gives notice to terminate the lease due to the month-to-month terms.

LEASE AGREEMENT

This Lease made this ____ day of _____ 2023, by and between Outagamie County, (hereinafter referred to as "Lessor"), and the Valley Packaging Industries (hereinafter referred to as "Lessee" or "VPI").

I. WITNESSETH

WHEREAS, Lessor and Lessee entered into a lease in 2014 for the property located at 3375 W. Brewster Street, Appleton, Outagamie County, Wisconsin (hereinafter the property), which expired on _____, and

WHEREAS, Lessee has been on a month to month lease of the property since the expiration date identified above; and

WHEREAS, in 2021, Lessor and Lessee amended the lease to reduce the square footage occupied by Lessee to 23,914, modified the annual rent paid by Lessee to $75,683, and agreed to negotiate a new lease going forward, and

WHEREAS, the Lessor desires to lease 23,914 square feet of building space located within Lessor's building located at 3375 W. Brewster Street, Appleton, Outagamie County, Wisconsin identified as the "VPI Leased Space" on Appendix 1 attached hereto and incorporated herein (hereinafter the "Leased Premises") together with the surrounding grounds and shared access to adjacent parking lot, together with the right of ingress thereto and egress therefrom to the Lessee and the Lessee desires to continue its month to month occupancy for a period of not more than 9 months from the date of execution of this agreement,

NOW, THEREFORE, in consideration of the mutual promises of the Lessor and Lessee as set forth below, the Lessor and Lessee agree as follows:

II. GENERAL TERMS

1. Rent:

a. Lessor, in exchange for the rental rate and all other sums agreed to be paid by Lessee as outlined herein, shall provide the use and occupancy of the Leased Premises. That the said Lessee shall pay $8,299.75 per month for use of the Leased Premises during the term of this Lease Agreement.

b. All monthly rental payments are to be made on or before the first of each month to the Lessor c/o County Treasurer at its address:

Outagamie County Treasurer
320 S. Walnut St.,
Appleton, WI 54911

There is no pre-payment penalty.

2. Term and Termination:

a. Term: This Lease shall commence on the first of the month following execution of this Lease (hereinafter the "Occupancy Date"). The Lessee shall be allowed to occupy the Premise on a month-to-month basis following the Occupancy Date for a period not to exceed nine months from the date of execution.

b. Surrender of Premises and Holding Over: At the expiration of the term, the Lessee shall peaceably quit and surrender possession of said premises in the same condition as at the commencement of this Lease, reasonable wear and tear excepted, consistent with the rights and responsibilities outlined in Section III, F of this Lease regarding Tenant's removal of improvements. Lessee shall not occupy the premises after the expiration of the term for any reason unless otherwise approved by the parties in writing. Lessee may terminate the Lessor prior to the end of the term with 30 days notice to the Lessor.

c. Termination: Termination is limited to the following provisions:

i. Breach: In the event of a material breach of the terms of this agreement, either party shall provide written notice to the breaching party and provide the opportunity to cure prior to terminating the Lease Agreement. Upon receipt of notice of the breach, the non-breaching party shall give the breaching party 30-days to cure said breach. In the event the breaching party fails to cure, the non-breaching party may terminate the agreement unilaterally, by written notice delivered to the breaching party after the expiration of the 30-day period to cure.

ii. Termination without breach: Neither party may terminate this agreement without cause, unless otherwise agreed to by both of the parties in writing, or otherwise allowable under the terms contained in this Lease Agreement.

iii. The specified remedies to which the Lessor may resort under the terms of this Lease are cumulative and are not intended to be exclusive of any other remedies, or means of redress to which the Lessor may be lawfully entitled in case of any breach or threat to breach by the Lessee. If any provisions of this Lease shall be declared invalid or unenforceable, the remainder of the lease shall continue in full force and effect.

3. Rights Duties and Obligations:

a. Right of Entry: The Lessor and its representatives may enter the Leased Premises for the purpose of inspecting the Leased Premises, to perform any work which the Lessor elects to undertake made necessary by reason of the Lessee's default under the terms of this lease, or for showing the Leased Premises for sale, lease, or to obtain mortgage financing. Except in an emergency, all entry by Landlord into the Leased Premises shall be during Lessee's normal business hours and shall be preceded by not less than twenty-four (24) hours advance written notice (which, without limitation, may be by facsimile or e-mail) to Lessee's Director.

b. Abandonment by Lessee: It is further agreed that if the Lessee shall abandon or vacate said premises for a period of at least thirty (30) days before the termination of this lease, then and in either event, the Lessor may, at its option, re-let the same as it may see fit without such retaking affecting or terminating this lease.

c. Bankruptcy by Lessee: Should the Lessee file a petition for bankruptcy or have an involuntary petition in bankruptcy filed against it or make an assignment for the benefit of creditors, the Lessor shall have the right at any time thereafter to declare this Lease void and term contained herein ended.

d. Liens: The Lessee agrees and undertakes to hold harmless the Lessor from damages sustained by it as the result of the filing against the Leased Premises of labor liens, mechanic's liens and materialman's liens, provided that such liens are for work contracted for by the Lessee, and failure by the Lessee to satisfy the liens within sixty (60) days after Lessee received notice of the filing of such liens shall be deemed a material breach of the Lease.

e. Expenses: The Lessee shall pay and indemnify the Lessor against all legal costs and charges including attorney fees lawfully and reasonably incurred in obtaining possession of the Leased Premises after a default of the Lease, or after the Lessee's default in surrendering possession upon the expiration,

or earlier termination of the term of the Lease, or in enforcing any covenant of the Lease.

f. Repairs and Maintenance: The division of responsibility for repairs and maintenance is set forth in the attached Appendix 2, incorporated herein by reference. This Appendix 2 Maintenance Terms shall be subject to amendment by agreement of the parties. The Lessee shall at its own expense provide janitorial and minor maintenance as described in Appendix 2. The Lessor shall provide structural maintenance of the building, including the roof, doors, windows, exterior building surfaces as set forth in Appendix 2. The Lessee shall have the right to make such non-structural modifications to the building as it should desire with the prior written consent of the Lessor's Facilities Manager. All such modifications shall remain the property of the Lessor at the completion of the lease unless, at the request of Lessor, Lessee shall remove such modification(s) and restore the property to its condition prior to the modification. Except as reasonably necessary to complete the non-structural modifications approved by Lessor, the Lessee shall not cause or permit any waste, damage or injury to the leased property in making any such modifications.

g. Utilities: The Lessee shall pay all charges for gas, electricity, internet service and water rendered or supplied upon or in connection with the Leased Premises. Further, Lessee shall be responsible for its own expenses for telephone or other communication service. Lessee will reimburse other tenants for utility services used by Lessee during the time period in which utilities are being split by the providers, if applicable.

h. Signs: The Lessee may erect or install signs of its own design or choosing on the exterior walls of the leased premises in such a manner as the building shall not be damaged or defaced thereby, as permitted by law, subject to the approval of the Lessor, which will not be unreasonably withheld. Such signs shall be removed by the Lessee at the expiration of the term and any damage from the signs removal shall be repaired by Lessee.

i. Fixtures: The Lessee may install trade fixtures, conveyors, equipment and shelving used by it in its business. At the termination of this lease the Lessee shall remove any trade fixtures, conveyors, equipment and shelving owned by it and placed upon the premises by it, provided however, that it leaves the premises in the same condition of repair and

as tenantable as they were at the making of this lease and prior to the addition of trade fixtures, conveyors, equipment and shelving, reasonable wear and tear excepted.

j. Improvements:

   i. Lessee Performed Improvements: The Lessee shall, at its expense and upon approval of the Lessor, be allowed to make various improvements and repairs to the building and its immediate environs necessary for its purpose.

k. Warranty of Quiet Possession: The Lessor hereby warrants and covenants that it has full authority to execute this lease and further warrants and covenants that the Lessee, on paying the rent herein stipulated and performing the conditions and covenants of this lease on its part to be kept and performed, may have and shall quietly have, hold and enjoy the demised premises without any manner of interference or hindrance of or from the Lessor, its successors, and assigns, or from any person lawfully claiming the premises or any part thereof.

l. Snow Removal and Lawn Care: The Lessor shall be responsible for snow and ice removal from the parking lot. The Lessee shall remove snow and Ice from any sidewalks located on, directly adjacent to, or providing access to the Leased Premises. The Lessor shall be responsible for snow removal on any road and parking facilities in connection herewith prior to 8:00 a.m. The Lessor shall mow the grass located on the identified property. It is understood by and between the parties that the Lessor will not incur any overtime for its employees to remove snow or provide lawn care.

m. Acceptance of Building: Neither the Lessor nor his agents have made any representations with respect to the building, the land upon which it is erected or the leased property except as is expressly set forth herein. Upon execution of the Lease, the lessee accepts the Leased Premises "as-is".

n. Waste: Lessee shall not cause or permit any waste, damage or injury to the Leased Premises. In the event that such waste occurs, Lessee shall be solely liable for repairing said damage or disrepair to the Leased Premises, and any portion of the building or county property in which damage was caused by Lessee.

o. Compliance with Government Regulations: The Lessee agrees to comply with and abide by all rules, orders, ordinances, laws and regulations promulgated by any local, state or federal authority having jurisdiction over the Leased Premises pertaining to health and to the conduct of the

Lessee's business on the Leased Premises, and will likewise obey all police, fire, building inspector's regulations or any orders validly made in relation thereto.

p. Insurance. Lessee shall carry the following insurance coverage:

i. Worker's Compensation & Employer's Liability

1. Applicable State — Statutory Limits as Required by the State of Wisconsin

2. Applicable Federal (e.g. U.S. Longshoremen's and Harbor Worker's Act, Admiralty (Jones) Act, and Federal Employer's Liability Act) — Statutory Limit

3. Employer's Liability - $100,000 each occurrence / $100,000 each person (disease) / $500,000 total limit (disease)

Except as may be otherwise set forth herein, the County shall not be liable to Lessee, its employees, or subcontractors, or anyone employed directly or indirectly by any of them or by anyone for whose acts any of them may be liable, for any injuries to any of them arising out of or in any way related to the performance of the work under this Lease Agreement. Lessee agrees that the indemnification and hold harmless provisions within this agreement extend to any claims brought by or on behalf of any such employees, subcontractors or anyone employed directly or indirectly by any of them or by anyone for whose acts any of them may be liable. Additionally, the Lessee shall not be liable to Outagamie County, its employees, or subcontractors, or anyone employed directly or indirectly by any of them or by anyone for whose acts any of them may be liable, for any injuries to any of them arising out of or in any way related to the performance of the work under this Lease Agreement. The County agrees that the indemnification and hold harmless provisions within this agreement extend to any claims brought by or on behalf of any such employees, subcontractors or anyone employed directly or indirectly by any of them or by anyone for whose acts any of them may be liable.

ii. Automobile Liability — Owned, Non-Owned, Hired

Automobile liability, owned, non-owned, hired. Bodily injury and property damage combined Two Million Dollars ($2,000,000.00) for bodily injury and property damage per occurrence limit covering all vehicles to be used by Lessee in relationship to the Agreement. Coverage for commercial automobile liability insurance shall be at least as broad as Insurance Services (ISO) Business Auto Coverage (Form CA 0001),

covering Symbol 1 (any vehicle) if such insurance is available to Lessee. Such limits can be satisfied through excess or umbrella liability policies.

NOTE: If Lessee will be using personally owned autos for work on the premises, Lessee is required to provide proof of auto liability for personally owned autos at the following state minimums limits:

- $25,000 for injury or death of one person;
- $50,000 for injury or death of two or more people; and
- $10,000 for property damage.
- uninsured motorist coverage with a minimum limit of $25,000 for one person and $50,000 for two or more people for bodily injury coverage.

iii. Commercial general liability insurance, which insurance shall be written on a so-called "Occurrence Basis," covering legal liability against claims for bodily injury to, personal injury to, or death of any person, or more than one person, or for property damage, occurring on, in or about the Premises, or otherwise occurring as a result of any Lessee work on the Premises or the use and occupancy of the Premises with a limit in an amount not less than Two Million Dollars each occurrence ($2,000,000.00 each occurrence). The liability insurance described in this Section shall include contractual liability coverage. Such limits can be satisfied through excess or umbrella liability policies.

The Lessee shall obtain its own risk property damage insurance for its own personal property, said policy shall contain a provision waiving all rights of actions of subrogation against the Landlord.

1. Limits established herein shall be subject to five (5) year review and may be increased by the Lessor due to general inflationary conditions provided at least sixty (60) days' notice of such increased requirements shall be given to the Lessee.

2. Policies shall be issued by a company or companies authorized to do business in the State of Wisconsin and licensed by the Wisconsin Insurance Department. Coverage afforded shall apply as primary, with the County, its Boards, Officers, Employees and Representatives as additional insureds. The Lessor shall be given thirty (30) days advance notice of cancellation or non-renewal during the term of this Agreement. Upon execution of this Agreement, Lessee shall furnish Lessor with a certificate of insurance and, upon request, certified copies of the required insurance policies,

which said certificate policy copies shall be filed with the Office of the County Clerk of Outagamie County. In the event any action, suit or other proceedings is brought against the Lessee upon any matter herein indemnified against, the Lessee shall, within five (5) working days, give notice thereof to the Lessor and shall cooperate with their attorneys in the defense of the action, suit or other proceedings.

q. Indemnification and Hold Harmless:

Lessee agrees at all times during the term of this agreement to indemnify, hold harmless and defend the County, its Boards, Officers, Employees and Representatives against any and all liability, including claims, demands, losses, damages, costs or expenses, including attorney fees, which the County, its Boards, Officers, Employees and Representatives may sustain, incur or be required to pay by reason of bodily injury, personal injury or property damage of whatsoever nature or kind arising out of or in connection with or occurring during the course of this agreement as a result of the Lessee's activities or the activities of the Lessee's assignees or agents, unless such liability arises out of the sole negligence of the County.

Lessee further agrees to indemnify, hold harmless and defend the County, its Boards, Officers, Employees and Representatives against any and all claims, demands, losses, damages, costs or expenses, including attorney fees, which the County, its Boards, Officers, Employees and Representatives may sustain, incur or be required to pay resulting from the spill, discharge, dispersal, seepage, migration, release or escape of any pollutants being utilized by the Lessee or in the custody or control of the Lessee. Lessee's indemnity obligations shall not be limited by any worker's compensation statute; disability benefit or other employee benefit or similar law or by any other insurance maintained by or required of Lessee. Nothing contained in this agreement is intended to be a waiver or estoppels of the County to rely upon the limitations, defenses, and immunities contained within Wisconsin law, including, but not limited to, those contained within Wisconsin Statutes 893.80, 895.52 and 345.05. To the extent that indemnification is available and enforceable, neither the municipality nor its insurer shall be liable in indemnity and contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin law.

Lessor agrees at all times during the term of this agreement to indemnify, hold harmless and defend the Lessee, its Boards, Officers, Employees and Representatives against any and all liability, including claims, demands, losses, damages, costs or expenses, including attorney fees, which Lessee, its Boards, Officers, Employees and Representatives may sustain, incur or be required to pay by reason of bodily injury, personal injury or property

damage of whatsoever nature or kind arising out of or in connection with or occurring during the course of this agreement as a result of the Lessor's activities or the activities of the Lessor's assignees or agents, unless such liability arises out of the sole negligence of the Lessee.

Lessor further agrees to indemnify, hold harmless and defend the Lessee, its Boards, Officers, Employees and Representatives against any and all claims, demands, losses, damages, costs or expenses, including attorney fees, which the Lessee, its Boards, Officers, Employees and Representatives may sustain, incur or be required to pay resulting from the spill, discharge, dispersal, seepage, migration, release or escape of any pollutants being utilized by the Lessor or in the custody or control of the Lessor. Lessor's indemnity obligations shall not be limited by any worker's compensation statute; disability benefit or other employee benefit or similar law or by any other insurance maintained by or required of Lessor. To the extent that indemnification is available and enforceable, neither the municipality nor its insurer shall be liable in indemnity and contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin law.

4. Miscellaneous Provisions:

a. Destruction of Building: If the demised building shall be partially damaged by fire or otherwise, but not rendered unusable, the same shall be repaired by the Lessor with all proper speed at the expense of the Lessor, except that such expense shall be limited to the extent of any insurance payment(s) for such damage. In the event, however, that the building cannot be repaired or restored to the former condition within ninety (90) days of the date of damage, either Lessor the Lessee may, at its option terminate this agreement. The Lessee agrees to cooperate in whatever manner is necessary to ensure the Lessor free access to the said building to make repairs that are necessary. In case of destruction of the building by fire or otherwise which shall be such as to make it necessary to rebuild the same, this lease shall then and from thenceforth terminate.

b. Notices: All notices shall be sent by Certified Mail addressed to the Lessor or to the Lessee at the address hereinafter set out and such other addresses as either the Lessor or the Lessee shall hereafter designate in writing to the other. All notices shall be deemed to have been given when deposited in the U.S. Mail in a sealed envelope, properly addressed, with postage prepaid thereon. At the time of mailing of any notices, the parties agree to simultaneously e-mail said notice to the other party.

Lessor's address is:

Outagamie County
Attn: Paul Farrell, Facilities Director
320 S. Walnut St.
Appleton WI 54911

Lessor's email address is: Paul.Farrell@outagamie.org

Lessee's address is:

Valley Packaging Industries
Attn: Tim Riebau, President & CEO
2730 N Roemer Road
Appleton, Wisconsin 54911

Lessee's email address is: triebau@vpind.com

c. Applicable Law and Venue: The lease shall be governed by, construed and enforced in accordance with the laws of the State of Wisconsin. Any disputes between the parties, if litigated shall be litigated in Outagamie County Circuit Courts.

d. Terms: In construing this lease, feminine or neuter pronouns shall be substituted for those masculine in form and vice versa and plural terms shall be substituted for singular and singular for plural in any place in which the context so requires.

e. Joint and Several Liability: If there is more than one party Lessee, the convents of the Lessee shall be the joint and several obligations of each such party and, if the Lessee is partnership, the covenants of the Lessee shall be the joint and several obligations of each of the partners and the obligations of the partnership. The covenants, terms, conditions, provisions and undertakings in this lease shall extend to and be binding upon the heirs, personal representatives, successors and assigns of the respective parties hereto as if they were in every case named and expresses and shall be construed as covenants running with the land and wherever reference is made to either of the parties, hereto, it shall be held to include and apply also to heirs, personal representatives, successors and assigns of such party as if in each and every case so expressed.

f. Headings not Part of the Lease: It is mutually agreed that the headings of the paragraphs in this lease are for convenience and reference only and they do not constitute a part of the lease itself.

g. Effect of Duties and Obligations: Each Term and each provision of this lease performable by Lessee shall be construed to be both covenant and a condition.

Executed this ___ day of _____ 2023

Lessor:

Outagamie County,

_____

By: Thomas Nelson,

County Executive

_____

By: Jeff Nooyen,

County Board Chair

_____

By: Jeff King,

County Clerk

SIGNATURES CONTINUED ON FOLLOWING PAGE

Lessee:

Valley Packaging Industries,

By: Tim Riebau,

President & CEO

Approved as to Form:
Electronically Signed:/ Kyle J. Sargent
Corporation Counsel
Outagamie County

- Operational costs including fees of or maintenance of systems or equipment including security monitoring, phone and internet charges or other similar charges.
- All furniture, furnishings or other tenant supplied items and systems
- Indoor maintenance and repairs including the following items within the leased space:
    - Repairs to all surfaces including flooring, walls and ceiling for damage caused by lack of maintenance or damage and wear and tear from operational activities that would shorten the rated life of the surfaces. Lessee shall follow manufactures recommendations for cleaning surfaces and waxing if applicable in order to minimize damage from ground in dirt or heavy cart traffic.
    - Maintain and repair all interior plumbing fixtures and systems to meet local codes. This shall include the cost of any town required inspections and corrections of any violations for any modifications or lack of maintenance during the lease term.
    - Maintain and repair the HVAC system including routine maintenance and inspections, filter changes and any parts or service needed to make repairs and to keep the equipment in good operating condition.
    - Test and maintain fire extinguishers, exit lights and emergency lights. Follow all recordkeeping, inspection and maintenance requirements as set forth by the local jurisdiction.
    - Maintain and repair all interior door and cabinet hardware including any keying systems installed on interior or exterior doors.
    - Maintain and repair all interior lights associated with leased space.
    - Maintain and repair electrical and data systems within the leased space.
    - Repairs to furnishing, window treatments and other ancillary interior items.
    - All tenant provided equipment and furnishings.

Appendix 2: MAINTENANCE TERMS

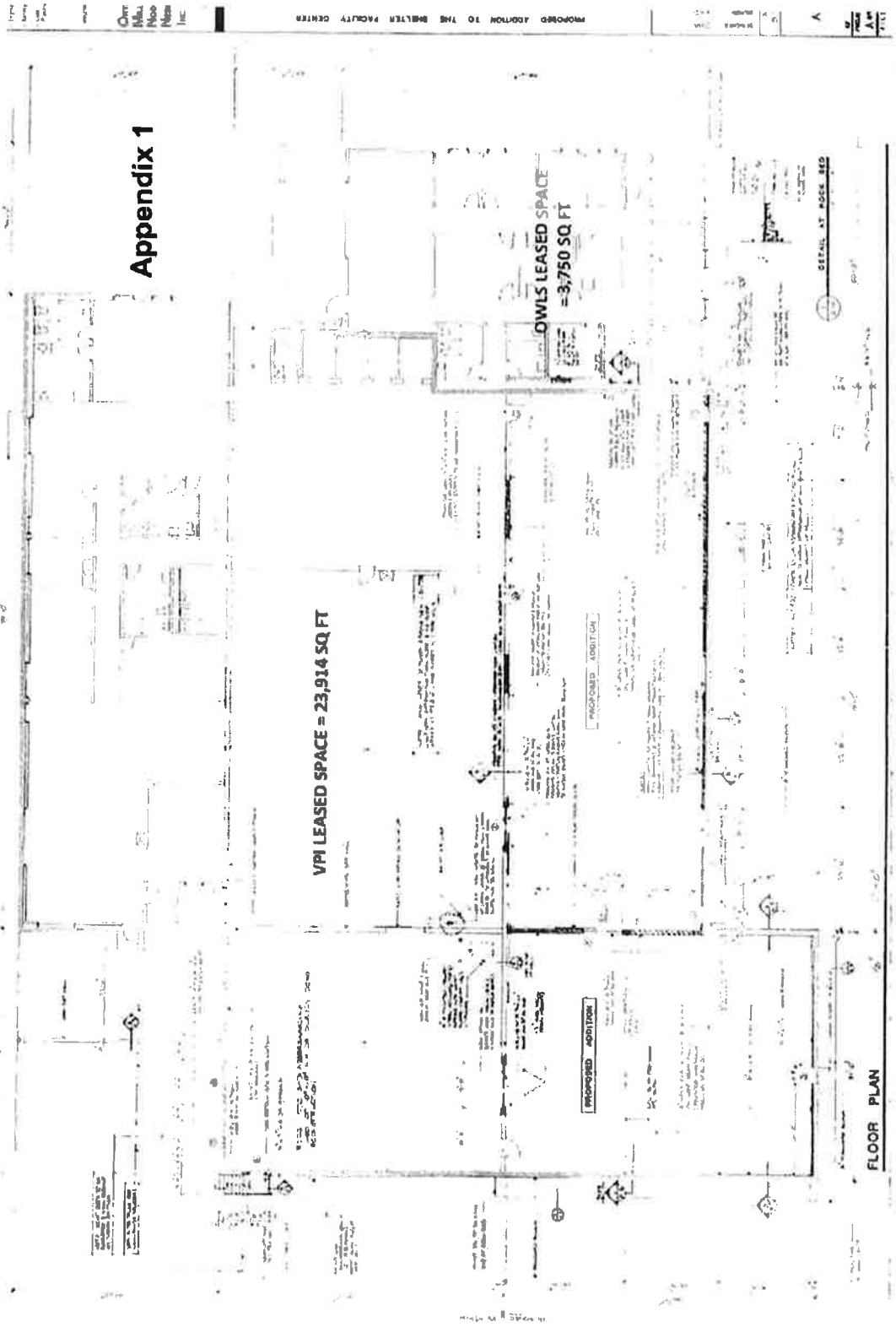
Repairs and Maintenance:

Lessor (owner) shall be responsible for all maintenance, inspections and costs associated with the following:

- Building structure including the foundation, exterior windows and doors and all other exterior surfaces including exterior walls, roof soffit, gutters and downspouts. Lessor shall also be responsible for any interior building damage caused by deficiencies in the exterior building envelope including water damage from roof, window or wall leaks.
- Underground utilities including water, sewer, natural gas and electrical service.
- All parking lot maintenance and repairs including snow and ice removal. Snow is cleared from parking stalls the night after a snow event and shall cleared by 8:00 am the morning following a snow event. In the event of ongoing snow or ice after 5 am or throughout the business day snow will be removed before the next business day.
- All parking lot lighting.
- Grounds maintenance including lawn mowing, tree trimming, general landscaping and the repair of sidewalks that have a 3/4" or greater height difference where panels adjoin.

Lessee (Tenant) shall be responsible for all maintenance and costs associated with the following:

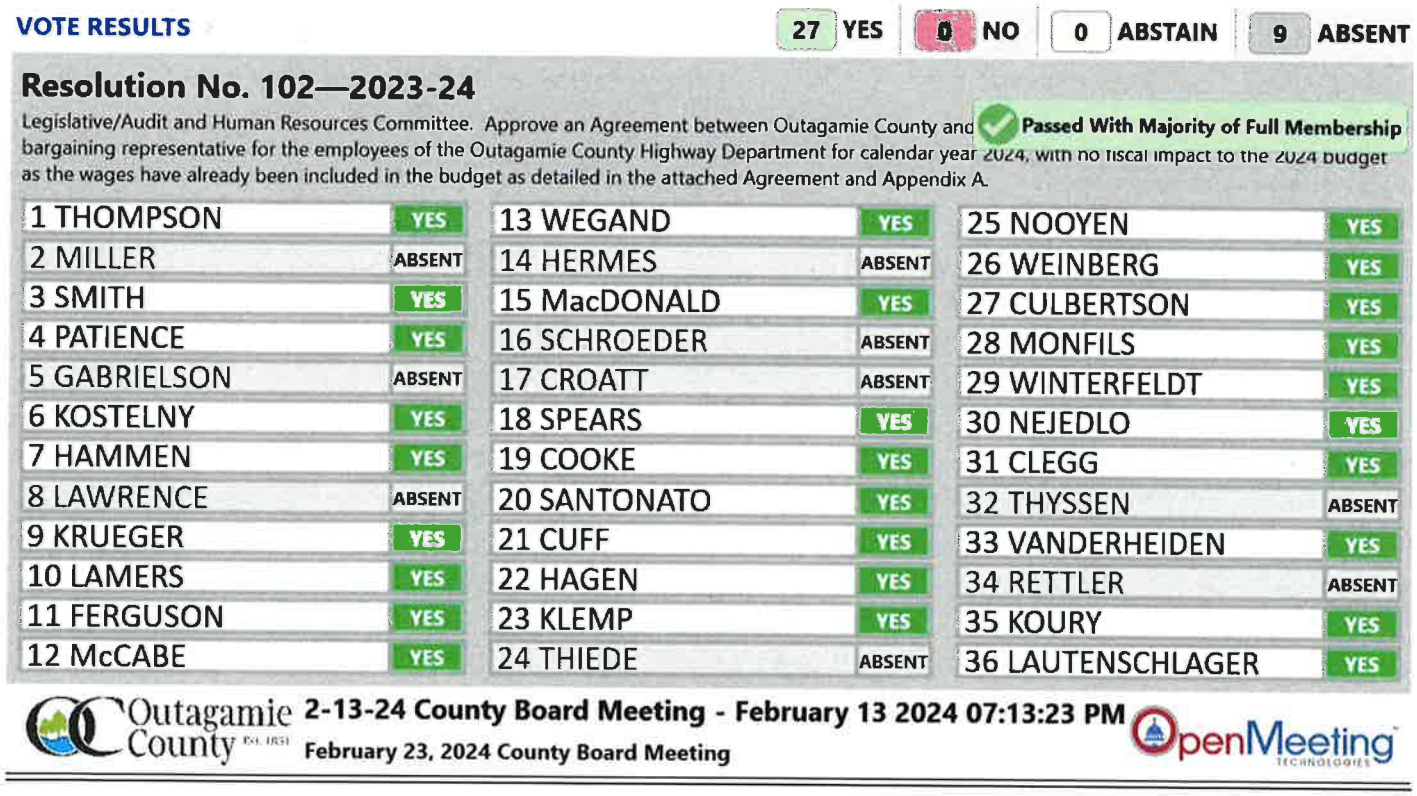
- All utility costs associated with the lease space. Fiber or additional phone lines to the building.
- All cleaning services for the leased space including interior and exterior of windows, floor care, vents and all general cleaning.
- All trash and recycling services associated with lease space and business operations.
- Snow and Ice removal from all associated sidewalk and aprons between the parking lot and leased space. Multiple tenants may negotiate a shared responsibility for sidewalk maintenance provided there is a tenant in the adjacent building space.


Appendix 1
OWLS LEASED SPACE
=3,750 SQ FT
VPI LEASED SPACE = 23,914 SQ FT
PROPOSED ADDITION
PROPOSED ADDITION
FLOOR PLAN

Resolution No. 102—2023-24 – Legislative/Audit and Human Resources Committee. Approve an Agreement between Outagamie County and General Teamsters Union Local 662, collective bargaining representative for the employees of the Outagamie County Highway Department for calendar year 2024, with no fiscal impact to the 2024 budget as the wages have already been included in the budget as detailed in the attached Agreement and Appendix A.

Supervisor Spears moved, seconded by Supervisor MacDonald, for adoption.

ROLL CALL: 27 yes, 9 absent. RESOLUTION NO. 102—2023-24 IS ADOPTED.



VOTE RESULTS — 27 YES | 0 NO | 0 ABSTAIN | 9 ABSENT

Resolution No. 102—2023-24

Legislative/Audit and Human Resources Committee. Approve an Agreement between Outagamie County and bargaining representative for the employees of the Outagamie County Highway Department for calendar year 2024, with no fiscal impact to the 2024 budget as the wages have already been included in the budget as detailed in the attached Agreement and Appendix A.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	ABSENT	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	ABSENT	17 CROATT	ABSENT	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	ABSENT
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	ABSENT	36 LAUTENSCHLAGER	YES

Outagamie County EST. 1851 — 2-13-24 County Board Meeting - February 13 2024 07:13:23 PM — February 23, 2024 County Board Meeting — OpenMeeting TECHNOLOGIES

RESOLUTION NO.: 102—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Certain general municipal employees of the Outagamie County Highway Department qualify to organize as a union pursuant to Wis. Stat. §111.70 for the purpose of collective bargaining. As of April 2023, the eligible employees voted and elected the Teamsters Local 662 to represent their interests. Given the implementation of the Total Rewards Study, no negotiation was requested for 2023 beyond the initial placement on the wage scale. Contract discussions and negotiations for 2024 commenced in late 2023 and have resulted in the attached agreement for 2024. The attached agreement provides for recognition of the Teamsters Local 662 as the representative for the highway employees union, as well as sets forth the base wage for fiscal year 2024.

There is no fiscal impact to the 2024 budget as wages have already been included in the budget.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board does approve an Agreement between Outagamie County and General Teamsters Union Local 662, collective bargaining representative for the employees of the Outagamie County Highway Department for calendar year 2024, with no fiscal impact to the 2024 budget as the wages have already been included in the budget as detailed in the attached Agreement and Appendix A, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Finance Director, and the Outagamie County Highway Commissioner.

Dated this 13th day of February 2024

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

Joe Santonato

John Kostelny

Duly and officially adopted by the County Board on: February 13, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 2.15.24 Vetoed: _____

Signed: _____
County Executive

AGREEMENT

This Agreement has been made and entered into between the Outagamie County, hereinafter referred to as the "Employer" and General Teamsters Union Local 662, affiliated with the International Brotherhood of Teamsters, hereinafter referred to as the "Union".

ARTICLE 1. RECOGNITION

The Employer recognizes the Union as the exclusive collective bargaining representative of the employees of the Outagamie County Hwy Department, exclusive of confidential employees, professional and managerial employees, supervisors and superintendents.

ARTICLE 2. SAVINGS CLAUSE

If any Article or Section of this Agreement or any addendum or appendix thereto shall be held invalid by operation of law or by any tribunal with competent jurisdiction, or if compliance with or enforcement of any article or section should be restrained by such tribunal, the remainder of this Agreement and addenda and appendices shall not be affected thereby, and the parties shall enter into immediate collective bargaining negotiations for the purpose of arriving at a mutually satisfactory replacement for such article or section.

ARTICLE 3. DURATION

A. This Agreement shall become effective January 1, 2024 and shall remain in full force and effect through December 31, 2024.

B. Bargaining Procedure: The Union shall give notice of its intent to bargain.

ARTICLE 4. WAGES

A. The base hourly rates for the employees covered by this Agreement shall increase as set forth in the wage schedule which is attached and incorporated by reference as Appendix A. Increases as set forth in Appendix B shall be applicable to 2024 only. Prior to July 1, of 2024 the Union will determine, and advise the Employer, whether they wish to negotiate base wages for all of its employees annually, or to permanently remain covered by the annual increases as set forth in Appendix A.

[SIGNATURES INCLUDED ON FOLLOWING PAGE]

FOR THE EMPLOYER

Thomas Nelson
County Executive
Dated: 2.15.24

Jeff Nooyen
Outagamie County Board Chair
Dated: _____

Jeff King
Outagamie County Clerk
Dated: _____

FOR THE UNION

_____

_____

Dated: _____

APPENDIX A

OUTAGAME COUNTY WAGE SCHEDULE - eff: 12/17/23

PAY GRADE	RECOMMENDED JOB TITLE	DEPARTMENT	FLSA	1	2	3	4	5	6	7	8	9	10
100				$15.91	$16.28	$16.77	$17.27	$17.79	$18.32	$18.87	$19.44	$20.02	$20.62
				$32,884.80	$33,862.40	$34,881.60	$35,921.60	$37,003.20	$38,105.60	$39,249.60	$40,435.20	$41,641.60	$42,889.60
105				$16.92	$17.41	$17.95	$18.49	$19.04	$19.61	$20.20	$20.81	$21.43	$22.07
				$35,193.60	$36,204.80	$37,336.00	$38,459.20	$39,603.20	$40,788.80	$42,016.00	$43,284.80	$44,574.40	$45,905.60
110				$18.30	$18.84	$19.20	$19.78	$20.37	$20.98	$21.61	$22.26	$22.93	$23.62
				$37,648.00	$38,771.20	$39,936.00	$41,142.40	$42,369.60	$43,638.40	$44,948.80	$46,300.80	$47,694.40	$49,129.60
115				$19.37	$19.95	$20.55	$21.17	$21.80	$22.45	$23.12	$23.81	$24.52	$25.26
				$40,289.60	$41,496.00	$42,744.00	$44,033.60	$45,344.00	$46,696.00	$48,089.60	$49,524.80	$51,001.60	$52,540.80
120				$20.73	$21.35	$21.99	$22.65	$23.33	$24.03	$24.75	$25.49	$26.25	$27.04
				$43,118.40	$44,408.00	$45,739.20	$47,112.00	$48,526.40	$49,982.40	$51,480.00	$53,019.20	$54,600.00	$56,243.20
	Highway Field Worker	HIGHWAY	N										
125				$22.17	$22.83	$23.52	$24.23	$24.96	$25.71	$26.48	$27.27	$28.09	$28.93
				$46,113.60	$47,486.40	$48,921.60	$50,398.40	$51,916.80	$53,476.80	$55,078.40	$56,721.60	$58,427.20	$60,174.40
130				$23.73	$24.44	$25.17	$25.93	$26.71	$27.51	$28.34	$29.19	$30.07	$30.97
				$49,358.40	$50,835.20	$52,353.60	$53,934.40	$55,556.80	$57,220.80	$58,947.20	$60,715.20	$62,545.60	$64,417.60
	Inventory/Supply Technician	HIGHWAY OFFICE	N										
	Senior Account Technician	HIGHWAY OFFICE	N										
	Senior Account Technician	HIGHWAY OFFICE	N										
	Equipment Operator I	HIGHWAY PATROL	N										
135				$25.40	$26.16	$26.94	$27.75	$28.58	$29.44	$30.32	$31.23	$32.17	$33.14
				$52,832.00	$54,412.80	$56,035.20	$57,720.00	$59,446.40	$61,235.20	$63,065.60	$64,958.40	$66,913.60	$68,931.20
	Administrative/Real Estate Coordinator	HIGHWAY OFFICE	N										
	Equipment Operator II	HIGHWAY PATROL	N										
	Mechanic/Maintenance Technician	HIGHWAY SHOP	N										
140				$27.17	$27.99	$28.83	$29.69	$30.58	$31.50	$32.45	$33.43	$34.42	$35.45
				$56,513.60	$58,219.20	$59,966.40	$61,755.20	$63,606.40	$65,520.00	$67,496.00	$69,534.40	$71,593.60	$73,736.00
	Engineering Technician	HIGHWAY ENGINEERING	N										
	Equipment Operator III	HIGHWAY PATROL	N										
	Sign Technician	HIGHWAY PATROL	N										
145				$29.07	$29.94	$30.84	$31.77	$32.72	$33.70	$34.71	$35.75	$36.82	$37.92
				$60,465.60	$62,275.20	$64,147.20	$66,081.60	$68,057.60	$70,096.00	$72,196.80	$74,360.00	$76,585.60	$78,873.60
	Highway Operations Foreman	HIGHWAY PATROL	N										
	Mechanic	HIGHWAY SHOP	N										
150				$31.11	$32.04	$33.00	$33.99	$35.01	$36.06	$37.14	$38.25	$39.40	$40.58
				$64,708.80	$66,643.20	$68,640.00	$70,699.20	$72,820.80	$75,004.80	$77,251.20	$79,560.00	$81,952.00	$84,406.40
155				$33.28	$34.28	$35.31	$36.37	$37.46	$38.58	$39.74	$40.93	$42.16	$43.42
				$69,222.40	$71,302.40	$73,444.80	$75,649.60	$77,916.80	$80,246.40	$82,659.20	$85,134.40	$87,692.80	$90,313.60
	Highway Operations Supervisor - Patrol	HIGHWAY PATROL	N										
	Highway Operations Supervisor - Shop	HIGHWAY SHOP	N										
160				$35.61	$36.68	$37.78	$38.91	$40.08	$41.28	$42.52	$43.80	$45.11	$46.46
				$74,068.80	$76,294.40	$78,582.40	$80,932.80	$83,366.40	$85,862.40	$88,441.60	$91,104.00	$93,828.80	$96,636.80
165				$38.11	$39.25	$40.43	$41.64	$42.89	$44.18	$45.51	$46.88	$48.29	$49.74
				$79,268.80	$81,640.00	$84,094.40	$86,611.20	$89,211.20	$91,894.40	$94,660.80	$97,510.40	$100,443.20	$103,459.20
	Assistant Highway Engineer	HIGHWAY ENGINEERING	E										
	Finance Manager - Hwy	HIGHWAY OFFICE	E										
170	*Compensatory time earned after 45 hours worked*			$40.77	$41.99	$43.25	$44.55	$45.89	$47.27	$48.69	$50.15	$51.65	$53.20
				$84,801.60	$87,339.20	$89,960.00	$92,664.00	$95,451.20	$98,321.60	$101,275.20	$104,312.00	$107,432.00	$110,656.00
	Highway Engineer	HIGHWAY ENGINEERING	E										
	Patrol Superintendent	HIGHWAY PATROL	E										
	Fleet & Facilities Superintendent	HIGHWAY SHOP	E										
175	*Compensatory time earned after 45 hours worked*			$43.62	$44.93	$46.28	$47.67	$49.10	$50.57	$52.09	$53.65	$55.26	$56.92
				$90,729.60	$93,454.40	$96,262.40	$99,153.60	$102,128.00	$105,185.60	$108,347.20	$111,592.00	$114,940.80	$118,393.60
180	*Compensatory time earned after 45 hours worked*			$46.68	$48.08	$49.52	$51.01	$52.54	$54.12	$55.74	$57.41	$59.13	$60.90
				$97,094.40	$100,006.40	$103,001.60	$106,100.80	$109,283.20	$112,569.60	$115,939.20	$119,412.80	$122,990.40	$126,672.00
185	*Compensatory time earned after 45 hours worked*			$51.35	$52.89	$54.48	$56.11	$57.79	$59.52	$61.31	$63.15	$65.04	$66.99
				$106,808.00	$110,011.20	$113,318.40	$116,708.80	$120,103.20	$123,801.60	$127,524.80	$131,352.00	$135,283.20	$139,339.20
190	*Compensatory time earned after 45 hours worked*			$56.48	$58.17	$59.92	$61.72	$63.57	$65.48	$67.44	$69.46	$71.54	$73.69
				$117,478.40	$120,993.60	$124,633.60	$128,377.60	$132,225.60	$136,198.40	$140,275.20	$144,476.80	$148,803.20	$153,275.20
	Highway Commissioner	HIGHWAY OFFICE	E										
195	*Compensatory time earned after 45 hours worked*			$60.44	$62.25	$64.12	$66.04	$68.02	$70.06	$72.16	$74.32	$76.55	$78.85
				$125,715.20	$129,480.00	$133,369.60	$137,363.20	$141,481.60	$145,724.80	$150,092.80	$154,585.60	$159,224.00	$164,008.00

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the February 13, 2024 County Board Minutes approved by a majority vote at a meeting of the County Board on February 13, 2024 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 13th Day of February, 2024

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: March 4, 2024

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, February 27, 2024.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 27 present, 9 absent. Members present: Thompson, Patience, Gabrielson, Kostelny, Hammen, Krueger, Lamers, Ferguson, McCabe, Hermes, MacDonald, Schroeder, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Monfils, Nejedlo, Thyssen, VanderHeiden, Koury, and Lautenschlager. Members Absent: Miller, Smith, Lawrence, Wegand, Croatt, Culbertson, Winterfeldt, Clegg, and Rettler.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Miller, Supervisor Smith, Supervisor Lawrence, Supervisor Croatt, Supervisor Culbertson, Supervisor Winterfeldt, Supervisor Clegg, and Supervisor Rettler. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE FEBRUARY 13, 2024 COUNTY BOARD MEETING
Supervisor Nejedlo moved, seconded by Supervisor Weinberg, to approve the minutes of the February 13, 2024, County Board meeting.

ROLL CALL: 23 yes, 4 abstain (Hermes, Schroeder, Thiede, Thyssen), 9 absent. MINUTES OF THE FEBRUARY 13, 2024, BOARD MEETING ARE APPROVED.

Supervisor Wegand arrived at 7:02 pm.

SPECIAL ORDER OF BUSINESS –

Vice Chair Dan Gabrielson will provide an update on the NACo Conference

Supervisor Spears and Supervisor Gabrielson attended the WCA Conference.

- In an interview with Governor Evers, there was discussion on the two hospitals that are closing in Eau Claire and the need to try to keep medical support in that area. There was also discussion on the progress with shared revenue. Tying shared revenue with the sales tax will help the index in the future provide more support to the counties.
- Some of the majority and minority leaders from the Senate and Assembly spoke. It was noted that 90% of the bills that are passed do have bipartisan support.
    - There is currently a lot of discussion on how to spend the state surplus.
    - There is also a lot of discussion on redistricting maps.
- Updates on pending legislation:
    - Like kin support for children in out-of-home care was signed by both houses and is waiting for the Governor to sign.
    - The Assembly and Senate will be done meeting until next January.
- Forward Analytics presented on the upcoming crisis of staffing nursing homes and elder care facilities. The Baby Boom is becoming elderly at the same time as the workforce is shrinking.

Supervisor Gabrielson attended the NACo Conference in Washington DC.

- President Biden spoke to the committee. He spoke on infrastructure and investments.
- Supervisor Gabrielson attended some cybersecurity and artificial intelligence meetings.
    - It is only a matter of time before Counties will be hit with cybersecurity issues.
    - With new tools in artificial intelligence, threats to cybersecurity will be indistinguishable.
    - Four major concern areas with artificial intelligence:
        - Trust, truth and democracy.
        - Safety.
        - Civil rights, liberties, discrimination and privacy.
        - Workers and the economy.
- Supervisors are encouraged to reference the NACo website at NACo.org for additional highlights and information.

ESTABLISH ORDER OF THE DAY – None.

COMMUNICATIONS –

Chairperson Nooyen summarized the following communications:

- Seven Supervisors have to complete the January IT security training that was due February 8th. Please get this completed as soon as possible.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS –

> County Executive Nelson nomination for appointment of Michelle Uitenbroek to the 9-1-1 Communications Center Construction Project Oversight Committee, for the duration of the project.

Supervisor Kostelny moved, seconded by Supervisor Lautenschlager, for confirmation of the above-listed appointment.

ROLL CALL: 28 yes, 8 absent. MICHELLE UITENBROEK IS APPOINTED TO THE 9-1-1 COMMUNICATIONS CENTER CONSTRUCTION PROJECT OVERSIGHT COMMITTEE.

> County Executive Nelson nomination for appointment of Michelle Uitenbroek to the Appleton International Airport Terminal Expansion Project Oversight Committee, for the duration of the project.

Supervisor Spears moved, seconded by Supervisor Cooke, for confirmation of the above-listed appointment.

ROLL CALL: 28 yes, 8 absent. MICHELLE UITENBROEK IS APPOINTED TO THE APPLETON INTERNATIONAL AIRPORT TERMINAL EXPANSION PROJECT OVERSIGHT COMMITTEE.

UNFINISHED BUSINESS –

Resolution No. 98—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to allow the Outagamie County Highway Department to perform paving and related work at Plamann Park; Ash Tree removal at Plamann Park; paving, earthwork and site prep items within the 2024 Airport CIP at the Airport; parking lot rehabilitation at the Sheriff's Office; parking lot rehabilitation at the downtown Courthouse campus; and other work for internal Outagamie County departments in calendar year 2024 when deemed cost effective and beneficial to county operations without requesting bids on projects that will exceed $25,000 with no budget adjustment needed, as noted on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Wegand, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 98—2023-24 IS ADOPTED.

RECONSIDERATION OF RESOLUTION NO. 98—2023-24.

Supervisor Wegand moved, seconded by Supervisor Gabrielson, to reconsider the above listed resolution.

Vote for reconsideration. ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 98—2023-24 IS RECONSIDERED.

Vote for lock in. ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 98—2023-24 IS ADOPTED & LOCKED IN.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. 103—2023-24 – Finance Committee. Approve to go on record in support of the City of Seymour Territory Amendment #2 to Tax Incremental District (TID) No. 4, as detailed in the attached document dated February 26, 2024; and recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor of the amendment.

Supervisor Cuff moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 103—2023-24 IS ADOPTED.

Resolution No. 104—2023-24 – Finance Committee. Approve to go on record in support of the City of Seymour Territory Amendment #1 to Tax Incremental District (TID) No. 5, as detailed in the attached document dated February 26, 2024; and recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor of the amendment.

Supervisor Krueger moved, seconded by Supervisor Koury, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 104—2023-24 IS ADOPTED.

Resolution No. 105—2023-24 – Health and Human Services Committee. Authorize and approve of increasing the following Supply line items in the 2024 budget: HHS Child Youth Family (2062040) by $2,342; Aging Services (2063090) by $2,342; Child Support (2064050) by $2,342; Mental Health (2066090) by $3,668; and decreasing the following Capital Outlay line items in the 2024 budget: HHS Child Youth Family (2062040) by $2,342; Aging Services (2063090) by $2,342; Child Support (2064050) by $2,342; Mental Health (2066090) by $3,668, for minor office equipment, as noted on the attached fiscal note.
Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 105—2023-24 IS ADOPTED.

Resolution No. 106—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve transferring $550,000 from the Parks-Central Parking Lot Construction 21 Capital Outlay line item to the Parks-Pavilion 21 (non-debt) Capital Outlay line item, to combine funds for the Plamann Pavilion/Central Parking lot project, as noted on the attached fiscal note.

Supervisor Monfils moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 106—2023-24 IS ADOPTED.

REPORTS – None.

ADJOURNMENT
Supervisor Patience moved, seconded by Supervisor VanderHeiden to adjourn until March 12, 2024, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:32 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

Resolution No. 103—2023-24 – Finance Committee. Approve to go on record in support of the City of Seymour Territory Amendment #2 to Tax Incremental District (TID) No. 4, as detailed in the attached document dated February 26, 2024; and recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor of the amendment.

Supervisor Cuff moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 103—2023-24 IS ADOPTED.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 103—2023-24

Finance Committee. Approve to go on record in support of the City of Seymour Territory Amendment #2 to T… **Passed With Majority of Full Membership**
the attached document dated February 26, 2024; and recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor of the amendment.

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	ABSENT
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	ABSENT
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **2-27-24 County Board Meeting - February 27 2024 07:30:43 PM** OpenMeeting
February 23, 2024 County Board Meeting

RESOLUTION NO.: 103—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The City of Seymour (the City) has submitted Territory Amendment #2 to Tax Incremental District No. 4 (TID No. 4).

The City created TID No. 4 in 2010 as a "Mixed Use District." The TID was amended in 2022 to add one parcel of land for a residential development. Amendment #2 removes two parcels and overlaps one parcel. These parcels are planned to be added and overlapped within Tax Incremental District #5 in an effort to facilitate redevelopment for commercial and residential uses that, apart from a TIF, may not happen in the district. As outlined in Wisconsin State Statutes, to remove territory within the TID #4 boundary and overlap the parcel within TID #5, a contiguous connection via parcels of land has been made to the existing TID #4 boundary. The TID #4 territory amendment would keep the City under the 12% TID value threshold using 2023 valuation numbers. TID No. 4 is expected to close in 2031.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does go on record in support of the City of Seymour Territory Amendment #2 to Tax Incremental District No. 4 as detailed in the attached Territory Amendment #2 Tax Incremental District No. 4 in the City of Seymour, Wisconsin document dated February 26, 2024, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor on the City of Seymour's Territory Amendment #2 to TID No. 4, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the City of Seymour, the Outagamie County Finance Director, and the Outagamie County Executive.

Dated this 27th day of February 2024

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: February 27, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 2.28.24

Vetoed: _____

Signed: _____
County Executive

City of Seymour
TID #4 Territory Subtraction Amendment #2

Territory Amendment #2

Tax Incremental District No. 4

In the

CITY OF SEYMOUR, WISCONSIN

February 26, 2024

(Anticipated Actions)

Outagamie County Finance Committee Meeting	February 6, 2024
Organizational Joint Review Board Meeting Held	February 8, 2024
Public Hearing	February 15, 2024
Consideration by Planning Commission	February 15, 2024
Consideration by City Council	February 26, 2024
Consideration by Joint Review Board	March 7, 2024

Prepared In Part by:

Robert W. Baird & Co.
Public Finance
777 E. Wisconsin Ave.
Milwaukee, WI 53202
800.792.2473

City of Seymour
TID #4 Territory Subtraction Amendment #2

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City of Seymour
TID #4 Territory Subtraction Amendment #2

City of Seymour Officials

City Council

Ryan Kraft	Mayor
Cody VanderHeiden	Alderperson – District 1 Wards 1, 2 & 7
Steve Hurkman	Alderpersons – District 1 Wards 1, 2 & 7
Greg Gerbers	Alderpersons – District – 2 Wards 3 & 4
Todd Schaumberg	Alderpersons – District 2 Wards 3 & 4
Alex Tetzlaff	Alderpersons – District 3 Wards 5 & 6
Pat Krull	Alderpersons – District 3 Wards 5 & 6

City Staff

Sean L. Hutchison, CPM	City Administrator
Christy Stover	Clerk - Treasurer
John Schoen	Director of Public Works

Planning Commission

Ryan Kraft, Mayor	Corey Habeck, Planning Member
Cody VanderHeiden, Council Rep	John Schoen, DPW Director
Peter Krabbe, Planning Member	
Pudge Schuh, Planning Member	
Mike Keyzers, Planning Member	

Joint Review Board

Sean Hutchison	City Representative
Kevin Englebert	Outagamie County
Amy Van Straten	Fox Valley Technical College
Lavesa Glover-Verhagen	Seymour Community School District
Sue Garsow	City of Seymour, Public Member

City of Seymour
TID #4 Territory Subtraction Amendment #2

Introduction and Description of Territory Amendment

Tax Incremental District No. 4 (the "TID #4" or the "District") was created by the City under the authority provided by Wisconsin Statute Section 66.1105 on November 29, 2010. The TID prior to and including this amendment is considered a "Mixed-Use District" based on the findings that no less than 50 percent, by area, of the TID is suitable for a combination of commercial and residential uses. The amended TID boundary will keep the TID as a Mixed-Use District.

TID#4 was amended in 2022 by adoption of a territory and project plan amendment dated July 19, 2022, which expanded the boundaries to include adding one parcel. The main purpose of the territory amendment was to include land for a residential development.

Wisconsin Statutes Section 66.1105(4)(h)2 allows a municipality to modify the TID boundaries no more than four times during the life of the TID. This amendment is the second territory amendment in TID #4.

This second amendment removes two parcels and overlaps one parcel. These parcels are planned to be added and overlapped within Tax Increment District # 5 in the efforts to facilitate redevelopment for commercial and residential uses that but for TIF, may not happen in the district. In accordance with Wisconsin Statute Section 66.1105(4)(h), to remove this territory within the TID #4 boundary and overlap the parcel within TID # 5, a contiguous connection via parcels of land must be made to the existing TID #4 boundary.

As proposed, the TID #4 territory amendment would keep the city under the 12% TID value threshold using 2023 valuation numbers. Utilizing original public land adjacent to the additional parcels keep the additional valuations down as those parcels have no value for property tax purposes.

This second territory and project plan amendment only addresses the elements or subject areas (required by Statute) that are affected by the territory and project plan amendment. All other subject areas remain unchanged and can be referenced in the original TID#4 project plan. This second amendment does not remove any projects contemplated in the original TID #4 project plan.

The city confirms with the amendment 4% of the district is land proposed for newly platted residential development adhering to the statue compliance requirement of being less than 35%.

City of Seymour
TID #4 Territory Subtraction Amendment #2

The maps on page 6 shows the district before this second amendment and the map on page 7 shows upon the removal of territory TID # 4 will continue to be contiguous. The new territory boundary demonstrates that the entire District area remains contiguous.

Page 8 of this project plan contains the list of specific parcels to be removed with this second amendment.

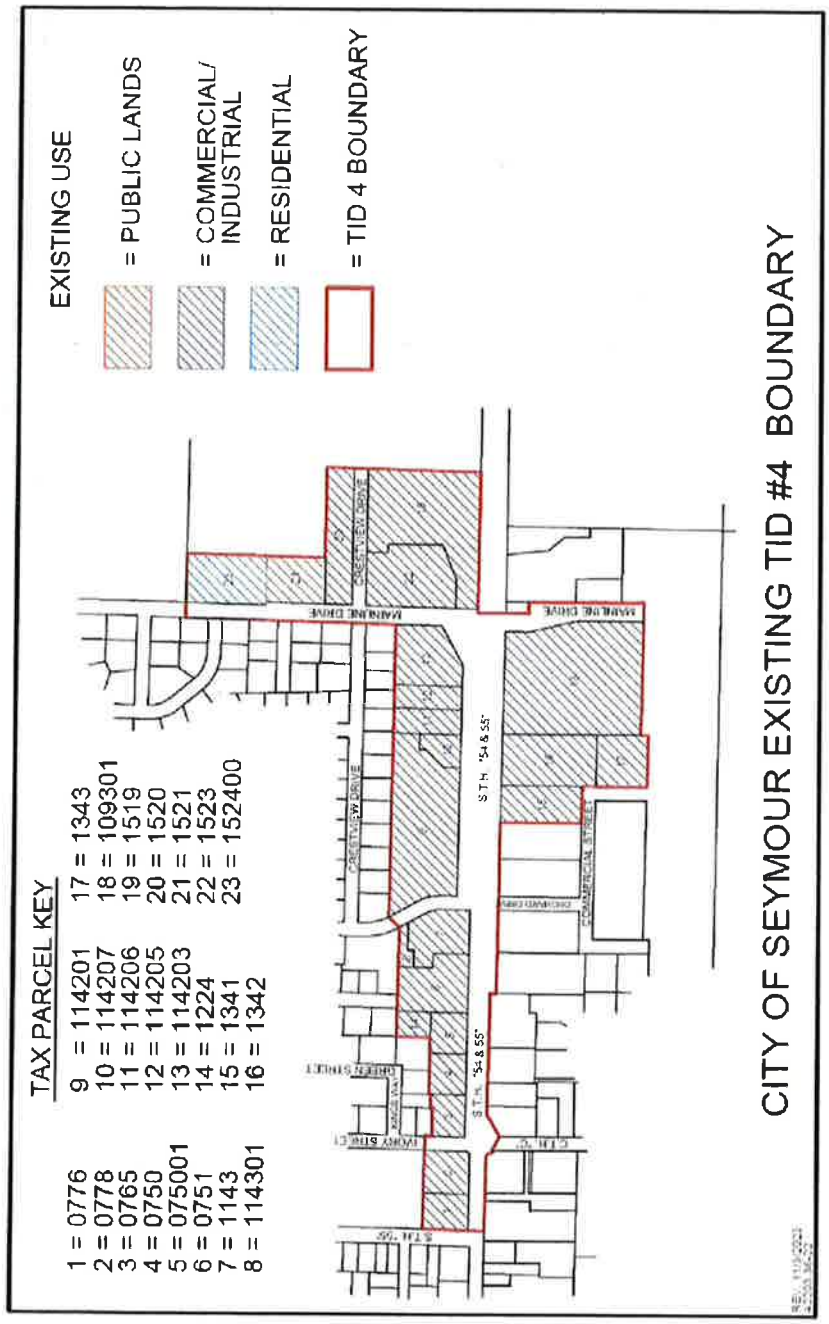
Exhibit A demonstrates revenues for TID #4 are generally trending toward meeting our expenditure commitments (bonds) for projects within the TID boundaries. Although the final year of revenues for TID #4 remains several years off (2031), any additional property tax increment that can be captured by the TID would help to meet the expenditure commitments ahead of time and potentially help with additional redevelopment efforts within the TID. TID #4 has a maximum statutory life of 20 years, closing no later than December 15, 2031, with final tax collection in 2031. The final year to incur TIF related expenditures is 2025. Based on current cash flow projection, TID #4 is expected to close in 2031, the end of its maximum statutory life.

The legal description in Exhibit C describes the full TID #4 territory updated for the amended area.

City of Seymour
TID #4 Territory Subtraction Amendment #2

Maps of Territory Amendment and Existing Uses

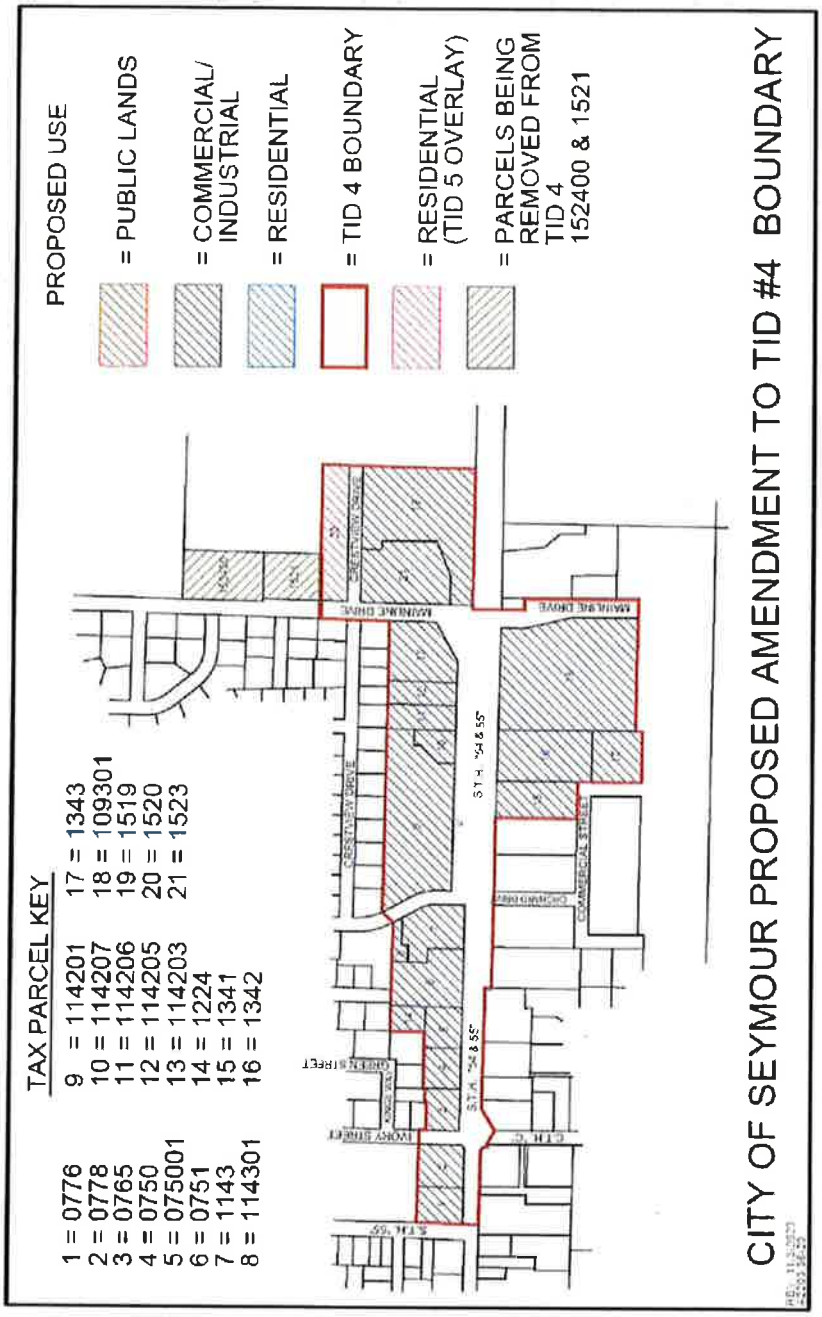
Map shows an outline of the TID before amendment.



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City of Seymour
TID #4 Territory Subtraction Amendment #2

Map of Amended TID#4 Boundary and Existing Uses



City of Seymour
TID #4 Territory Subtraction Amendment #2

Preliminary Parcel List and Analysis

As of the 01/01/2024 parcel list.

Proposed Amendment TIF Boundary Parcels										
Map Parcel #	Tax Parcel #	Address	Owner	Acreage	Acreage %	Zoned Use	Land Value	Improvements	Personal Property	Total Valuation
1	340077600	1020 S Main Street	Gunner LLC	0.67	2%	Commercial	$ 103,800.00	$ 1,070,300.00		$ 1,174,100.00
2	340077800	1043 Ivory Street	Coonen Rev Trust	0.75	2%	Commercial	$ 58,300.00	$ 414,000.00		$ 472,300.00
3	340076500	211 E State Rd 54	Everest Petroleum Corp	0.6	2%	Commercial	$ 87,400.00	$ 451,300.00		$ 538,700.00
4	340075000	301 E State Rd 54	Joseph V Mcewen	0.64	2%	Commercial	$ 98,000.00	$ 168,500.00		$ 266,500.00
5	340075001	32 E State Rd 54	Kevin L & Tami J Weitzel	0.64	2%	Commercial	$ 83,700.00	$ 475,900.00		$ 559,600.00
6	340075100	401 E State Rd 54	M&M Holdings LLC	1.6	5%	Residential	$ 53,300.00	$ 175,000.00		$ 228,300.00
7	340114300	1021 Orchard Drive	Rigoberto & Carilloa Rebolledo	1.2	4%	Commercial	$ 115,200.00	$ 389,500.00		$ 504,700.00
8	340114301	1017 Orchard Drive	FIC Properties LLC	0.21	1%	Commercial	$ 15,900.00	$ 113,900.00		$ 129,800.00
9	340114201	607 Woodland Plaza	Woodland Plaza LLC	4.39	13%	Commercial	$ 197,600.00	$ 854,900.00		$ 1,052,500.00
10	340114207	609 Woodland Plaza	Todd Berg	0.47	1%	Commercial	$ 71,700.00	$ 88,300.00		$ 160,000.00
11	340114206	707 Woodland Plaza	Valley Vet Clinic	0.61	2%	Commercial	$ 74,300.00	$ 142,000.00		$ 216,300.00
12	340114205	715 Woodland Plaza	Zemke Real Estate Holdings LLC	0.68	2%	Commercial	$ 92,900.00	$ 151,900.00		$ 244,800.00
13	340114203	725 Woodland Plaza	Modern Properties New LLC	1.75	5%	Commercial	$ 82,500.00	$ 192,100.00		$ 274,600.00
14	340122400	1000 Orchard Dr U-S	Kevin L & Tami J Weitzel	0.33	1%	Commercial	$ 11,900.00	$ -		$ 11,900.00
15	340134100	601 Commercial Street	Kreed LLC	1.28	4%	Commercial	$ 100,000.00	$ 1,003,000.00		$ 1,103,000.00
16	340134200	State Rd 54	Maass LLC	2.08	6%	Commercial	$ 110,000.00	$ -		$ 110,000.00
17	340134300	Meadowview LA	Maass LLC	1.11	3%	Commercial	$ 50,000.00	$ -		$ 50,000.00
18	340103201	1145 S Mainline Dr	Obus Enterprises LLC	8.45	25%	Commercial	$ 170,100.00	$ 322,700.00		$ 492,800.00
19	340151900	1010 S Mainline Dr	Seymour Holdings LLC	4.37	13%	Commercial	$ 161,700.00	$ 1,249,500.00		$ 1,411,200.00
21	340152300	1020 S Mainline Dr	KT Real Estate Holdings LLC	2.21	6%	Commercial	$ 81,800.00	$ 1,498,000.00		$ 1,579,800.00
TOTALS				34.04	100%		$ 1,820,100.00	$ 8,760,800.00		$ 10,580,900.00

Proposed Overlap Parcel With TID 5										
Map Parcel #	Tax Parcel #	Address	Owner	Acreage	Acreage %	Zoned Use	Land Value	Improvements	Personal Property	Total Valuation
20	340152000	S Mainline Dr	Carl G & Jon C Schaumberg	1.62	100%	Residential	$ 400.00	$ -	$ -	$ 400.00

Proposed Parcel Subtractions to TID 5										
Map Parcel #	Tax Parcel #	Address	Owner	Acreage	Acreage %	Zoned Use	Land Value	Improvements	Personal Property	Total Valuation
N/A	340152100	S Mainline Dr	City of Seymour	1.15	50%	Residential	$ -	$ -	$ -	$ -
N/A	340152400	Mainline Dr	Carl G & Jon C Schaumberg	1.62	50%	Residential	$ 400.00	$ -	$ -	$ 400.00

City of Seymour
TID #4 Territory Subtraction Amendment #2

Equalized Valuation Test

The following calculations demonstrate that the city is in compliance with Wisconsin State Statute Section 66.1105(4) (gm)4. c. Wis. Stats., which requires that the equalized value of the taxable property in the proposed TID, plus the value increment of any existing Tax Incremental Districts, does not exceed 12% of the total equalized value of taxable property within the City. With the amendment to TID #4, the value increment of all existing Tax Increment Districts will be approximately 10.28%.

Valuation Test Compliance Calculation

2023 Equalized Valuation (TID IN)	$322,670,900
Limit for 12% Test	$38,720,508
Increment Value of Existing TIDs	$33,184,100
Projected Base Value of TID Amendment	$-800.00
Total Value Subject to Test	$33,184,100
Compliance ($30,184,100< $38,720,508)	Meets Requirement

City Attorney Opinion

Exhibit B contains a signed opinion from the City attorney advising whether the boundary amendment is complete and complies with Wisconsin Statute Section 66.1105(4)(h)(2).

City of Seymour
TID #4 Territory Subtraction Amendment #2

EXHIBIT A - CASH FLOW PROFORMA ANALYSIS

Current Status

City of Seymour
Tax Increment District No. 4
Hypothetical Cash Flow Proforma Analysis

Assumptions	
Annual Inflation During Life of TID	0.00%
2023 Gross Tax Rate (per $1000 Equalized Value)	$17.22
Annual Adjustment to Tax Rate	0.00%
Investment rate	0.50%
Data above dashed line are actual	

	Background Data					Revenues				Expenditures			TID Status			
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	
Year	TIF District Valuation (January 1)	Inflation Increment	Construction Increment	TIF Increment Over Base	Tax Rate	Tax Revenue	Computer Aid	Investment Proceeds	Total Revenues	Repay GF Advances	Repay Water Advances	Combined Expenditures	Annual Revenue	Year End Cumulative Balance (December 31)	Cost Recovery	Year
	Base Value $5,608,517									(1)	(1)					
2022	$12,565,100	$0		$6,956,583	$18.42									[illegible]		2022
2023	[illegible]	$0		$6,956,583	$17.22	$127,588	$1,919	$0	$129,507				$129,507	[illegible]		2023
2024	$10,751,600	$0		$5,093,083	$17.22	$87,685	$1,919	$0	$89,604				$89,604	[illegible]		2024
2025	$10,751,600	$0		$5,093,083	$17.22	$87,685	$1,919	$0	$89,604			$0	$89,604	[illegible]		2025
2026	$10,751,600	$0		$5,093,083	$17.22	$87,685	$1,919	$0	$89,604			$0	$89,604	[illegible]		2026
2027	$10,751,600	$0		$5,093,083	$17.22	$87,685	$1,919	$0	$89,604	$30,601		$30,601	$59,003	$22,006		2027
2028	$10,751,600	$0		$5,093,083	$17.22	$87,685	$1,919	$112	$89,716	$30,601		$30,601	$59,113	$81,119		2028
2029	$10,751,600	$0		$5,093,083	$17.22	$87,685	$1,919	$406	$90,010	$30,601		$30,601	$59,409	$140,527		2029
2030	$10,751,600	$0		$5,093,083	$17.22	$87,685	$1,919	$703	$90,307			$0	$90,307	$230,834		2030
2031	$10,751,600	$0		$5,093,083	$17.22	$87,685	$1,919	$1,154	$90,758		[illegible]	[illegible]	[illegible]	$0		2031
		$0	$0			$529,068	$17,271	$2,372	$548,711	$91,803	$321,592	$413,395				

Type of TID: Mixed Use
2011 TID Inception (12/13/2010)
2023 First Year to Incur TIF Related Costs
2030 Maximum Legal Life of TID (20 Years)
2031 First Tax Collection Year

(1) Assumes prior advances (as of 12/31/22) are repaid when there are sufficient accumulations of TID revenues to fully repay the remaining balance.

City of Seymour
TID #4 Territory Subtraction Amendment #2

EXHIBIT A - CASH FLOW PROFORMA ANALYSIS

Current Status with Amendment

City of Seymour
Tax Increment District No. 4
Hypothetical Cash Flow Proforma Analysis

Assumptions	
Annual Inflation During Life of TID	0.00%
2023 Gross Tax Rate (per $1000 Equalized Value)	$17.22
Annual Adjustment to tax rate	0.00%
Investment rate	0.50%

Data above dashed line are actual

	Background Data					Revenues				Expenditures			TID Status			
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	
Year	TIF District Valuation (January 1)	Inflation Increment	Construction Increment	TIF Increment Over Base	Tax Rate	Tax Revenue	Computer Aid	Investment Proceeds	Total Revenues	Repay OF Advances (1)	Repay Water Advances (1)	Combined Expenditures	Annual Balance	Year End Cumulative Balance (December 31)	Cost Recovery	Year
	Base Value $5,658,517															
	$5,658,517															
2022	$10,309,100	$0		$5,093,683	$16.42									($436,316)		2022
2023	$10,751,600	$0		$5,093,083	$17.22	$127,588	$1,919	$0	$129,507				$129,507	($308,809)		2023
2024	$10,751,600	$0		$5,093,283	$17.22	$87,685	$1,919	$0	$89,604				$89,604	($219,205)		2024
2025	$10,750,800	$0		$5,092,283	$17.22	$87,685	$1,919	$0	$89,604			$0	$89,604	($129,601)		2025
2026	$10,750,800	$0		$5,092,283	$17.22	$87,671	$1,919	$0	$89,590			$0	$89,590	($39,011)		2026
2027	$10,750,800	$0		$5,092,283	$17.22	$87,671	$1,919	$0	$89,590	$30,601		$30,601	$58,989	$21,978		2027
2028	$10,750,800	$0		$5,092,283	$17.22	$87,671	$1,919	$110	$89,700	$30,601		$30,601	$59,099	$81,077		2028
2029	$10,750,800	$0		$5,092,283	$17.22	$87,671	$1,919	$405	$89,996	$30,601		$30,601	$59,395	$140,472		2029
2030	$10,750,800	$0		$5,092,283	$17.22	$87,671	$1,919	$702	$90,293			$0	$90,293	$130,764		2030
2031	$10,750,800	$0		$5,092,283	$17.22	$87,671	$1,919	$1,154	$90,744		$321,908	$321,908	($230,764)	$0	Cumulative surplus	2031
		$0	($000)			$828,985	$17,271	$2,371	$848,627	$91,803	$321,908	$413,711				

Type of TID: Mixed Use
2011 TID Inception (12/13/2010)
2025 Final Year to Incur TIF Related Costs
2030 Maximum Legal Life of TID (20 Years)
2031 Final Tax Collection Year

(1) Assumes prior advances (as of 12/31/22) are repaid when there are sufficient accumulation of TID revenues to fully repay the remaining balance.

City of Seymour
TID #4 Territory Subtraction Amendment #2

EXHIBIT B - CITY ATTORNEY OPINION

January 23, 2024

Mayor Ryan Kraft &
Members of the Seymour Common Council
328 N. Main Street
Seymour WI 54165

RE: Territory Amendment #2 for Tax Incremental District No. 4 in the City of Seymour, Wisconsin

Dear Mayor Kraft and Common Council Members:

Tax incremental financing project plans must include an opinion of the city attorney advising whether the plan is complete and complies with Wis. Stat. sec. 66.1105(4)(f).

I have been retained to represent the City of Seymour as its appointed City Attorney. I have reviewed the Project Plan for Tax Incremental District No. 4 and the Territory Amendment #2 for Tax Incremental District No. 4. It is my opinion that the amendment and project plan contain and adequately address the prerequisites set forth in Wis. Stat. sec. 66.1105.

Sincerely,
TOWN COUNSEL LAW & LITIGATION, LLC
Attorneys for City of Seymour
/Ashley C. Lehocky
Ashley C. Lehocky

940 E. Evergreen Drive • Kaukauna, WI 54130
(920) 725-1233 • www.towncounsellawfirm.com

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City of Seymour
TID #4 Territory Subtraction Amendment #2

EXHIBIT C - ESTIMATED TAX INCREMENT BY TAXING ENTITY

City of Seymour - TID # 4 Amendment					
Calculation of the Growth of Estimated Tax Increments by Taxing Entity					
Revenue	**Projected Increment**	**County**	**City**	**School District**	**Technical College**
2024	$ 87,685	$ 14,478	$ 27,884	$ 41,564	$ 3,760
2025	$ 87,685	$ 14,478	$ 27,884	$ 41,564	$ 3,760
2026	$ 87,685	$ 14,478	$ 27,884	$ 41,564	$ 3,760
2027	$ 87,685	$ 14,478	$ 27,884	$ 41,564	$ 3,760
2028	$ 87,685	$ 14,478	$ 27,884	$ 41,564	$ 3,760
2029	$ 87,685	$ 14,478	$ 27,884	$ 41,564	$ 3,760
2030	$ 87,685	$ 14,478	$ 27,884	$ 41,564	$ 3,760
2031	$ 87,685	$ 14,478	$ 27,884	$ 41,564	$ 3,760
TOTALS	**$ 701,480**	**$ 115,821**	**$ 223,069**	**$ 332,512**	**$ 30,077**

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City of Seymour
TID #4 Territory Subtraction Amendment #2

EXHIBIT C- AMENDED TID #4 BOUNDARY LEGAL DESCRIPTION

CITY OF SEYMOUR TID 4 BOUNDARY DESCRIPTION (REVISED: 11/3/2023):

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 18 EAST; THENCE NORTH 60 FEET ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SECTION 33; THENCE EAST 33 FEET PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SECTION 33, TO THE POINT OF BEGINNING; THENCE EAST 600 FEET PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SECTION 33 TO A WEST LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8349; THENCE N01°23'57"E, 668.82 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF LOT 3 OF CERTIFIED SURVEY MAP NO. 6256; THENCE N89°28'42"W, 666.00 FEET ALONG SAID NORTH LINE AND ITS EXTENSION WESTERLY TO THE WEST R.O.W. LINE OF MAINLINE DRIVE; THENCE SOUTH 303.34 FEET ALONG THE WEST R.O.W. LINE OF MAINLINE DRIVE; THENCE WEST 27.63 FEET PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST ¼ OF SECTION 33 TO THE SOUTHEAST CORNER OF LOT 1 OF THE NAGEL PLAT; THENCE WEST 1312.55 FEET TO THE SOUTHWEST CORNER OF LOT 13 OF THE NAGEL PLAT; THENCE SOUTHWEST 62.25 FEET TO THE NORTHEAST CORNER OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3841; THENCE WEST 474.75 FEET TO THE NORTHWEST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1995; THENCE SOUTH 150.00 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1995; THENCE WEST 230.00 FEET TO THE NORTHWEST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 340; THENCE SOUTH 8.34 FEET TO THE NORTHEAST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 5916; THENCE WEST 60.01 FEET; THENCE SOUTH 10.06 FEET; THENCE WEST 120.01 FEET TO THE NORTHWEST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 5916; THENCE NORTH 24.50 FEET ALONG THE EAST R.O.W. OF IVORY STREET; THENCE WEST 60.00 FEET TO THE WEST R.O.W. OF IVORY STREET; THENCE WEST 340.00 FEET TO THE NORTHWEST CORNER OF LOT 11 OF BLOCK H; THENCE SOUTH 164.00 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF BLOCK H; THENCE SOUTHWEST TO THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 18 EAST; THENCE EAST 1795 FEET ALONG THE SOUTH R.O.W. OF S.T.H. "54"-"55" TO THE NORTHWEST CORNER OF LOT 12 OF THE MAAS SUBDIVISION; THENCE SOUTH 351.66 FEET TO THE SOUTHEAST CORNER OF LOT 12 OF THE MAAS SUBDIVISION; THENCE EAST 158.17 FEET TO THE SOUTHEAST CORNER OF LOT 12 OF THE MAAS SUBDIVISION; THENCE SOUTH 280.02 FEET TO THE SOUTHWEST CORNER OF LOT 14 OF THE MAAS SUBDIVISION; THENCE EAST 220.01 FEET TO THE SOUTHEAST CORNER OF LOT 14 OF MAAS SUBDIVISION; THENCE NORTH 34.62 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 455; THENCE EAST 490.01 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 455; THENCE EAST 80 FEET TO THE EAST R.O.W. LINE OF MAINLINE DRIVE; THENCE NORTH 500.50 FEET ALONG THE EAST R.O.W. LINE OF MAINLINE DRIVE; THENCE WEST 50.00 FEET ALONG THE R.O.W. LINE OF MAINLINE DRIVE; THENCE NORTH 100.00 FEET ALONG THE EAST R.O.W. LINE OF MAINLINE DRIVE TO THE SOUTH R.O.W. OF S.T.H. "54"-"55"; THENCE NORTH 120 FEET TO THE NORTH R.O.W. LINE OF S.T.H. "54"-"55" AND THE POINT OF BEGINNING.

City of Seymour
TID #4 Territory Subtraction Amendment #2

DISCLAIMER TEXT

Robert W. Baird & Co. Incorporated is providing this information to you for discussion purposes. The materials do not contemplate or relate to a future issuance of municipal securities. Baird is not recommending that you take any action, and this information is not intended to be regarded as "advice"' within the meaning of Section 15B of the Securities Exchange Act of 1934 or the rules thereunder.

Resolution No. 104—2023-24 – Finance Committee. Approve to go on record in support of the City of Seymour Territory Amendment #1 to Tax Incremental District (TID) No. 5, as detailed in the attached document dated February 26, 2024; and recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor of the amendment.

Supervisor Krueger moved, seconded by Supervisor Koury, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 104—2023-24 IS ADOPTED.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 104—2023-24

Finance Committee. Approve to go on record in support of the City of Seymour Territory Amendment #1 to T… the attached document dated February 26, 2024; and recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor of the amendment.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	ABSENT
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	ABSENT
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 2-27-24 County Board Meeting - February 27 2024 07:31:18 PM
February 23, 2024 County Board Meeting
OpenMeeting

RESOLUTION NO.: 104—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The City of Seymour (the City) has submitted Territory Amendment #1 to Tax Incremental District No. 5 (TID No. 5).

The City created TID No. 5 in 2022 as a "Mixed Use District." Amendment #1 adds two parcels and overlaps one parcel. These parcels are planned to be added and overlapped from TID #4 in the effort to facilitate redevelopment for commercial and residential uses that, apart from a TIF, may not happen in the district. As proposed, the TID #5 territory amendment would keep the City under the 12% TID value threshold using 2023 valuation numbers. This first amendment does not remove any projects contemplated in the original TID #5 project plan. TID No. 5 will close no later than December 15, 2042.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does go on record in support of the City of Seymour Territory Amendment #1 to Tax Incremental District No. 5 as detailed in the attached Territory Amendment #1 Tax Incremental District No. 5 in the City of Seymour, Wisconsin document dated February 26, 2024, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors recommend that the representative of Outagamie County on the City of Seymour TID Board of Review vote in favor on the City of Seymour's Territory Amendment #1 to TID No. 5, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the City of Seymour, the Outagamie County Finance Director, and the Outagamie County Executive.

Dated this 27th day of February 2024

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: February 27, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 2.28.24 Vetoed: _____

Signed: _____
County Executive

City of Seymour
TID #5 Territory Amendment #1

Territory Amendment #1

Tax Incremental District No. 5

in the

CITY OF SEYMOUR, WISCONSIN

February 26, 2024

(Anticipated Actions)

Outagamie County Finance Committee Meeting	February 6, 2024
Organizational Joint Review Board Meeting Held	February 8, 2024
Public Hearing	February 15, 2024
Consideration by Planning Commission	February 15, 2024
Consideration by City Council	February 26, 2024
Consideration by Joint Review Board	March 7, 2024

Prepared in Part by:

BAIRD

Robert W. Baird & Co.
Public Finance
777 E. Wisconsin Ave.
Milwaukee, WI 53202
800.792.2473

City of Seymour
TID #5 Territory Amendment #1

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City of Seymour
TID #5 Territory Amendment #1

City of Seymour Officials

City Council

Ryan Kraft	Mayor
Cody VanderHeiden	Alderperson – District 1 Wards 1, 2 & 7
Steve Hurkman	Alderpersons – District 1 Wards 1, 2 & 7
Greg Gerbers	Alderpersons – District – 2 Wards 3 & 4
Todd Schaumberg	Alderpersons – District 2 Wards 3 & 4
Alex Tetzlaff	Alderpersons – District 3 Wards 5 & 6
Pat Krull	Alderpersons – District 3 Wards 5 & 6

City Staff

Sean L. Hutchison, CPM	City Administrator
Christy Stover	Clerk - Treasurer
John Schoen	Director of Public Works

Planning Commission

Ryan Kraft, Mayor	Corey Habeck, Planning Member
Cody VanderHeiden, Council Rep	John Schoen, DPW Director
Peter Krabbe, Planning Member	
Pudge Schuh, Planning Member	
Mike Keyzers, Planning Member	

Joint Review Board

Sean Hutchison	City Representative
Kevin Englebert	Outagamie County
Amy Van Straten	Fox Valley Technical College
Lavesa Glover-Verhagen	Seymour Community School District
Sue Garsow	City of Seymour, Public Member

City of Seymour
TID #5 Territory Amendment #1

Introduction and Description of Territory Amendment

Tax Incremental District No. 5 (the "TID #5" or the "District") was created by the City under the authority provided by Wisconsin Statute Section 66.1105 on September 12, 2022. The TID prior to and including this amendment is considered a "Mixed-Use District" based on the findings that no less than 50 percent, by area, of the TID is suitable for a combination of commercial and residential uses. The amended TID boundary will keep the TID as a Mixed-Use District.

Wisconsin Statutes Section 66.1105(4)(h)2 allows a municipality to modify the TID boundaries no more than four times during the life of the TID. This amendment is the first territory amendment in TID #5.

This first amendment adds two parcels and overlaps one parcel. These parcels are planned to be added and overlapped from Tax Increment District # 4 in the efforts to facilitate redevelopment for commercial and residential uses that but for TIF, may not happen in the district. In accordance with Wisconsin Statute Section 66.1105(4)(h), to remove this territory within the TID #4 boundary and overlap the parcel within TID # 5, a contiguous connection via parcels of land must be made to the existing TID #5 boundary.

As proposed, the TID #5 territory amendment would keep the city under the 12% TID value threshold using 2023 valuation numbers. Utilizing original public land adjacent to the additional parcels keep the additional valuations down as those parcels have no value for property tax purposes.

This first territory and project plan amendment only addresses the elements or subject areas (required by Statute) that are affected by the territory and project plan amendment. All other subject areas remain unchanged and can be referenced in the original TID#5 project plan. This first amendment does not remove any projects contemplated in the original TID #5 project plan.

The city confirms with the amendment 28% of the district is land proposed for newly platted residential development adhering to the statue compliance requirement of being less than 35%. Residential Housing density is at least three units per acre.

The maps on page 6 shows the district before this amendment and the map on page 7 shows upon the addition of territory and overlapped parcel TID # 5 will continue to be contiguous. The new territory boundary demonstrates that the entire District area remains contiguous.

Page 8 of this project plan contains the list of specific parcels to be added and overlapped with this first amendment.

City of Seymour
TID #5 Territory Amendment #1

The city anticipates additional public improvement project cost expenditures related towards the amendment of approximately $9,600,000 during the TID's 20-year expenditure period. Proposed public project improvements may include, but not limited to infrastructure, professional and organizational services, administrative costs, and finance costs. As part of the project plan, Developer incentives may be provided by the City to developers of property within the TID in the form of cash grants.

As a result of the amendment of this TID, the city projects a preliminary and conservative cash flow analysis indicating $9,693,322 in increments. The TID increment will primarily be used to pay the debt service costs of the TID, and project development incentives.

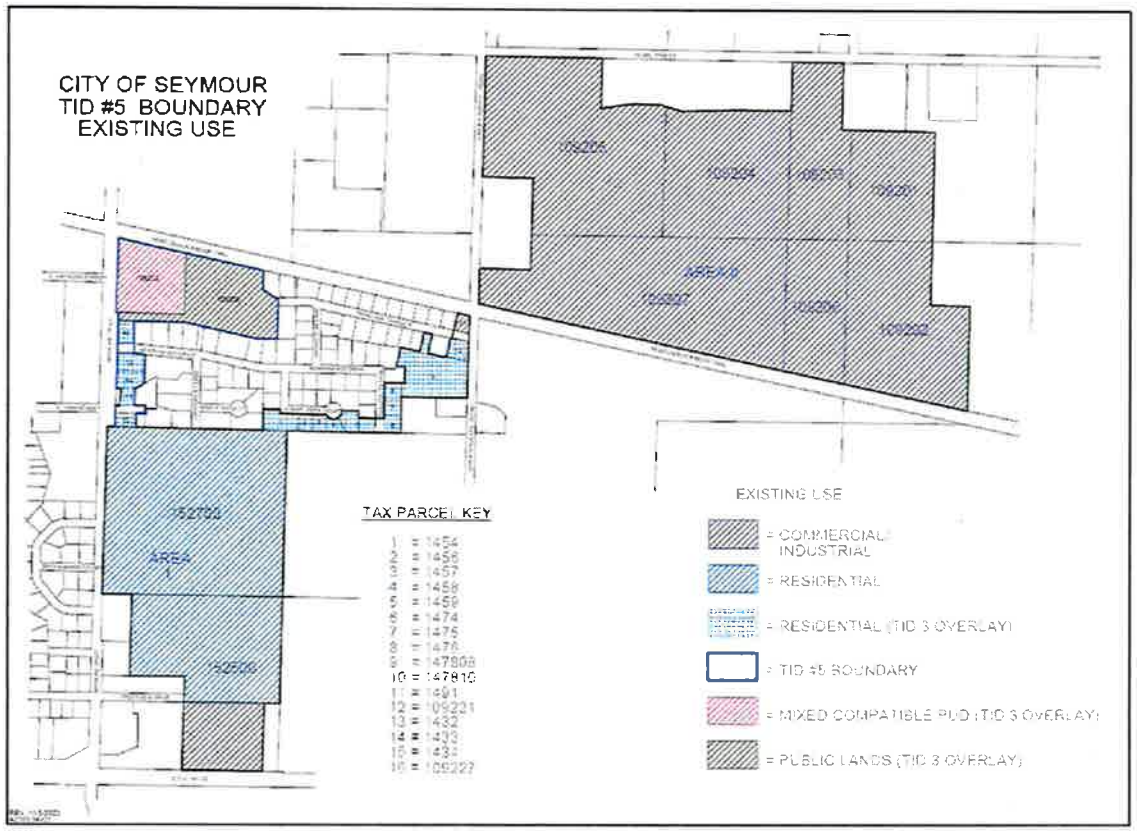
Exhibit A demonstrates revenues for TID #5 are generally trending toward meeting our expenditure commitments (bonds) for projects within the TID boundaries. Although the final year of revenues for TID #5 remains several years off (2043), any additional property tax increment that can be captured by the TID would help to meet the expenditure commitments ahead of time and potentially help with additional redevelopment efforts within the TID. TID #5 has a maximum statutory life of 20 years, closing no later than December 15, 2042, with final tax collection in 2043. The final year to incur TIF related expenditures is 2037. Based on current cash flow projection, TID #5 is expected to close by the end of its maximum statutory life.

The legal description in Exhibit C describes the full TID #5 territory updated for the amended area.

City of Seymour
TID #5 Territory Amendment #1

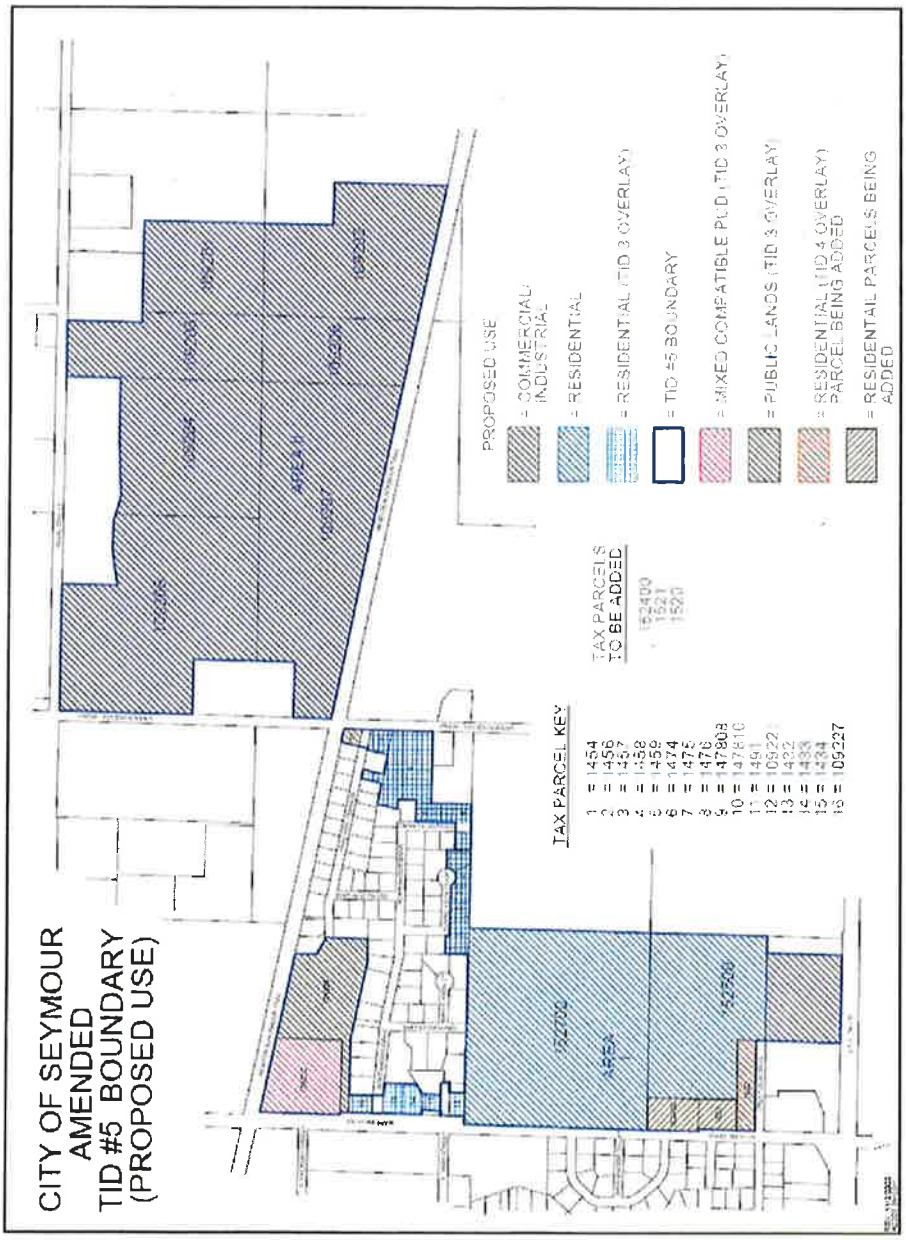
Maps of Territory Amendment and Existing and Proposed Uses

Map shows an outline of the TID before amendment.



City of Seymour
TID #5 Territory Amendment #1

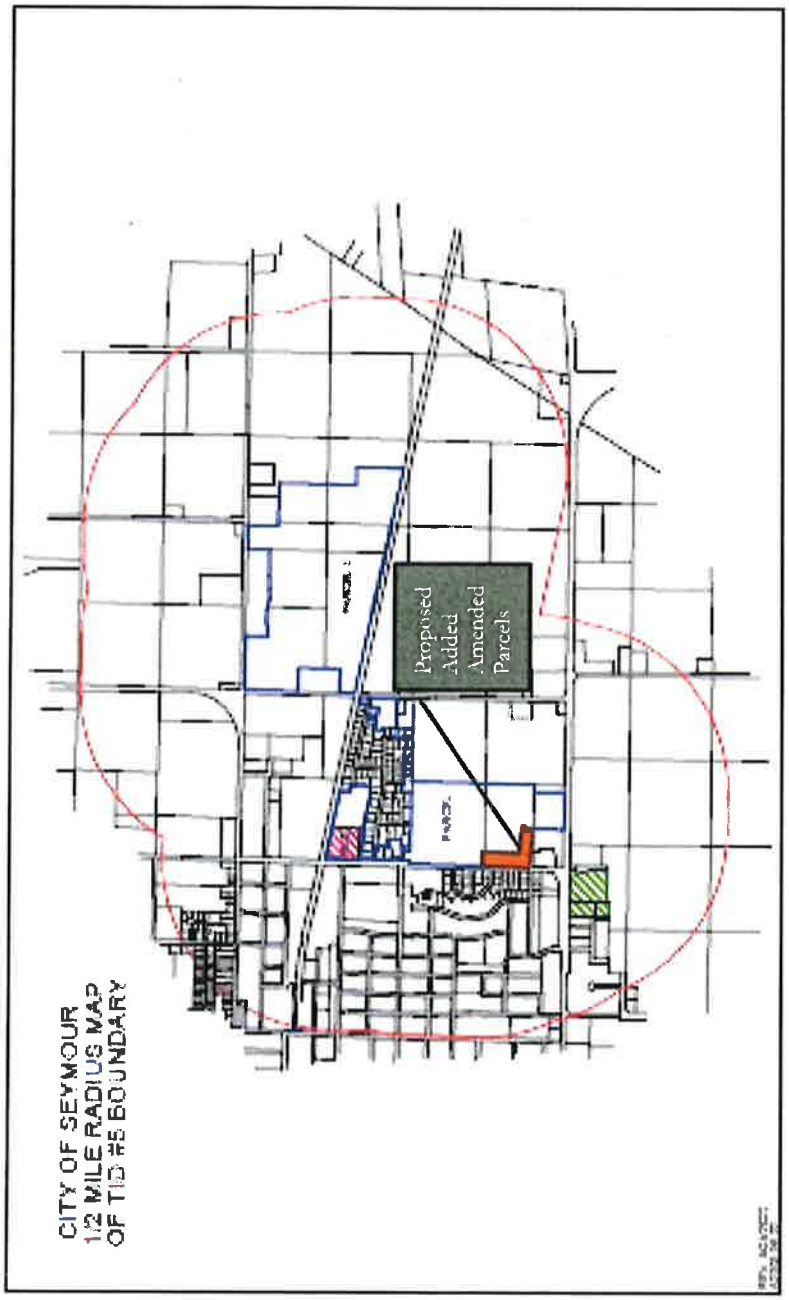
Map of Amended TID#5 Boundary and Proposed Uses



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City of Seymour
TID #5 Territory Amendment #1

One Half Mile Radius Map of Proposed Updated District Boundary



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City of Seymour
TID #5 Territory Amendment #1

Preliminary Parcel List and Analysis

As of the 01/01/2024 assessed parcel list.

Proposed Amendment TIF Boundary Parcels

Map Parcel #	Tax Parcel #	Address	Owner	Acreage	Acreage %	Zoned Use	Land Value	Improvements	Personal Property	Total Valuation
	340153500	State Rd 54	Carl Schaumberg	28.77	13%	Residential/Commercial	$ 8,000.00	$ -		$ 8,000.00
	340152700	Mainline Dr	City of Seymour	28.25	14%	Exempt	$ -	$ -		$ -
	340145900	457 Sunny Vista Ct	Kyle H Beigebaker	0.77	0%	Residential	$ 49,500.00	$ 272,200.00		$ 321,700.00
	340145600	515 Sunny Vista Ct	Laura I Swett	0	0%	Residential	$ 22,500.00	$ 357,200.00		$ 379,700.00
	340145700	527 Sunny Vista Ct	Shannon C Miller	0	0%	Residential	$ 22,500.00	$ 311,700.00		$ 334,200.00
	340145800	N/A	Shannon C Miller	0.75	0%	Residential	$ 35,500.00	$ -		$ 35,500.00
	340145900	551 Sunny Vista Ct	Jason Pagel	0.69	0%	Residential	$ 16,500.00	$ 392,500.00		$ 409,000.00
	340147400	N/A	JEM Commercial Land LLC	0	0%	Residential	$ 22,500.00	$ -		$ 22,500.00
	340147500	N/A	JEM Commercial Land LLC	0	0%	Residential	$ 22,500.00	$ -		$ 22,500.00
	340147600	N/A	JEM Commercial Land LLC	0	0%	Residential	$ 22,500.00	$ -		$ 22,500.00
	340147808	Trailside Terrace/Vanden Heuvel Rd	David C Zeise	3.59	2%	Residential	$ 59,500.00	$ -		$ 59,500.00
	340147810	1450 Trailside TE	Scott A Fetty	0.47	0%	Residential	$ 37,500.00	$ 452,100.00		$ 489,600.00
	340149100	N/A	Zachary M Wilson	0	0%	Residential	$ 30,000.00	$ -		$ 30,000.00
	340109207	N/A	Mainline Dr	33.75	16%	Industrial	$ 8,500.00	$ -		$ 8,500.00
	340109204	Vandenheuvel Rd	HTFF LS LLC	10	5%	Industrial	$ 2,500.00	$ -		$ 2,500.00
	340109203	Vandenheuvel Rd	HTFF LS LLC	20.25	10%	Industrial	$ 5,100.00	$ -		$ 5,100.00
	340109201	Vandenheuvel Rd	HTFF LS LLC	10.91	5%	Industrial	$ 2,800.00	$ -		$ 2,800.00
	340109203	Vandenheuvel Rd	HTFF LS LLC	11.9	6%	Industrial	$ 3,000.00	$ -		$ 3,000.00
	340109204	Vandenheuvel Rd	HTFF LS LLC	19	9%	Industrial	$ 4,860.00	$ -		$ 4,860.00
	340109205	Vandenheuvel Rd	HTFF LS LLC	30.99	15%	Industrial	$ 7,800.00	$ -		$ 7,800.00
	340109221	810 E High St	Kevin M Lindert	0.34	0%	Residential	$ 45,000.00	$ 310,100.00		$ 355,200.00
	340143200	0 E High St	Mark A Lange	0.26	0%	Residential	$ 30,000.00	$ -		$ 30,000.00
	340143300	Trailside Meadows, Lot 2	David C Zeise	0.55	0%	Residential	$ 22,500.00	$ -		$ 22,500.00
	340109227	821 Northwood Drive	Ryan Rollis	0.45	0%	Residential	$ 16,000.00	$ 407,000.00		$ 423,000.00
	340109208	N/A	City of Seymour	0	0%	Public Land	$ -	$ -		$ -
	340109212	Vandenheuvel Rd	Gelly B Gallois	5.39	3%	Commercial	$ 38,400.00			$ 38,400.00
	TOTALS			201.54	98%		$ 559,200.00	$ 2,303,000.00		$ 3,038,260.00

Proposed Overlap Parcel With TID 4

Map Parcel #	Tax Parcel #	Address	Owner	Acreage	Acreage %	Zoned Use	Land Value	Improvements	Personal Property	Total Valuation
	340152000	5 Mainline Dr	Carl G & Jan C Schaumberg	1.62	1%	Residential	$ 400.00	$ -	$ -	$ 400.00

Proposed Parcel Added to TID 5

Map Parcel #	Tax Parcel #	Address	Owner	Acreage	Acreage %	Zoned Use	Land Value	Improvements	Personal Property	Total Valuation
N/A	340152100	5 Mainline Dr	City of Seymour	1.15	1%	Residential	$ -	$ -	$ -	$ -
N/A	340152400	Mainline Dr	Carl G & Jan C Schaumberg	1.62	1%	Residential	$ 400.00	$ -	$ -	$ 400.00

Total Acres	205.31

City of Seymour
TID #5 Territory Amendment #1

Equalized Valuation Test

The following calculations demonstrate that the City is in compliance with Wisconsin State Statute Section 66.1105(4)(gm)4.c. Wis. Stats., which requires that the equalized value of the taxable property in the proposed TID, plus the value increment of any existing Tax Incremental Districts, does not exceed 12% of the total equalized value of taxable property within the City. With the amendment to TID #5, the value increment of all existing Tax Increment Districts will be approximately 10.28%.

Valuation Test Compliance Calculation

2023 Equalized Valuation (TID IN)	$322,670,900
Limit for 12% Test	$38,720,508
Increment Value of Existing TIDs	$33,184,100
Projected Base Value of TID Amendment	$800.00
Total Value Subject to Test	$33,184,100
Compliance ($33,184,100< $38,720,508)	Meets Requirement

Statement of Kind, Number and Location of Proposed Projects

The city expects to implement the proposed public project improvements indicating within the originally project plan and the following additional costs to those sections indicated below. Any costs including eligible administrative costs necessary or convenient to the district or directly or indirectly related to the public works and other projects are considered "project costs" and eligible to be paid with tax increment revenues of the TID.

1. PROPERTY, RIGHT-OF-WAY, AND EASEMENT ACQUSITION
LOCATION: ENTIRE TID
TOTAL: $200,000
DESCRIPTION:
PROPERTY ACQUISITION FOR DEVELOPMENT AND DESCRIPTION. To promote and facilitate development and redevelopment the City may acquire property within the district. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred to make the property suitable for development or redevelopment. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total

project costs of the district. If total Project Costs incurred by the City to acquire property and make it suitable for development and/or redevelopment exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered "real property assembly costs" as defined in State Statutes Section 66.1105(2)(f)1. c., and subject to recovery as an eligible Project Cost.

ACQUISITION OF RIGHTS-OF-WAY. The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate, and acquire rights-of-way are eligible Project Costs.

ACQUISITION OF EASEMENTS. The city may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

RELOCATION COSTS. If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include but are not limited to preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wisconsin Statutes Sections 32.19 and 32.195.

2. SITE PREPARATION ACTIVITIES

LOCATION: Entire TID.

TOTAL: $100,000

DESCRIPTION: **ENVIRONMENTAL AUDITS AND REMEDIATION.** There have been no known environmental studies performed within the proposed District. If, however, it becomes necessary to evaluate any land or improvement within the district, any cost incurred by the City related to environmental audits, testing, and remediation is an eligible Project Cost.

DEMOLITION. To make sites suitable for development or redevelopment, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

SITE GRADING. Land within the District may require grading to make it suitable for development and/or redevelopment, to provide access, and to control stormwater runoff. The city may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

3. UTILITIES
LOCATION: Entire TID.
TOTAL: $500,000
DESCRIPTION: **SANITARY SEWER SYSTEM IMPROVEMENTS.** There are inadequate sanitary sewer facilities serving portions of the district. To allow development to occur, the city will need to construct, alter, rebuild, or expand sanitary sewer infrastructure within the district. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding, or expansion of collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; and all related appurtenances. To the extent sanitary sewer projects undertaken within the district provide direct benefit to land outside of the district, the city will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the district, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the city construct, alter, rebuild, or expand sanitary sewer infrastructure located outside of the district. That portion of the costs of sanitary sewer system projects undertaken outside the district which are necessitated by the implementation of the Project Plan are eligible Project Costs.

WATER SYSTEM IMPROVEMENTS. There are inadequate water distribution facilities serving portions of the district. To allow development to occur, the city will need to construct, alter, rebuild, or expand water system infrastructure within the district. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding, or expansion of distribution mains; manholes and valves; hydrants; service laterals; and all related appurtenances. To the extent water system projects undertaken within the district provide direct benefit to land outside of the district, the city will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the district, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the city construct, alter, rebuild, or expand water system infrastructure located outside of the district. That portion of the costs of water system projects undertaken outside the district which are necessitated by the implementation of the Project Plan are eligible Project Costs.

STORMWATER MANAGEMENT SYSTEM IMPROVEMENTS. Development within the District will cause stormwater runoff and pollution. To manage this stormwater runoff, the city will need to construct, alter, rebuild, or expand stormwater management infrastructure within the district. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding, or expansion of stormwater collection mains; inlets, manholes and valves; service laterals; ditches; and infiltration, filtration, and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the district provide direct benefit to land outside of the district, the city will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the district, and necessitated by the implementation

of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the city construct, alter, rebuild, or expand stormwater management infrastructure located outside of the district. That portion of the costs of stormwater management system projects undertaken outside the district which are necessitated by the implementation of the Project Plan are eligible Project Costs.

4. STREETS AND STREETSCAPE

LOCATION: Entire TID.

TOTAL: $3,000,000

DESCRIPTION: **STREET IMPROVEMENTS.** There are inadequate street improvements serving portions of the district. To allow development to occur, the city may need to construct and reconstruct streets. Eligible Project Costs include but are not limited to excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts; utility relocation; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

STREETSCAPING AND LANDSCAPING. To attract development and redevelopment consistent with the objectives of this Plan, the city may install amenities to enhance development sites, rights-of-way, and other public spaces. These amenities include but are not limited to landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces, and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

5. CASH GRANTS (DEVELOPMENT INCENTIVES).

LOCATION: Entire TID.

TOTAL: $4,800,000

DESCRIPTION: The City may enter into agreements with property owners, lessees, or developers of land located within the district for the purpose of sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover project costs. No cash grants will be provided until the city executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

6. MISCELLANEOUS

LOCATION: Entire TID.
TOTAL: $1,000,000

DESCRIPTION: **PROPERTY TAX PAYMENTS TO TOWN.** Property tax payments due to the Town under Wisconsin Statutes Section 66.1105(4)(gm)1. because of the inclusion of lands annexed after January 1, 2004, within the boundaries of the district are an eligible Project Cost.

PROFESSIONAL SERVICE AND ORGANIZATIONAL COSTS. The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the district, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to architectural; environmental; planning; engineering; legal, audit; financial; and the costs of informing the public with respect to the creation of the district and the implementation of the Plan.

ADMINISTRATIVE COSTS. The City may charge to the district as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees in connection with the implementation of the Plan.

FINANCING COSTS. Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

With all projects the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for the public works, legal and other consultant fees, testing, environmental studies, permits, updating City ordinances and plans, judgments or claims for damages and other expenses are included as project costs. In the event any of the public works project expenditures are not reimbursable out of the special TIF fund under Wisconsin Statute Section 66.1105, in the written opinion of nationally recognized bond counsel retained by the City for such purpose or a court of record so rules in a final order, then such project or projects shall be deleted here from and the remainder of the projects hereunder shall be deemed the entirety of the projects for purposes of this Project Plan (the "Plan"). **The City reserves the right to implement only those projects that remain viable as the Plan period proceeds.**

Project costs are any expenditures made, estimated to be made, or monetary obligations incurred or estimated to be incurred, by the City and as outlined in this Plan. Project costs will be diminished by any income, special assessments, or other revenues, including user fees or charges. To the extent the costs benefit the municipality outside the district, a proportionate share of the cost is not a project cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning is completed.

City of Seymour
TID #5 Territory Amendment #1

Proration of costs in the Plan are also estimates and subject to change based upon implementation, future assessment policies and user fee adjustments. The city anticipates special assessing property owners for the portion of infrastructure which will benefit their adjoining properties. At the time of the creation of this territory amendment the estimated cost is at $3,300,000.

Detailed List of Project Amendment Costs

1. PROPERTY, RIGHT-OF-WAY, AND EASEMENT ACQUISITION	$200,000
2. SITE PREPARATION ACTIVITIES	$100,000
3. UTILITIES	$500,000
4. STREETS AND STREETSCAPE	$3,000,000
5. CASH GRANTS (DEVELOPMENT INCENTIVES).	$4,800,000
6. MISCELLANEOUS	$1,000,000
Total	**$9,600,000**

The project cost is based on current prices and preliminary estimates. The City reserves the right to increase this cost to reflect inflationary increases and other uncontrollable circumstances between the creation of the TID and the time of construction. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

This Plan is not meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on the best information available. The City retains the right to delete or pursue future projects listed in the prior paragraph, and shown on the map, or change the scope and/or timing of projects implemented as they are individually authorized by the Common Council, without amending the Plan.

The Plan authorizes the expenditure of funds for project costs within a 1/2-mile radius of the TID boundary.

City of Seymour
TID #5 Territory Amendment #1

City Attorney Opinion

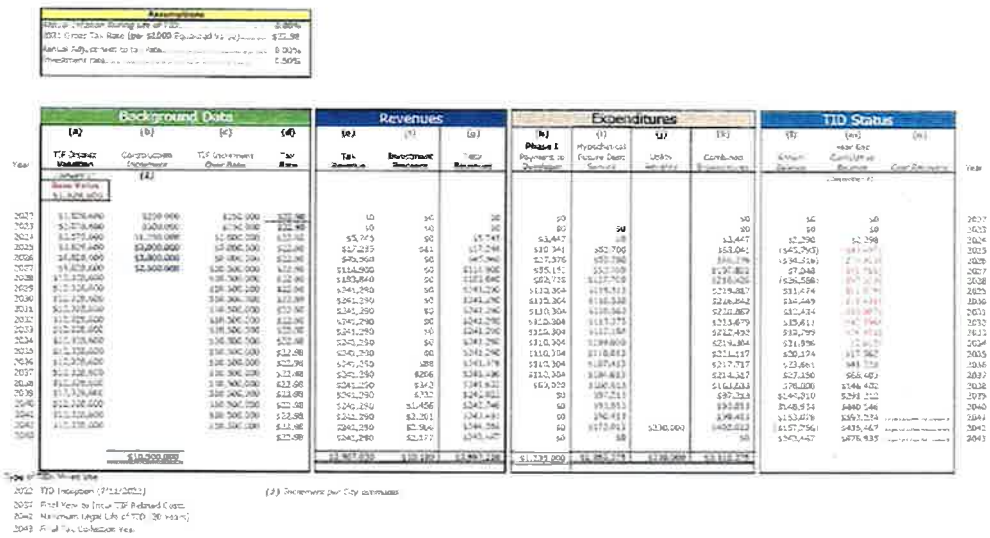
Exhibit B contains a signed opinion from the City attorney advising whether the boundary amendment is complete and complies with Wisconsin Statute Section 66.1105(4)(h)(2).

City of Seymour
TID #5 Territory Amendment #1

EXHIBIT A - CASH FLOW PROFORMA ANALYSIS

Original Project Plan Proforma

City of Seymour
Tax Increment District #5
Cash Flow Proforma Analysis



City of Seymour
TID #5 Territory Amendment #1

EXHIBIT A - CASH FLOW PROFORMA ANALYSIS

Updated Project Plan with Amendment

BAIRD

City of Seymour
Tax Increment District #5
Cash Flow Proforma Analysis

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City of Seymour
TID #5 Territory Amendment #1

EXHIBIT B - CITY ATTORNEY OPINION

January 23, 2024

Mayor Ryan Kraft &
Members of the Seymour Common Council
328 N. Main Steet
Seymour, WI 54165

RE: Territory Amendment #1 for Tax Incremental District No. 5 in the City of Seymour, Wisconsin

Dear Mayor Kraft and Common Council Members:

Tax incremental financing project plans must include an opinion of the city attorney advising whether the plan is complete and complies with Wis. Stat. sec. 66.1105(4)(f).

I have been retained to represent the City of Seymour as its appointed City Attorney. I have reviewed the Project Plan for Tax Incremental District No. 5 and the Territory Amendment #1 for Tax Incremental District No. 5. It is my opinion that the amendment and project plan contain and adequately address the prerequisites set forth in Wis. Stat. sec. 66.1105.

Sincerely,
TOWN COUNSEL LAW & LITIGATION, LLC
Attorneys for City of Seymour
/Ashley C. Lehocky
Ashley C. Lehocky

940 E. Evergreen Drive • Kaukauna, WI 54130
(920) 725-1233 • www.towncounsellawfirm.com

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City of Seymour
TID #5 Territory Amendment #1

EXHIBIT C - ESTIMATED TAX INCREMENT BY TAXING ENTITY

City of Seymour - TID # 5 Amendment Calculation of the Growth of Estimated Tax Increments by Taxing Entity					
Revenue	Projected Increment	County	City	School District	Technical College
2024	$ -	$ -	$ -	$ -	$ -
2025	$ -	$ -	$ -	$ -	$ -
2026	$ 358	$ 59	$ 114	$ 169.53	$ 15.33
2027	$ 91,866	$ 15,168	$ 29,213	$ 43,545.72	$ 3,938.94
2028	$ 185,204	$ 30,579	$ 58,894	$ 87,789.43	$ 7,941.01
2029	$ 280,409	$ 46,298	$ 89,169	$ 132,918.02	$ 12,023.13
2030	$ 343,085	$ 56,646	$ 109,100	$ 162,627.43	$ 14,710.50
2031	$ 407,014	$ 67,202	$ 129,430	$ 192,931.02	$ 17,451.62
2032	$ 455,058	$ 75,134	$ 144,707	$ 215,704.30	$ 19,511.58
2033	$ 504,062	$ 83,225	$ 160,291	$ 238,933.04	$ 21,612.74
2034	$ 554,046	$ 91,478	$ 176,186	$ 262,626.36	$ 23,755.92
2035	$ 605,030	$ 99,896	$ 192,398	$ 286,793.54	$ 25,941.97
2036	$ 652,041	$ 107,658	$ 207,348	$ 309,077.41	$ 27,957.66
2037	$ 699,992	$ 115,575	$ 222,596	$ 331,806.96	$ 30,013.67
2038	$ 748,902	$ 123,651	$ 238,149	$ 354,991.10	$ 32,110.79
2039	$ 798,790	$ 131,888	$ 254,014	$ 378,638.93	$ 34,249.86
2040	$ 815,674	$ 134,675	$ 259,383	$ 386,641.98	$ 34,973.78
2041	$ 832,895	$ 137,519	$ 264,859	$ 394,805.09	$ 35,712.18
2042	$ 850,461	$ 140,419	$ 270,445	$ 403,131.47	$ 36,465.34
2043	$ 868,378	$ 143,377	$ 276,142	$ 411,624.37	$ 37,233.57
TOTALS	**$ 9,693,263**	**$ 1,600,448**	**$ 3,082,439**	**$ 4,594,756**	**$ 415,620**

City of Seymour
TID #5 Territory Amendment #1

EXHIBIT C- AMENDED TID #5 BOUNDARY LEGAL DESCRIPTION

CITY OF SEYMOUR TID 5 BOUNDARY DESCRIPTION (REVISED: 11/3/2023):

BEING ALL LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 8349 AS RECORDED IN DOCUMENT NO. 2271760, ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7597 AS RECORDED IN DOCUMENT NO. 2142402, ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7371 AS RECORDED IN DOCUMENT NO. 2106514, ALL OF LOTS 3 AND 4 OF CERTIFIED SURVEY MAP NO. 6256 AS RECORDED IN DOCUMENT NO. 1902091, PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 5004 AS RECORDED IN DOCUMENT NO. 1648077, PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6047 AS RECORDED IN DOCUMENT NO. 1851875, ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4152 AS RECORDED IN DOCUMENT NO. 1428260, PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4406 AS RECORDED IN DOCUMENT NO. 1489115, ALL OF LOTS 1, 3, 25, 26, 27, 28, 42, 43, 44, 45 AND 60, PART OF LOTS 2 AND 47 AND PART OF CLOVER TERRACE, NORTHWOOD DRIVE AND TRAILSIDE TERRACE, ALL IN "TRAILSIDE MEADOWS", AND PART OF HIGH STREET, LOCATED IN THE NORTHEAST ¼ OF THE SOUTHEAST ¼, AND IN THE SOUTHEAST ¼ OF THE NORTHEAST ¼, AND BEING LOCATED IN AND A PART OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼, THE NORTHWEST ¼ OF THE SOUTHEAST ¼ AND PART OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼, OF SECTION 33, AND PART OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼, PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼, PART OF THE NORTHEAST ¼ OF THE NORTHWEST ¼, PART OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼, PART OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ AND PART OF THE NORTHWEST ¼ OF THE NORTHWEST ¼, OF SECTION 34, ALL IN TOWNSHIP 24 NORTH, RANGE 18 EAST, CITY OF SEYMOUR, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH ¼ CORNER OF SECTION 33; THENCE S89°28'42"E, 633.00 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST ¼ OF SECTION 33 TO THE SOUTHERLY EXTENSION OF AN EAST LINE OF CERTIFIED SURVEY MAP NO. 6256; THENCE N01°23'57"E, 56.92 FEET ALONG SAID SOUTHERLY EXTENSION TO AN EAST LINE OF SAID CERTIFIED SURVEY MAP AND THE POINT OF BEGINNING; THENCE CONTINUING N01°23'57"E, 548.82 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF LOT 3 OF SAID CERTIFIED SURVEY MAP; THENCE N89°28'42"W, 588.00 FEET ALONG SAID SOUTH LINE TO THE EAST R.O.W. LINE OF MAINLINE DRIVE; THENCE N01°23'57"E, 715.99 FEET ALONG SAID EAST LINE; THENCE N89°18'35"W, 12.00 FEET ALONG SAID EAST LINE; THENCE N01°23'57"E, 1197.10 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4152; THENCE N89°45'31"E, 54.00 FEET ALONG SAID EXTENSION TO THE WEST LINE OF SAID LOT 1; THENCE, N00°18'18"E, 157.6 FEET MORE OR LESS ALONG SAID WEST LINE AND ITS EXTENSION TO A SOUTH LINE OF LOT 2 OF TRAILSIDE MEADOWS; THENCE S89°09'05"E, 34.97 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF LOT 1 OF TRAILSIDE MEADOWS; THENCE N06°09'04"E, 121.21 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF SAID LOT 1; THENCE N89°09'05"W, 44.95 FEET ALONG THE WESTERLY EXTENSION OF SAID NORTH LINE TO THE WEST LINE OF SAID LOT 2;

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THENCE N01°25'29"E, 550 FEET MORE OR LESS ALONG THE WEST LINE OF SAID LOT 2, THE WEST LINE OF LOT 3 OF TRAILSIDE MEADOWS, THE WEST LINE OF NORTHWOOD DRIVE AND THE WEST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4406 AND ITS EXTENSION TO THE NORTH TO THE SOUTH LINE OF LANDS DESCRIBED IN DOCUMENT NO. 2064692; THENCE N89°24'00"W, 54 FEET MORE OR LESS TO THE WEST LINE OF SAID DESCRIBED LANDS; THENCE N00°36'00"E, 540 FEET MORE OR LESS TO THE SOUTH LINE OF THE NEWTON BLACKMOUR STATE TRAIL; THENCE S77°46'06"E, 1055 FEET MORE OR LESS ALONG SAID SOUTH LINE TO THE WEST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 5328; THENCE S01°23'03"W, 143.46 FEET ALONG SAID WEST LINE; THENCE S58°26'25"E, 128.86 FEET ALONG SAID WEST LINE AND ITS EXTENSION TO THE SOUTHEAST TO THE NORTH EXTENSION OF THE WEST LINE OF LOT 3 OF SAID CERTIFIED SURVEY MAP NO. 5328; THENCE S01°23'03"W, 283.88 FEET ALONG SAID EXTENSION AND THE WEST LINE OF SAID LOT 3 TO THE NORTH LINE OF LOT 76 OF TRAILSIDE MEADOWS; THENCE S89°08'25"W, 141.43 FEET ALONG SAID NORTH LINE AND THE NORTH LINE OF LOTS 77 AND 78 OF TRAILSIDE MEADOWS; THENCE N77°46'06"W, 528.10 FEET ALONG SAID NORTH LINE AND THE NORTH LINE OF LOTS 79, 80, 81, OUTLOT 2 AND 82; THENCE N88°34'52"W, 114.32 FEET ALONG SAID NORTH LINE OF LOT 82 AND THE NORTH LINE OF LOT 83 OF TRAILSIDE MEADOWS TO THE NORTH LINE OF LOT 3 OF CERTIFIED SURVEY MAP NO. 4406; THENCE N89°40'16"W, 240.00 FEET ALONG SAID NORTH LINE AND THE NORTH LINE OF LOT 2 OF SAID CERTIFIED SURVEY MAP TO THE EAST LINE OF SAID LOT 2; THENCE S00°19'44"W, 236 FEET MORE OR LESS ALONG SAID WEST LINE AND ITS EXTENSION TO THE SOUTH TO THE NORTH LINE OF LOT 3 OF TRAILSIDE MEADOWS; THENCE S89°09'05"E, 5 FEET MORE OR LESS ALONG SAID NORTH LINE; THENCE S84°37'17"E, 75.00 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID LOT 3; THENCE S01°25'29"W, 207.84 FEET ALONG SAID EAST LINE AND THE EAST LINE OF LOT 2 OF TRAILSIDE MEADOWS TO A SOUTH LINE OF SAID LOT 2; THENCE S58°40'06"W, 77.05 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF LOT 1 OF TRAILSIDE MEADOWS; THENCE S01°25'08"W, 120.70 FEET ALONG SAID EAST LINE TO THE NORTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE S89°09'05"E, 75.99 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE WEST LINE OF LOT 6 OF TRAILSIDE MEADOWS; THENCE S01°23'42"E, 60 FEET MORE OR LESS ALONG SAID WEST LINE TO THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4152; THENCE S89°45'31"W, 60 FEET MORE OR LESS ALONG SAID EXTENSION TO THE EAST LINE OF SAID LOT 1; THENCE S00°18'18"W, 97.64 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF CERTIFIED SURVEY MAP NO. 4152; THENCE N89°45'31"E, 900.26 FEET ALONG THE SOUTH LINE OF SAID CERTIFIED SURVEY MAP AND THE SOUTH LINE OF "TRAILSIDE MEADOWS" PLAT TO THE WEST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7597; THENCE N00°55'13"E, 150.00 FEET ALONG THE WEST LINE OF SAID LOT 1 TO THE NORTH LINE OF SAID LOT 1; THENCE S89°08'25"E, 120.29 FEET ALONG SAID NORTH LINE TO THE WEST RIGHT-OF-WAY LINE OF SUNNY VISTA COURT; THENCE S00°51'35"W, 30.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY LINE OF SAID SUNNY VISTA COURT; THENCE S89°08'25"E, 329.79 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE; THENCE EASTERLY AND NORTHERLY, 157.08 FEET ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE LEFT OF SAID RIGHT-OF-WAY HAVING A CHORD WHICH BEARS N75°51'38"E AND IS 115.91 FEET

City of Seymour
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IN LENGTH TO THE NORTHWEST CORNER OF LOT 28 OF "TRAILSIDE MEADOWS"; THENCE S89°08'25"E, 118.25 FEET ALONG THE NORTH LINE OF SAID LOT 28 TO THE EAST LINE OF SAID LOT 28; THENCE S00°51'35"W, 50.00 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF LOT 42 OF "TRAILSIDE MEADOWS"; THENCE S89°08'25"E, 180.00 FEET ALONG SAID NORTH LINE AND ITS EXTENSION TO THE EAST TO THE EAST RIGHT-OF-WAY LINE OF CLOVER TERRACE; THENCE N00°51'35"E, 260.00 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 5995 AS RECORDED IN DOCUMENT NO. 1840384; THENCE S89°08'25"E, 141.33 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID LOT 1; THENCE N00°51'35"E, 120.00 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF SAID LOT 1; THENCE N89°08'25"W, 59.60 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 5876 AS RECORDED IN DOCUMENT NO. 1810163; THENCE N12°13'54"E, 142.36 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7193 AS RECORDED IN DOCUMENT NO. 2075057; THENCE S77°46'06"E, 140.06 FEET ALONG SAID SOUTH LINE AND THE SOUTH LINE OF LOT 2 OF SAID CERTIFIED SURVEY MAP NO. 7193 TO THE EAST LINE OF SAID LOT 2; THENCE N12°13'54"E, 143.35 ALONG SAID EAST LINE TO THE SOUTHERLY RIGHT-OF-WAY LINE OF TRAILSIDE TERRACE; THENCE S77°46'06"E, 60.00 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE WEST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7371 AS RECORDED IN DOCUMENT NO. 2106514; THENCE S12°13'54"W, 143.35 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID LOT 1; THENCE S77°46'08"E, 118.87 FEET ALONG SAID SOUTH LINE; THENCE S81°23'24"E, 12.15 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID LOT 1; THENCE N12°13'54"E, 142.58 FEET ALONG SAID EAST LINE TO THE SOUTH RIGHT-OF-WAY LINE OF TRAILSIDE TERRACE; THENCE S77°46'06"E, 10.85 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 60 OF "TRAILSIDE MEADOWS"; THENCE N12°13'54"E, 185.00 FEET ALONG SAID SOUTHERLY EXTENSION AND THE WEST LINE OF SAID LOT 60 TO THE NORTH LINE OF SAID LOT 60; THENCE S77°46'06"E, 87.98 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID LOT 60; THENCE NORTHEASTERLY 102 FEET MORE OR LESS TO THE INTERSECTION OF THE WEST LINE OF THE NORTHWEST ¼ OF SECTION 34 AND THE NORTHERLY RIGHT-OF-WAY LINE OF THE NEWTON BLACKMOUR STATE TRAIL; THENCE N01°20'39"E, 245.19 FEET ALONG SAID WEST LINE; THENCE S88°39'21"E, 394.90 FEET; THENCE N01°20'39"E, 661.80 FEET; THENCE N88°39'21"W, 394.90 FEET TO THE WEST LINE OF THE NORTHWEST ¼ OF SECTION 34; THENCE N01°20'39"E, 872.78 FEET ALONG SAID WEST LINE TO THE SOUTH RIGHT-OF-WAY LINE OF PEARL STREET; THENCE S89°11'12"E, 864.04 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE WEST LINE OF LANDS DESCRIBED IN DOCUMENT NO. 1467886; THENCE S01°20'33"W, 362.99 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID DESCRIBED LANDS; THENCE N80°47'24"E, 103.24 FEET ALONG SAID SOUTH LINE; THENCE N82°30'48"E, 142.61 FEET ALONG SAID SOUTH LINE; THENCE S87°14'18"E, 187.12 FEET ALONG SAID SOUTH LINE; THENCE S73°23'53"E, 159.51 FEET ALONG SAID SOUTH LINE; THENCE N87°00'44"E, 172.02 FEET ALONG SAID SOUTH LINE; THENCE N88°52'58"E, 226.99 FEET ALONG SAID SOUTH LINE; THENCE S89°21'33"E, 377.75 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID DESCRIBED LANDS; THENCE N01°18'09"E, 354.06 FEET ALONG SAID EAST LINE TO THE SOUTH RIGHT-

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OF-WAY LINE OF PEARL STREET; THENCE S89°11'21"E, 366.55 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE WEST LINE OF LANDS DESCRIBED IN JACKET 7687, IMAGE 16; THENCE S00°24'57"W, 487.48 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID DESCRIBED LANDS; THENCE S89°35'03"E, 667.27 FEET ALONG SAID SOUTH LINE TO A WEST LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4678; THENCE S00°24'57"W, 1245.00 FEET ALONG SAID WEST LINE TO A SOUTH LINE OF SAID LOT 2; THENCE S89°35'03"E, 280.00 FEET ALONG SAID SOUTH LINE TO A WEST LINE OF SAID LOT 2; THENCE S00°24'57"W, 777.97 FEET ALONG SAID WEST LINE TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE NEWTON BLACKMOUR STATE TRAIL; THENCE N77°43'31"W, 3643.60 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE WEST LINE OF THE NORTHWEST ¼ OF SECTION 34; THENCE SOUTHWESTERLY, 102 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 60 OF "TRAILSIDE MEADOWS"; THENCE S01°20'39"W, 595.81 FEET ALONG THE EAST LINE OF SAID LOT 60 AND ITS EXTENSION TO THE SOUTH AND THE EAST LINE OF LOT 47 OF "TRAILSIDE MEADOWS" TO THE SOUTH LINE OF SAID LOT 47; THENCE N89°08'38"W, 469.61 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF LOT 45 OF "TRAILSIDE MEADOWS"; THENCE S01°20'39"W, 136.22 FEET ALONG SAID EAST LINE AND THE EAST LINE OF LOT 44 OF "TRAILSIDE MEADOWS"; THENCE S01°09'21"W, 124.67 FEET ALONG SAID EAST LINE AND THE EAST LINE OF LOT 43 OF "TRAILSIDE MEADOWS" TO THE SOUTH LINE OF SAID LOT 43; THENCE N89°08'25"W, 807.82 FEET ALONG THE SOUTH LINE OF LOT 43 AND ITS EXTENSION TO THE WEST, THE SOUTH LINE OF LOTS 42, 28, 27, 26, 25 AND 24 TO THE EAST LINE OF THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 33; THENCE S01°16'46"W, 1965.55 FEET ALONG SAID EAST LINE; THENCE N89°28'42"W, 111.13 FEET; THENCE S01°16'46"W, 491.63 FEET TO THE NORTH RIGHT-OF-WAY LINE OF S.T.H. "55" & "54"; THENCE N89°11'36"W, 571.48 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO AN EAST LINE OF CERTIFIED SURVEY MAP NO. 6256 AND THE POINT OF BEGINNING.

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DISCLAIMER TEXT

Robert W. Baird & Co. Incorporated is providing this information to you for discussion purposes. The materials do not contemplate or relate to a future issuance of municipal securities. Baird is not recommending that you take any action, and this information is not intended to be regarded as "advice"' within the meaning of Section 15B of the Securities Exchange Act of 1934 or the rules thereunder.

Resolution No. 105—2023-24 – Health and Human Services Committee. Authorize and approve of increasing the following Supply line items in the 2024 budget: HHS Child Youth Family (2062040) by $2,342; Aging Services (2063090) by $2,342; Child Support (2064050) by $2,342; Mental Health (2066090) by $3,668; and decreasing the following Capital Outlay line items in the 2024 budget: HHS Child Youth Family (2062040) by $2,342; Aging Services (2063090) by $2,342; Child Support (2064050) by $2,342; Mental Health (2066090) by $3,668, for minor office equipment, as noted on the attached fiscal note.

Supervisor Gabrielson moved, seconded by Supervisor McCabe, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 105—2023-24 IS ADOPTED.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 105—2023-24

Health and Human Services Committee. Authorize and approve of the various budget adjustments as noted i — Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	ABSENT	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	ABSENT	15 MacDONALD	YES	27 CULBERTSON	ABSENT
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	ABSENT	29 WINTERFELDT	ABSENT
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	ABSENT
8 LAWRENCE	ABSENT	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **2-27-24 County Board Meeting - February 27 2024 07:31:47 PM** OpenMeeting

February 23, 2024 County Board Meeting

RESOLUTION NO.: 105—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Department of Health and Human Services submitted a request for nine new employees for fiscal year 2024 which was approved at the November 6, 2023 County Board meeting. The new employees will need office equipment, however, the costs currently do not meet the County's Capital Outlay threshold level of $5,000 per item and should not have been approved within the Capital Outlay section of the Department's budget. This resolution approves moving budgeted expenditures from the Capital Outlay line item to the Supplies line item for minor office equipment.

NOW THEREFORE, the undersigned members of the Health and Human Services Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the following Supply line items in the 2024 budget: HHS Child Youth Family (2062040) by $2,342; Aging Services (2063090) by $2,342; Child Support (2064050) by $2,342; Mental Health (2066090) by $3,668; and decreasing the following Capital Outlay line items in the 2024 budget: HHS Child Youth Family (2062040) by $2,342; Aging Services (2063090) by $2,342; Child Support (2064050) by $2,342; Mental Health (2066090) by $3,668 as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Health and Human Services Director and the Outagamie County Finance Director.

Dated this 27th day of February 2024

Respectfully Submitted,

HEALTH AND HUMAN SERVICES COMMITTEE

Dan Gabrielson

Justin Krueger

Jeff McCabe

Cathy Thompson

Kelly Schroeder

Duly and officially adopted by the County Board on: February 27, 2024

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 2.28.24

Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for 2024 Budget Adjustment for HHS New Employee Office Equipment from Capital to Operating

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Outagamie County HHS submitted a request for nine new employees for fiscal year 2024 which was approved on the November 6, 2023 board meeting. The new employees would need office equipment which the amounts currently do not meet the County's capital threshold level of $5000 per item and should not have been approved within the Capital Outlay section of the Department. This request is to move the approved budgeted expenditures from Capital Outlay to the Supplies line item budget for minor office equipment which is where these items are normally expended from.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☒ Expenses (Cost) ☐ None

3. Is the specific cost or revenue included in the current year's budget? yes (x) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (x) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (I.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
HHS Child Youth Family (2062040)	Supplies	2062040.5400	2,342
HHS Child Youth Family (2062040)	Capital Outlay	2062040.6000	(2,342)
Aging Services (2063090)	Supplies	2063090.5400	2,342
Aging Services (2063090)	Capital Outlay	2063090.6000	(2,342)
Child Support (2064050)	Supplies	2064050.5400	2,342
Child Support (2064050)	Capital Outlay	2064050.6000	(2,342)
Mental Health (2066090)	Supplies	2066090.5400	3,668
Mental Health (2066090)	Capital Outlay	2066090.6000	(3,668)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost $0.00 Annual Revenue $0.00

Fiscal Note Prepared by: Kay L Hamilton

For Financial Services purposes only	
Reviewed By: *Trent Woelfel*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 1/11/2024	
Comments:	

Resolution No. 106—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve transferring $550,000 from the Parks-Central Parking Lot Construction 21 Capital Outlay line item to the Parks-Pavilion 21 (non-debt) Capital Outlay line item, to combine funds for the Plamann Pavillion/Central Parking lot project, as noted on the attached fiscal note.

Supervisor moved Monfils, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 28 yes, 8 absent. RESOLUTION NO. 106—2023-24 IS ADOPTED.

VOTE RESULTS 28 YES 0 NO 0 ABSTAIN 8 ABSENT

Resolution No. 106—2023-24

Property, Airport, Recreation and Economic Development Committee. Authorize and approve transferring $5 ✓ Passed With 2/3 of Full Membership Construction 21 Capital Outlay line item to the Parks-Pavilion 21 (non-debt) Capital Outlay line item, to combine funds for the Plamann Pavillion/Central Parking lot project, as noted on the attached fiscal note.

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER ABSENT	14 HERMES YES	26 WEINBERG YES
3 SMITH ABSENT	15 MacDONALD YES	27 CULBERTSON ABSENT
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS YES
5 GABRIELSON YES	17 CROATT ABSENT	29 WINTERFELDT ABSENT
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO YES
7 HAMMEN YES	19 COOKE YES	31 CLEGG ABSENT
8 LAWRENCE ABSENT	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN YES
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 2-27-24 County Board Meeting - February 27 2024 07:32:38 PM OpenMeeting
February 23, 2024 County Board Meeting

RESOLUTION NO.: 106—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Parks Department bid out the Plamann Pavilion / Central Parking Lot project and received bids that were higher than budgeted and estimated by the architect prior to bid. Resolution 197—2021-2022 addressed the budget shortfall for the project. However, the request was for a lump sum bid for the entire project, including the parking lot, which had an account separate from the pavilion building project. Resolution 197—2021-2022 accounted for the parking lot funds to be included in the project funding, however, those funds were not moved into the general project fund. With the parking lot not being bid out separately from the project, this resolution requests moving the parking lot funds into the pavilion general project fund.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve transferring $550,000 from the Parks-Central Parking Lot Construction 21 Capital Outlay line item to the Parks-Pavilion 21 (non-debt) Capital Outlay line item as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Parks Director.

Dated this 27th day of February 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: February 27, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 2.28.24 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for Budget Transfer from the Central Parking Lot Construction Project to the Plamann Pavilion Capital Outlay cost center

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Outagamie County Parks Department bid out the Plamann Pavilion/Central Parking lot project and received bids that were higher than budgeted and estimated by our architect prior to bid. PR.33 –2021-22 addressed the budget shortfall for the project. However, we requested a lump sum bid for the entire project, including the parking lot, which had an account separate from the building project. PR.33 accounted for the parking lot funds to be including in the project funding but those funds were never moved into the general project fund. Given that the parking lot was not bid out separately from the project, this fiscal requests moving the parking lot funds into the general project fund.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☒ None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (x)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (I.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Parks-Pavilion 21 (non debt)	Capital Outlay	4601700.6000	550,000
Parks-Central Prk Lot Const 21	Capital Outlay	4601800.6000	(550,000)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Trent Woelfel / Loren Dieck, Parks

For Financial Services purposes only	
Reviewed By: *Trent Woelfel*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 1/10/2024	
Comments:	

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the February 27, 2024 County Board Minutes approved by a majority vote at a meeting of the County Board on February 27, 2024 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 27th Day of February, 2024

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: March 18, 2024

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, March 12, 2024.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 32 present, 4 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Kostelny, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Wegand, Hermes, MacDonald, Schroeder, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Winterfeldt, Clegg, Thyssen, Koury, and Lautenschlager. Members Absent: Monfils, Nejedlo, VanderHeiden, and Rettler.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Monfils, Supervisor Nejedlo, Supervisor VanderHeiden, and Supervisor Rettler. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE FEBRUARY 27, 2024 COUNTY BOARD MEETING
Supervisor Patience moved, seconded by Supervisor Cooke, to approve the minutes of the February 27, 2024, County Board meeting.

ROLL CALL: 28 yes, 4 abstain (Miller, Smith, Culbertson, Winterfeldt), 4 absent. MINUTES OF THE FEBRUARY 27, 2024, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY – None.

COMMUNICATIONS –

COMMUNICATION REFERRAL LIST

March 12, 2024 County Board Meeting

No.	Adopted Date	Received From	Subject	Referred To
1	02/19/2024	Barron County	RE: Resolution No. 2024-8 Resolution Requesting Changes to Wisconsin State Statute, Per Diem Payment Authority for County Board Members Serving on Municipal Library Boards, and Number of County Board Members to Serve	Finance Committee

Chairperson Nooyen summarized the following communications:

- Three supervisors that need to complete security training.

- There is only one County Board meeting in the month of April. It is the reorganization meeting of the County Board. The reorganization meeting takes place on the third Tuesday of April (April 16, 2024) and starts at 4:00 pm.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR – None.

APPOINTMENTS – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Resolution No. 107—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for a State-Let Highway Project, for the County N interchange improvement project, and the county share of the project costs to be included in future budgets, as detailed on the attachments.

Supervisor Hagen moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 107—2023-24 IS ADOPTED.

Resolution No. 108—2023-24 – Legislative/Audit and Human Resources Committee. Approve the deletion of one full-time Principal Planner position and the creation of one full-time Deputy Director of Development and Land Services (DLS) position effective March 24, 2024 for the DLS Department, and approve to increase the DLS line items for the following: Salaries by $7,596, Fringe Benefits by $2,355, and Allocated Applied Credits by $9,951, as detailed on the attachments.

Supervisor Santonato moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 108—2023-24 IS ADOPTED.

RECONSIDERATION OF RESOLUTION NO. 108—2023-24.

Supervisor Spears moved, seconded by Supervisor Thiede, to reconsider the above listed resolution.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 108—2023-24 IS RECONSIDERED.

Vote for lock in. ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 108—2023-24 IS ADOPTED & LOCKED IN.

Resolution No. 109—2023-24 – Legislative/Audit and Human Resources Committee. Approve the one time salary increases for the Outagamie County Clerk by $12,939.80, County Treasurer by $10,537.80, and the Register of Deeds by 10,537.80 effective with the beginning of the 2025 term of office, and recommends for each, an annual 4% increase for years 2026, 2027, and 2028, with all salary and fringe benefit adjustments included in the 2025 through 2028 proposed budgets.

Supervisor Spears moved, seconded by Supervisor Santonato, for adoption.

ROLL CALL: 28 yes, 4 no (Ferguson, MacDonald, Weinberg, Lautenschlager), 4 absent. RESOLUTION NO. 109—2023-24 IS ADOPTED.

RECONSIDERATION OF RESOLUTION NO. 109—2023-24.

Supervisor Croatt moved, seconded by Supervisor Wegand, to reconsider the above listed resolution.

Vote for reconsideration. ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 109—2023-24 IS RECONSIDERED.

Vote for lock in. ROLL CALL: 30 yes, 2 no (Ferguson, Lautenschlager), 4 absent. RESOLUTION NO. 109—2023-24 IS ADOPTED & LOCKED IN.

Resolution No. 110—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the County Parks System Capital Outlay line item transfer of $50,000 from the Ash Tree Removal to Mower Replacement, for the mower replacement cost, as detailed on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 110—2023-24 IS ADOPTED.

Resolution No. 111—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve an application for State aid for the purpose of maintaining, acquiring, developing, and ensuring a program of snowmobile trails for public recreational use; authorize the County Parks Director and/or Program/Office Manager to act on behalf of the County by submitting an application to the Wisconsin Department of Natural Resources for any financial aid that may be available, sign documents, and take any necessary action to undertake, direct and complete approved projects, and the County will meet the financial obligation of accepted grants.

Supervisor Klemp moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 111—2023-24 IS ADOPTED.

Resolution No. 112—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Appleton International Airport entering into a lease and concession agreement to operate a food and beverage business with SSP America ATW, LLC, with no budget adjustment needed as the lease revenue has been included in the 2024 budget, as detailed on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 112—2023-24 IS ADOPTED.

Resolution No. 113—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Appleton International Airport entering into a second addendum to lease with Maxair, LLC, as detailed in the attached Second Addendum to Lease, and transfer $60,000 from the line item of Airport Terminal Fund Balance Applied to the FBO Hangar – Tenants, as detailed on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 113—2023-24 IS ADOPTED.

Resolution No. 114—2023-24 – Public Safety Committee. Approve the Outagamie County Sheriff's Office to accept and expend an unsolicited donation from Milk Source LLC, for $1,000, and to increase the line items of Corrections Revenue and Corrections Supplies by $1,000 each, as detailed on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Schroeder, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 114—2023-24 IS ADOPTED.

Ordinance No. M—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH MM between Mystic Drive and the East Village limits, in the Village of Hortonville, as an ATV/UTV route, as detailed on the attached Memorandum and map.

Supervisor Hagen moved, seconded by Supervisor Wegand, for adoption.

ROLL CALL: 30 yes, 2 no (Ferguson, Thiede), 4 absent. ORDINANCE NO. M—2023-24 IS ADOPTED.

Ordinance No. N—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH T between South Town Line and Givens Road and CTH TT between STH 45 and CTH T, in the Town of Hortonia, as ATV/UTV routes, as detailed on the attached Memorandums and map.

Supervisor Krueger moved, seconded by Supervisor Koury, for adoption.

ROLL CALL: 29 yes, 3 no (Thiede, Ferguson, MacDonald), 4 absent. ORDINANCE NO. N—2023-24 IS ADOPTED.

Ordinance No. O—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to amend the County Code of Ordinances as pertains to Chapter 22, Finance and Taxation, Article II, Purchases and Contracts of the Outagamie County Code of Ordinances by creating Section 22-24 of Division 1. – Responsible Bidder Criteria, as detailed on the ordinance and attachments.

Supervisor Culbertson moved, seconded by Supervisor Gabrielson, for adoption.

ROLL CALL: 32 yes, 4 absent. ORDINANCE NO. O—2023-24 IS ADOPTED.

REPORTS – None.

ADJOURNMENT
Supervisor Lawrence moved, seconded by Supervisor MacDonald to adjourn until March 26, 2024, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:21 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

Resolution No. 107—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for a State-Let Highway Project, for the County N interchange improvement project, and the county share of the project costs to be included in future budgets, as detailed on the attachments.

Supervisor Hagen moved, seconded by Supervisor Thiede, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 107—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 107—2023-24

Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter i **Passed With Majority of Full Membership**
State-Let Highway Project, for the County N interchange improvement project, and the county share of the project costs to be included in future budgets, as detailed on the attachments.

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO ABSENT
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **3-12-24 County Board Meeting - March 12 2024 07:02:36 PM**
March 12, 2024 County Board Meeting
OpenMeeting

RESOLUTION NO.: 107—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of the I-41 corridor which includes interchanges with local highways. The interchange of County N has been identified as one of those to be reconstructed within the project limits. Work will entail removal and replacement of existing pavement and base material and operational improvements on the interchange ramps and along County N. The typical cross section will remain as an urbanized four-lane typical cross section. The existing bridge structure will be rehabilitated to accommodate added turn lanes. Construction is currently scheduled for 2024. Outagamie County's share is currently estimated to be $15 for non-participating items. The county share of the project costs will be funded within the current budget.

This resolution authorizes the Outagamie County Highway Commissioner to enter into a State/Municipal Financial Agreement (SMFA) for this state-let improvement project and to support future funding for the County N interchange improvement project.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for the County N interchange improvement project as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize funding for the county share of the project costs to be included in future budgets as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance Director.

Dated this 12th day of March 2024

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 3.18.24 Vetoed: _____

Signed: _____ County Executive

STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE- LET HIGHWAY PROJECT	Date:January 31, 2024 I.D.:1130-66-76 (Design 1130-63-01) Road Name: IH 41 Title: Appleton – De Pere Limits: CTH N Intchg County: Outagamie Roadway Length: 0.252 miles

The signatory **Outagamie County** hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: The IH 41 Project corridor, which has four travel lanes – two in each direction – is congested and sees a higher rate of crashes than similarly configured freeways in Wisconsin. By federal standards, the project area has multiple roadway design deficiencies, and much of its pavement and several bridges are nearing the end of their useful lives and must be replaced.

As part of this project, the CTH N interchange and bridge over IH 41 require operational improvements to meet design year traffic projections and concrete pavement replacement to address maintenance concerns.

Proposed Improvement - Nature of work: The existing pavement and base will be replaced and operational improvements made on the interchange ramps and along CTH N. Structure (B-44-179) carrying CTH N over IH 41 will be rehabilitated.

The limits of the pavement replacement work extend from approximately 700 feet south of IH 41 to 500 feet north of IH 41.

Work will also include storm sewer installation, sign structures, signals, lighting, erosion control, fertilizer/seed/mulch, permanent signing, pavement marking and temporary traffic control.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: Non-participating work is not necessary to finish the project but the Municipality has requested a 100% non-participating category be included to be able address any unanticipated non-participating needs during construction.

	SUMMARY OF COSTS						
Phase	**Total Est. Cost**	**Federal/State Funds**	**%**	**Other Funds**	**%**	**Municipal Funds**	**%**
Design Engineering: Plan Development	NA	NA		NA		NA	
Real Estate Acquisition: Acquisition	NA	NA		NA		NA	
Utility Coordination: Utility Relocations	NA	NA		NA		NA	
[1]Construction:							
Category 1000– Roadway Items	$4,248,883	$4,248,883	100%	$0	0%	$0	0%
Category 1100 – Lighting	$302,695	$302,695	100%	$0	0%	$0	0%
Category 1200 – ITS	$188,011	$188,011	100%	$0	0%	$0	0%
Category 1300 – Signals	$542,801	$542,801	100%	$0	0%	$0	0%
Category 1600 – Outagamie County	$15	$0	0%	$0	0%	$15	100%
Category 1610 – Village of Little Chute	$15	$0	0%	$15	100%	$0	0%
Category 2000 – B-44-179	$482,761	$482,761	100%	$0	0%	$0	0%
Category 6000 – S-44-383	$81,880	$81,880	100%	$0	0%	$0	0%
Category 6010 – S-44-384	$81,880	$81,880	100%	$0	0%	$0	0%
Construction Subtotal	$5,928,941	$5,928,911		$15		$15	
Total Est. Cost Distribution	**$5,928,941**	**$5,928,911**		**$15**		**$15**	

1. Estimates include construction engineering estimated at 15%.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 3-5); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State, upon fully executed signature of applicable State Municipal Maintenance Agreement and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.

Signed for and in behalf of **Outagamie County** (please sign in blue ink)

Name (print) Title

Signature Date

Signed for and in behalf of the **State** (please sign in blue ink)

Name Title

Signature Date

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.

2. Funding of each project phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:

   (a) Design engineering and state review services.

   (b) Real Estate necessitated for the improvement.

   (c) Compensable utility adjustment and railroad force work necessitated for the project.

   (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.

   (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.

   (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.

   (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.

   (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.

   (i) Replacement of existing driveways, in kind, necessitated by the project.

3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:

   (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.

   (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.

   (c) Roadway and bridge width in excess of standards.

   (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.

   (e) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.

4. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.

5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State on behalf of the project.
6. The work will be administered by the State and may include items not eligible for federal/state participation.
7. The Municipality shall, in cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
8. Basis for local participation:

Construction ID 1130-66-76

The Project Agreement will be revised if necessary, as the project progresses. All costs shown are approximate and subject to final audit.

Category 1000 – Roadway Items

The State will pay 100% of the construction costs under Category 1000 Roadway Items unless otherwise noted.

Category 1100 – Lighting Items

The State will pay 100% of the construction costs under Category 1100 Lighting Items unless otherwise noted.

Category 1200 – ITS Items

The State will pay 100% of the construction costs under Category 1200 ITS Items unless otherwise noted.

Category 1300 – Signals Items

The State will pay 100% of the construction costs under Category 1300 Signals Items unless otherwise noted.

Category 1600/1610 – Outagamie County/Village of Little Chute

In accordance with Local Participation Policy Section 3-25-5 of the State's Program Management Manual, proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Item Number	Item Description	Units	Estimated Qty	Unity Price	Amount
305.0120	Base Aggregate Dense 1 ¼-Inch	TON	1	$13	$13.00

1130-66-83 Construction Total	$13
15% Construction Engineering	$2.00
1130-66-83 Project Total	$15.00

Category 2000– Structure B-44-179

The State will pay 100% of the construction costs under Category 2000 Structure B-44-179 unless otherwise noted.

Category 6000– Structure S-44-383

The State will pay 100% of the construction costs under Category 6000 Structure S-44-383 unless otherwise noted.

Category 6010– Structure S-44-384

The State will pay 100% of the construction costs under Category 6010 Structure S-44-384 unless otherwise noted.

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completec by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** The Highway Department is requesting approval to enter into a State Municipal Financial Agreement for the County Highway N interchange project.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Highway Department is requesting approval to enter into a State Municipal Financial Agreement for the County Highway N interchange project.

The Wisconsin Department of Transportation is reconstructing the interchange at CTH N. The Highway Department has asked to enter into an agreement to fund non-participating items as part of the reconstruction. The County will cover this in their current budget.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes (x) no ( ) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes ( ) no (x)
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)
The project on

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
General Maintenance	Direct Highway Materials	6005000.5425	0

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Michelle Uitenbroek

For Financial Services purposes only	
Reviewed By: Tony L Hamilton	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditure Account Number / Amount
Date: 2/22/2024	
Comments:	

C:\Users\hamiltol\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\XVU60CW7\Fiscal Note CTH N interchange SFMA.docx

LOCK IN OF RESOLUTION NO. 108—2023-24

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 108—2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 108—2023-24 - Lock In

Lock in of Resolution No. 108—2023-24

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO ABSENT
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 3-12-24 County Board Meeting - March 12 2024 07:04:03 PM

March 12, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NO. 108—2023-24

Supervisor Spears moved, seconded by Supervisor Thiede, to reconsider Resolution No. 108—2023-24.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 108—2023-24 IS RECONSIDERED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 108—2023-24 - Reconsideration

Reconsideration of Resolution No. 108—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	ABSENT
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-12-24 County Board Meeting - March 12 2024 07:03:55 PM

March 12, 2024 County Board Meeting

OpenMeeting

Resolution No. 108—2023-24 – Legislative/Audit and Human Resources Committee. Approve the deletion of one full-time Principal Planner position and the creation of one full-time Deputy Director of Development and Land Services (DLS) position effective March 24, 2024 for the DLS Department, and approve to increase the DLS line items for the following: Salaries by $7,596, Fringe Benefits by $2,355, and Allocated Applied Credits by $9,951, as detailed on the attachments.

Supervisor Santonato moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 108—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 108—2023-24

Legislative/Audit and Human Resources Committee. Approve the deletion of one full-time Principal Planner p **Passed With 2/3 of Full Membership**
Director of Development and Land Services (DLS) position effective March 24, 2024 for the DLS Department, and approve to increase the DLS line items for the following: Salaries by $7,596, Fringe Benefits by $2,355, and Allocated Applied Credits by $9,951, as detailed on the attachments.

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO ABSENT
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **3-12-24 County Board Meeting - March 12 2024 07:03:23 PM**
March 12, 2024 County Board Meeting
OpenMeeting

RESOLUTION NO.: 108—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Development and Land Services Department is requesting approval to delete the Principal Planner position and replace with a Deputy Director of Development and Land Services position, as outlined in the attached position forms.

In 2023, the Development and Land Services (DLS) Department was without a permanent director for a period of three months. During that time, the Principal Planner served as the interim DLS Director and took on high level projects including implementation of various county ARPA programs, planning and zoning administration, and personnel management. Creating a Deputy Director position will increase resiliency for future leadership changes in the department.

While there are no direct cost savings, the reclassification is relatively budget neutral based on a reduction of salary costs due to turnover in two of the three highest department salary positions in 2023. In addition, part of the salary costs for the new position will be offset by grant funding and ARPA administration over the next three years.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommends adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board does approve the deletion of one full-time Principal Planner position and the creation of one full-time Deputy Director of Development and Land Services position effective March 24, 2024 for the Development and Land Services Department as noted on the attached Position Deletion Form, Position Addition Form, Job Description, and Table of Organization, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does approve of increasing the Development and Land Services Salaries line item by $7,596, increasing the Development and Land Services Fringe Benefits line item by $2,355, and increasing the Development and Land Services Allocated Applied Credits line item by $9,951 as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Finance Director, and the Outagamie County Development and Land Services Director.

Dated this 12th day of March 2024

Respectfully submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

Joe Santonato

John Kostelny

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3.18.24 Vetoed: _____

Signed: _____
County Executive

POSITION DELETION FORM		
Completion Checklist		
Request Details		
Effective Date of Requested Change:	3/24/2024	
Department:	Development and Land Services	
Department Head:	Kevin Englebert	
Cost Center Number:	1007300	
Position Title:	Principal Planner	
Sunset Position? (Yes or No)	No	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	Full Time:	X
	Part Time:	
If adding a position to offset this deletion; which position(s) will be added?	Deputy Director of Development and Land Services	
Position Justification		
Briefly summarize why this position is no longer needed, as well as areas of revenue and savings.		
This position is will no longer be needed with the addition of a Deputy Director position.		
Employee(s) Impacted By This Change (if no one in position - leave blank)		
Sadie DiNatale Burda		
Fiscal Data		
PROJECTED COST SAVINGS		
Salary	$	62,751
Fringe Benefits	$	30,505
Travel/Training	$	-
Supplies	$	-
Purchased Services	$	-
Capital Outlay	$	-
TOTAL COST SAVINGS	$	93,256
DECREASED REVENUES BY DELETING THIS POSITION:		
Please list below the decreased revenues pertaining to this position deletion.		
Description	*Dollar Value (enter as negative)*	
	$	-
	$	-
	$	-
TOTAL REVENUE REDUCTION	$	-
NET COUNTY COST (Levy/Fund Balance)	$	93,256

TO BE COMPLETED BY HUMAN RESOURCES:	
Reviewed by HR	Approved
County Executive Decision (Approved/Denied)	Approved

POSITION ADDITION FORM

Completion Checklist

- A visual of your proposed Table of Organization
- Job description/class specification for the position request below, highlighting any changes

Request Details

Effective Date of Requested Change:	3/24/2024	
Department:	Development and Land Services	
Department Head	Kevin Englebert	
Cost Center Number:	1007300	
Position Title:	Deputy Director of Development and Land Services	
Sunset Position? (Yes or No)	No	
Exempt (Salaried) or Non Exempt (Hourly):	Exempt	
Pay Grade of Position	175	
Estimated Starting Step:	1	
Position exists in current the Table of Organization?	No	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*	Full Time:	X
	Part Time:	
If Part Time position, how many hours per week will this position be working?	Hours:	
What other alternatives were considered?	Keeping position at Principal Planner	
If deleting a position to add this position, which position(s) will be deleted?	Principal Planner	
If deleting a position - complete the Position Deletion Form and indicate the Cost Savings below		
List any positions in your Table of Organization that have been vacant for 6 months or longer:	N/A	

Position Justification

Briefly summarize why this position is needed, as well as areas of revenue and savings

In 2023, the Development and Land Services Department was without a permanent director for a period of three months. During that time, Sadie DiNatale Burda served as the interim DLS director. She took on and excelled in high-level projects including implementation of various county ARPA programs, planning and zoning administration, and personnel management. Sadie still contributes in these areas and is now performing work that is more far advanced than her classification of principal planner. Creating a Deputy Director position will increase resiliency for future leadership changes in the department. The market for highly-trained planning professionals is very competitive in the greater Fox Cities area, and a position reclassification will assist with retainment. Lastly, while there are no direct cost savings, the reclassification is relatively budget neutral based on a reduction of salary costs due to turnover in two of the three highest department salary positions in 2023. In addition, part of the salary costs for this position will be offset by grant funding and ARPA-admin over the next three years.

Employee(s) Impacted By This Change (if no one in position - leave blank)

Sadie DiNatale Burda

Fiscal Data

How will this position be funded (choose from drop down list)?	Combination - Grants/Levy

PROJECTED 2024 EXPENDITURES - Amounts must agree to amounts included in the proposed budget		
Salary	$	70,347
Fringe Benefits	$	32,860
Travel/Training	$	-
Supplies - IT		
Supplies - Other	$	-
Purchased Services - IT		
Purchased Services - Other	$	-
Capital Outlay	$	-
TOTAL EXPENDITURES	$	103,207
COST SAVINGS OR INCREASED REVENUES:		
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.		
Description	*Dollar Value (enter as negative)*	
Deleted Position (if applicable)	$	(93,256)
	$	-
	$	-
TOTAL COST SAVINGS/REVENUES	$	(93,256)
NET COUNTY COST (Levy/Fund Bal)	$	9,951
PARTIAL YEAR FUNDING - ANNUAL PROJECTION		
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:		
Salary	$	90,730
Fringe Benefits	$	42,381
Other Expenditures	$	-
TOTAL EXPENDITURES	$	133,111
Deleted Position (if applicable)	$	(120,278)
Less Increased Revenue/Cost Savings (enter as negative)	$	-
NET COUNTY COST (Levy/Fund Bal)	$	12,834

TO BE COMPLETED BY HUMAN RESOURCES:	
Reviewed by HR	**Approved**
County Executive Decision (Approved/Denied)	**Approved**

Deputy Director of Development and Land Services

Class Title
Deputy Director of Development and Land Services
Class Code
8200-12
Salary
$90,729.60 - $118,393.60 Annually

Position Purpose

Reporting to the Development and Land Services Director, the Development and Land Services Deputy Director supervises and supports planning, zoning, economic and community development activities within the County. Performs related duties involving the management of long-range planning and associated implementation efforts

Key Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Assists the Director in all administrative functions of the Department, including the management of operations and personnel; budgeting and fiscal management; contracting; programming; and development of internal policies and procedures. The Deputy Director substitutes for and represents the Director in their absence.
- Supervises the Zoning Administrator and GIS & Information Manager and provides general oversight of their staff.
- Leads, performs complex work, and supervises professional staff to ensure programs and services are carried out effectively. Serves as the lead planner in the absence of a Principal, Senior, or Associate Planner.
- Manages the development of the County Comprehensive Plan in a manner that engages and seeks alignment with Outagamie County communities and various stakeholder groups. Proactively works to implement plan goals and recommendations via policy and ordinance changes as well as collaboration with County departments, local municipalities, the RPC/MPO, and aligned organizations.
- As assigned by the Director, oversees development and implementation of specific plans (e.g., Farmland Preservation, Recreation & Open Space, Transportation, Strategic, and other functionally specific plans), programs, projects, and activities.
- Writes, or oversees the writing of, new or updates to a variety of land-use ordinances such as zoning, land division, and other development related ordinances and policies in a manner that is consistent with the County Comprehensive Plan.
- Collaborates with and provides technical planning assistance to County departments whose activities and policies directly affect the built environment. Ensure policy alignment and consistency with the County Comprehensive Plan and/or other specific planning documents or County policies.

- Provide the Director with advice, recommendations, and alternatives to establish land use, economic development, and community development strategies to support responsible, long term growth and development of the County. Liaisons with aligned organizations and County departments to ensure strategy alignment and implementation.
- Manages requests for proposals for consultant contracts and negotiates with contractors on various aspects of projects.
- Oversees the administration of the County business revolving loan funds and Greenway Funds.
- Researches regional planning, community development, housing, demographic and/or economic development issues and develops programs to meet needs of the community.
- Builds and sustains partnerships, liaisons with strategic groups to further the Department and County's goals and objectives. Serves on various boards, commissions, and/or committees as needed.
- Maintains regular and predictable attendance.
- Works extra hours and attends evening meetings as required.
- Performs other duties as assigned.

Education/Certifications/Experience Requirements

- Bachelor's Degree in Planning, Urban Studies, Public Administration, Geography or a related field. Master's Degree and AICP certification preferred.
- Six to nine years planning, zoning/community development, and supervisory experience.
- Or any combination of education and experience that provides equivalent knowledge, skills, and abilities.

Required or Preferred Skills

Management and Leadership Skills

- Ability to mentor, develop, and guide the growth of Department staff and colleagues.
- Ability to develop organizational plans and align resources to achieve County and Department goals and objectives.
- Ability to understand and manage high profile, sensitive, or controversial political situations.
- Ability to exercise sound and independent judgment within general policy guidelines.
- Ability to assign, supervise, and review the work of others in an effective and timely manner.
- Ability to make decisions regarding the selection, discipline, and discharge of employees.
- Ability to interpret County policies to employees and enforce them consistently.

Quantitative, Qualitative, and Technical Knowledge

- Considerable knowledge of the theory, principles and techniques of the planning profession and development process.

- Considerable knowledge of federal, state and local laws, ordinances and codes pertaining to land use, development, transportation and other planning and development related topics.
- Considerable knowledge of the methods and techniques of research and analysis.
- Knowledge and understanding of basic principles of local government, business, and real estate budgeting and finance.
- Knowledge of real estate terminology, laws, practices, principles, and regulations.
- Ability to add, subtract, multiply, divide, calculate decimals and percents, and make use of the principles of descriptive statistics.
- Knowledge of computer applications including Microsoft Office, Internet applications, and GIS.

Language Ability and Interpersonal Communication

- Ability to comprehend and interpret a variety of reference, descriptive, and advisory data and information such as labor agreements, personnel manuals, billing invoices architectural drawings, attendance and other records, technical reports, purchase requisitions, State statutes, professional literature, research documents, planning texts, County policies, zoning ordinances, budgets, and general correspondence.
- Ability to communicate effectively and persuasively, verbally and in writing, with the County Executive and County Board members, County department directors and staff, utility companies, city, town, and village officials, architects, engineers, developers, property owners, leaders of economic development, environmental and housing related organizations, State agencies, news media and the general public.

Judgment and Situational Reasoning Ability

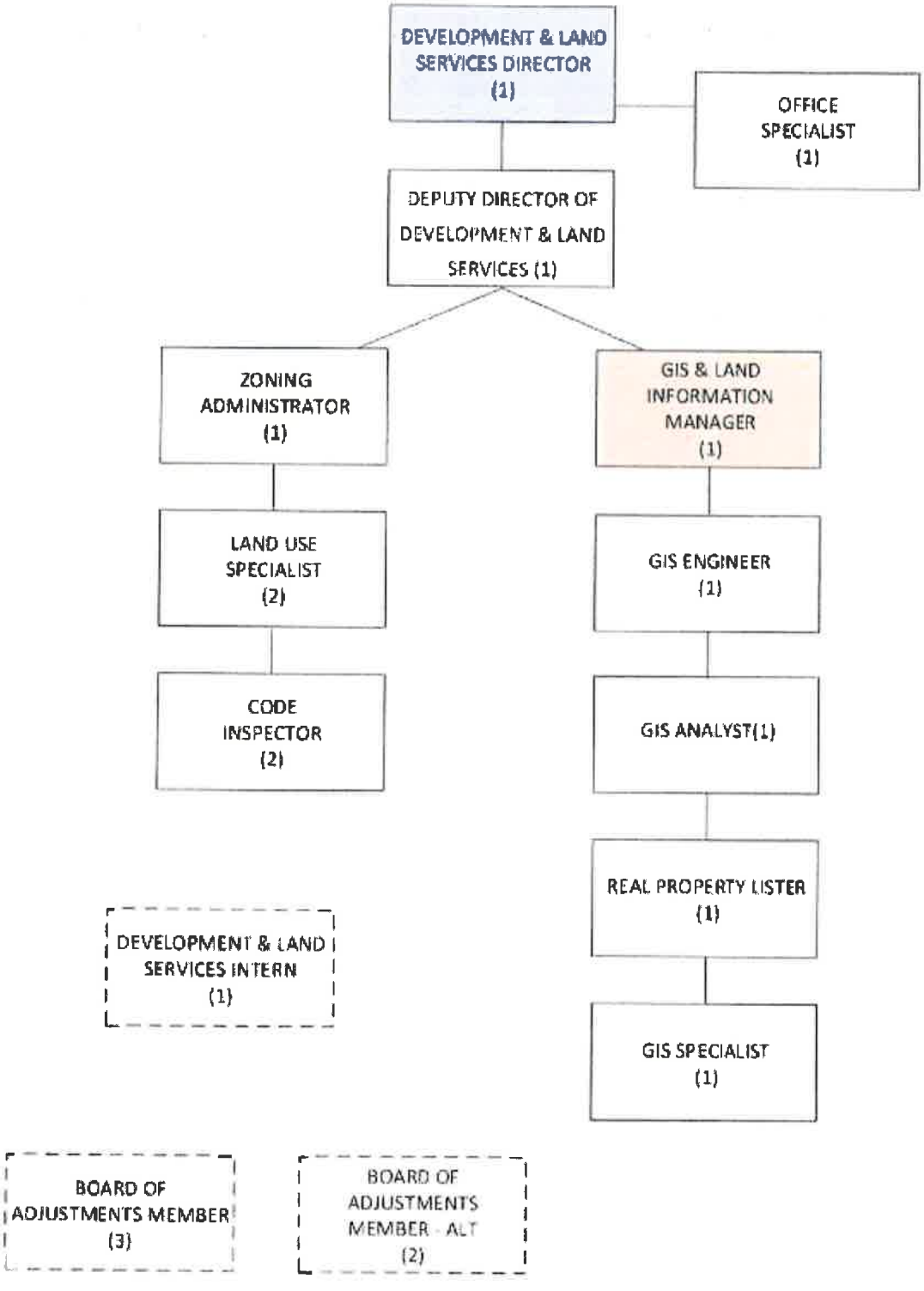
- Requires the ability to apply principles of logical or synthesis functions involving planning and directing of interrelated activities for multiple departments, communities, and aligned organizations. Show the ability to deal with several concrete and abstract variables in working out approaches to major problems.
- Requires the ability to exercise the judgment, decisiveness and creativity required in critical and for unexpected situations involving moderate risk to the organization.
- Requires the ability to anticipate issues and be proactive in developing cooperative and pragmatic solutions.
- Requires the ability to perform mid to upper-level data analysis (quantitative and qualitative) including the ability to coordinate, strategize, systematize and correlate, using discretion in determining time, place and/or sequence of operations within an organizational framework needing cooperation from outside stakeholders. Requires the ability to implement decisions based on such data, and oversee the execution of these decisions.

Physical Requirements

- Ability to operate a variety of office equipment including personal computer, calculator, fax machine, telephone, photocopier, etc.
- Requires the ability to coordinate eyes, hands, feet and limbs in performing coordinated movements such as typing and using survey equipment.

- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds. Tasks may involve extended periods of time at a keyboard or workstation
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.


DEVELOPMENT & LAND SERVICES DIRECTOR (1)
OFFICE SPECIALIST (1)
DEPUTY DIRECTOR OF DEVELOPMENT & LAND SERVICES (1)
ZONING ADMINISTRATOR (1)
GIS & LAND INFORMATION MANAGER (1)
LAND USE SPECIALIST (2)
GIS ENGINEER (1)
CODE INSPECTOR (2)
GIS ANALYST(1)
REAL PROPERTY LISTER (1)
DEVELOPMENT & LAND SERVICES INTERN (1)
GIS SPECIALIST (1)
BOARD OF ADJUSTMENTS MEMBER (3)
BOARD OF ADJUSTMENTS MEMBER - ALT (2)

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1641) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** DLS TO Change – Deputy Director Position

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Creation of a Deputy Director position in Development and Land Services with delation of the Principal Planner position

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (x)

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
DLS	Salaries	1007300.5100	7,596
DLS	Fringe Benefits	1007300.5200	2,355
DLS	Allocated Applied Credits	1007300.5940	9,951

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 12,934
Annual Revenue

Fiscal Note Prepared by: Kevin Englebert, DLS Director

For Financial Services purposes only	
Reviewed By:	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:
Date: 2/2/2024	Detail Expenditures Account Number / Amount
Comments:	

LOCK IN OF RESOLUTION NO. 109—2023-24

ROLL CALL: 30 yes, 2 no (Ferguson, Lautenschlager), 4 absent. RESOLUTION NO. 109—2023-24 IS ADOPTED & LOCKED IN.

VOTE RESULTS 30 YES 2 NO 0 ABSTAIN 4 ABSENT

Resolution No. 109—2023-24 - Lock In

Lock in of Resolution No. 109—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	ABSENT
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	NO

Outagamie County

3-12-24 County Board Meeting - March 12 2024 07:14:57 PM

March 12, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF RESOLUTION NO. 109—2023-24

Supervisor Croatt moved, seconded by Supervisor Wegand, to reconsider Resolution No. 109—2023-24.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 109—2023-24 IS RECONSIDERED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 109—2023-24 - Reconsideration

Reconsideration of Resolution No. 109—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	ABSENT
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-12-24 County Board Meeting - March 12 2024 07:14:47 PM

March 12, 2024 County Board Meeting

OpenMeeting

Resolution No. 109—2023-24 – Legislative/Audit and Human Resources Committee. Approve the one time salary increases for the Outagamie County Clerk by $12,939.80, County Treasurer by $10,537.80, and the Register of Deeds by 10,537.80 effective with the beginning of the 2025 term of office, and recommends for each, an annual 4% increase for years 2026, 2027, and 2028, with all salary and fringe benefit adjustments included in the 2025 through 2028 proposed budgets.

Supervisor Spears moved, seconded by Supervisor Santonato, for adoption.

ROLL CALL: 28 yes, 4 no (Ferguson, MacDonald, Weinberg, Lautenschlager), 4 absent. RESOLUTION NO. 109—2023-24 IS ADOPTED.

VOTE RESULTS — 28 YES | 4 NO | 0 ABSTAIN | 4 ABSENT

Resolution No. 109—2023-24

Legislative/Audit and Human Resources Committee. Approve the one time salary increases for the Outagamie County Clerk by $12,939.80, County Treasurer by $10,537.80, and the Register of Deeds by 10,537.80 effective with the beginning of the 2025 term of office, and recommends for each, an annual 4% increase for years 2026, 2027, and 2028, with all salary and fringe be...

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	NO
3 SMITH	YES	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	ABSENT
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	NO

Outagamie County

3-12-24 County Board Meeting - March 12 2024 07:14:28 PM

March 12, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 109—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

In accordance with Sec. 59.22, Wisconsin Statutes, as an Outagamie County elected official, the County Clerk, County Treasurer and Register of Deeds can receive a salary adjustment for the next term of office by passage of a resolution by the County Board prior to the earliest time for filing nomination papers. The Legislative/Audit and Human Resources Committee has reviewed the salary of the County Clerk, County Treasurer, and Register of Deeds and recommends a one-time increase of $12,939.80 for the County Clerk and a one-time increase of $10,537.80 for the County Treasurer and for the Register of Deeds effective with the beginning of the 2025 term of office. Additionally, the Legislative/Audit and Human Resources Committee recommends an annual 4% increase for the County Clerk, County Treasurer, and Register of Deeds for years 2026, 2027, and 2028. All salary and fringe benefit adjustments will be included in the 2025 through 2028 proposed budgets.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby approve a salary adjustment as noted on the attached fiscal note which by reference is made a part hereof, for the Outagamie County Clerk, County Treasurer, and Register of Deeds effective with the beginning of the 2025 term of office as follows:

	2025 Salary	**2026 Salary**	**2027 Salary**	**2028 Salary**
County Clerk	$92,996.80	$96,717.00	$100,586.60	$104,609.00
County Treasurer	$92,996.80	$96,717.00	$100,586.00	$104,609.00
Register of Deeds	$92,996.80	$96,717.00	$100,586.00	$104,609.00

BE IT FURTHER RESOLVED, that the fringe benefit package for the Outagamie County Clerk, County Treasurer and Register of Deeds shall continue, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Human Resources Director, the Outagamie County Executive, the Outagamie County Finance Director, the Outagamie County Clerk, the Outagamie County Treasurer, and the Outagamie County Register of Deeds.

Dated this 12th day of March 2024

Respectfully Submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

Joe Santonato

John Kostelny

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. Subject: Elected officials salary and fringe benefit adjustment for 2025 through 2028. (County Clerk, Register of Deeds and Treasurer)

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Legislative Audit/HR committee is recommending a one-time increase for 2025 and a 4.0% annual increase for the three subsequent years of 2026 through 2028 for the following elected official positions within the County Clerk, County Treasurer, and Register of Deed's offices effective January 1, 2025. For the 2025 one-time payment increase, the County Clerk will receive $12,939.80, the County Treasurer will receive $10,537.80, and for the Register of Deeds will receive $10,537.80. The annual 4.0% increases would be effective the years 2026 through 2028. See attached for the financial impact – All salary and fringe benefit adjustments will be included in the 2025 through 2028 proposed budgets.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [x] None – 2025 Budget

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? yes (x) no ( )
If no, skip to question 8 below

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	(DECREASE) AMOUNT
n/a			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost see attached
Annual Revenue 0

Fiscal Note Prepared by: Kay L Hamilton

For Financial Services purposes only	
Reviewed By: Kay L Hamilton	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:
	Detail Expenditures Account Number / Amount
Date:2/29/2024	
Comments:	

ELECTED OFFICIALS SALARY ADJUSTMENT 2025 - 2028
COUNTY CLERK, COUNTY TREASURER & REGISTER OF DEEDS

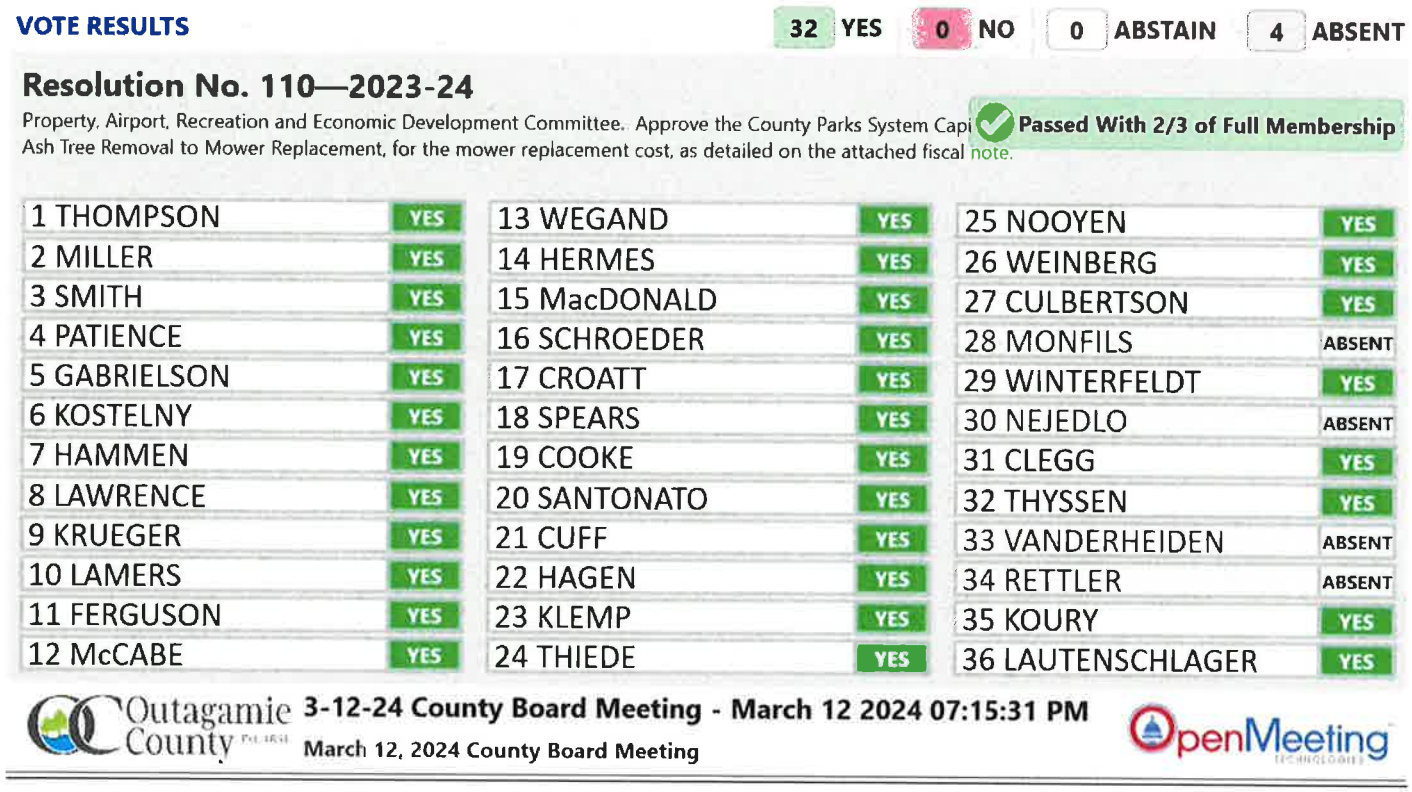
POSITIONS	2024 SALARY	2025 INCREASE %	2025 DOLLAR INCREASE	2025 SALARY	2026 INCREASE %	2026 DOLLAR INCREASE	2026 SALARY	2027 INCREASE %	2027 DOLLAR INCREASE	2027 SALARY	2028 INCREASE %	2028 DOLLAR INCREASE	2028 SALARY
SALARIES													
COUNTY CLERK	80,057.00	0.0%	12,939.80	92,996.80	4.0%	3,719.87	96,717.00	4.0%	3,868.68	100,586.00	4.0%	4,023.44	104,609.00
COUNTY TREASURER	82,459.00	0.0%	10,537.80	92,996.80	4.0%	3,719.87	96,717.00	4.0%	3,868.68	100,586.00	4.0%	4,023.44	104,609.00
REGISTER OF DEEDS	82,459.00	0.0%	10,537.80	92,996.80	4.0%	3,719.87	96,717.00	4.0%	3,868.68	100,586.00	4.0%	4,023.44	104,609.00
TOTAL	244,975.00		34,015.40	278,990.40		11,159.62	290,151.00		11,605.04	301,758.00		12,070.32	313,827.00
FRINGE BENEFITS													
FICA 7.50%	18,373.00		2,551.00			837.00			870.00			905.00	
WRS EMPLOYEE 6.9%	16,903.00		2,347.00			770.00			801.00			833.00	
WRS - + .0% ER - no change 0.00%	0%	0.0%	-		0.0%	-		0.0%	-		0.0%	-	
HEALTH INSURANCE	90,305.00	5.0%	4,515.00		5.0%	4,741.00		5.0%	4,978.00		5.0%	5,227.00	
EMPLOYEE SHARE HEALTH INS CONTRIBUTION	(17,313.00)	5.0%	(866.00)		5.0%	(909.00)		5.0%	(954.00)		5.0%	(1,002.00)	
HEALTH SAVINGS ACCT - CNTY CONTRIBUTION	4,800.00	0.0%	-		0.0%	-		0.0%	-		0.0%	-	
LONG-TEAM DISABILITY	640.00	0.0%	-		0.0%	-		0.0%	-		0.0%	-	
LIFE INSURANCE	162.00	0.0%	-		0.0%	-		0.0%	-		0.0%	-	
DENTAL BENEFITS EMPLOYER SHARE	3,003.00	0.0%	-		0.0%	-		2.0%	60.00		2.0%	61.00	
SECTION 125 PLAN													
TOTAL FRINGE BEN EFTS	116,873.00		8,547.00			5,439.00			5,755.00			5,024.00	
TOTAL SALARIES AND FRINGE BENEFITS	361,848.00		42,562.40	321,552.80		16,598.62	306,749.62		17,361.04	319,119.04		18,094.32	331,921.32
TOTAL WAGE AND FRINGE BENEFIT PERCENT INCREASE		13.75%			5.41%			5.44%			5.45%		

Assumptions
Wage increase for 2025 is one-time $12,939.80 for County Clerk.
Wage increase for 2025 is one-time $10,537.80 for Treasurer.
Wage increase for 2025 is one-time $10,537.80 for Register of Deeds.
Wage increases 4% annually for all three positions from 2026 to 2028.

Resolution No. 110—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the County Parks System Capital Outlay line item transfer of $50,000 from the Ash Tree Removal to Mower Replacement, for the mower replacement cost, as detailed on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 110—2023-24 IS ADOPTED.



RESOLUTION NO.: 110—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Parks Department included a line item for a mower replacement in the 2024 Capital Improvement Project (CIP) budget. However, after review, it appears that the mower was inadvertently left out of the 2024 adopted budget. The mower replacement is vital to operations at the parks, and therefore, the department is proposing to transfer funds from the Capital Outlay Ash Tree Removal Services project to cover the mower replacement cost.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve transferring $50,000 from the County Parks System Capital Outlay – Ash Tree Removal line item to the County Parks System Capital Outlay – Mower Replacement line item as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Parks Director.

Dated this 12th day of March 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 3-18-24

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1691) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for Budget Transfer from the Plamann Ash Tree Removal Services to Mower Replacement

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Outagamie County Parks Department had placed a line item for a mower replacement in the CIP for 2024. It appears that this was inadvertently left out of the 2024 adopted budget. Since this mower replacement is vital to our operations, we are proposing to transfer funds from Capital Outlay-Ash Tree Removal Services to cover the mower replacement cost.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☒ None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
County Parks System	Capital Outlay-Mower Replacement	1006200.6000	50,000
County Parks System	Capital Outlay-Ash Tree Removal	1006200.6000	(50,000)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (X)

9. What is the anticipated annual and/or long-term cost or revenue impact?
Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Loren Dieck

For Financial Services purposes only

Reviewed By: [signature]

Date: 2/15/2024

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

Resolution No. 111—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve an application for State aid for the purpose of maintaining, acquiring, developing, and ensuring a program of snowmobile trails for public recreational use; authorize the County Parks Director and/or Program/Office Manager to act on behalf of the County by submitting an application to the Wisconsin Department of Natural Resources for any financial aid that may be available, sign documents, and take any necessary action to undertake, direct and complete approved projects, and the County will meet the financial obligation of accepted grants.

Supervisor Klemp moved, seconded by Supervisor Cuff, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 111—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 111—2023-24

Property, Airport, Rec and Economic Development Committee. Approve an application for State aid for the pu... ensuring a program of snowmobile trails for public recreational use; authorize the County Parks Director and/or Program/Office Manager to act on behalf of the County by submitting an application to the WI DNR for any financial aid that may be available, sign documents, and take any necessary action to undertak...

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO ABSENT
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County WISCONSIN 3-12-24 County Board Meeting - March 12 2024 07:16:31 PM
March 12, 2024 County Board Meeting
OpenMeeting TECHNOLOGIES

RESOLUTION NO.: 111—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County is interested in maintaining, acquiring, developing, and ensuring a program of snowmobile trails for public outdoor recreation purposes which are eligible for funds under Wis. Stats. §23.09(26).

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors is desirous of making application for State aid for the purpose of maintaining, acquiring, developing, and ensuring a program of snowmobile trails for public recreational use, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does hereby authorize and approve the Outagamie County Parks Director and/or Program/Office Manager to act on behalf of Outagamie County by submitting an application to the Wisconsin Department of Natural Resources for any financial aid that may be available, sign documents, and take any necessary action to undertake, direct and complete approved projects, and

BE IT STILL FURTHER RESOLVED, that Outagamie County will meet the financial obligation of accepted grants, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive and the Outagamie County Parks Director.

Dated this 12th day of March 2024.

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 3.18.24

Vetoed: _____

Signed: _____
County Executive

Resolution No. 112—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Appleton International Airport entering into a lease and concession agreement to operate a food and beverage business with SSP America ATW, LLC, with no budget adjustment needed as the lease revenue has been included in the 2024 budget, as detailed on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 112—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 112—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve the Appleton International Ai... agreement to operate a food and beverage business with SSP America ATW, LLC, with no budget adjustment needed as the lease revenue has been included in the 2024 budget, as detailed on the attachments.

Passed With Majority of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO ABSENT
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **3-12-24 County Board Meeting - March 12 2024 07:17:07 PM**

March 12, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 112—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Appleton International Airport has chosen a new concessionaire for food/beverage and retail through an RFP process. The Airport has negotiated a lease and concession agreement with SSP America ATW, LLC for a concessionaire lease to operate a food and beverage business. The lease term is eleven (11) years beginning May 1, 2024 and terminating on April 30, 2035. The lease rate will be the greater of the Minimum Annual Guarantee (ranging from $300,000 to $481,038 annually) or a percentage of gross receipts based on amount of revenue generated. The lease revenue has already been included in the 2024 budget, therefore, no budget adjustment is required.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Appleton International Airport entering into a lease and concession agreement to operate a food and beverage business with SSP America ATW, LLC, with no budget adjustment needed as the lease revenue has been included in the 2024 budget as detailed in the attached Lease and Concession Agreement and fiscal note, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Appleton International Airport Director.

Dated this 12th day of March 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 3-18-24

Vetoed: _____

Signed: _____
County Executive

LEASE AND CONCESSION AGREEMENT

By and Between

THE OUTAGAMIE COUNTY

By and Through

THE APPLETON INTERNATIONAL AIRPORT

And

SUCCESSFUL PROPOSER

CONCESSIONS PACKAGE

DATE:

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THIS LEASE AND CONCESSION AGREEMENT (the "Agreement") is made and entered into by and between the OUTAGAMIE COUNTY ("COUNTY"), represented by _____, by and through the Appleton International Airport ("Airport"), represented by Abe Weber, its Airport Director (the County and Airport collectively referred to as "Lessor"); and SSP America ATW, LLC, represented by _____, it' _____ ("Concessionaire"). The Lease is effective _____ (the "Effective Date").

1. WITNESSETH

WHEREAS the County owns certain immovable property located in Outagamie County and more particularly described as the Appleton International Airport and certain immovable property surrounding the Appleton International Airport (the "Airport Property");

WHEREAS the Lessor is charged with the administration and operation of the Appleton Airport (the "Airport") and all property owned in connection therewith;

WHEREAS the County has commenced the construction of terminal and baggage claim expansions;

WHEREAS in anticipation of the construction and opening of the terminal expansion, the County issued Request for Proposals No. ATW FBR24, soliciting proposals from qualified providers capable of providing food and beverage, news, gift, and specialty retail services (collectively and individually, Concessions) at the Airport;

WHEREAS the Concessionaire submitted a written proposal dated December 14, 2023, which is attached hereto as Exhibit H, and the Lessor has selected the Concessionaire to design, construct and operate the Concessions Package as described in the RFP;

WHEREAS, Concessionaire desires and is fully qualified to design, construct and operate the Concessions Package at the Airport, together with certain privileges, rights, uses, and interests therein as hereinafter set forth; and

WHEREAS, on the 1/29/2024, the Airport approved SSP America ATW,LLC as the successful proposer for this Lease, subject to County Board approval.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained in this Lease, and other valuable considerations, Lessor and Concessionaire agree as follows:

2. DEFINED TERMS

2.1. **Additional Storage** means space used as an office and administrative space for preparing and storing products. The monthly rental obligation for additional storage is charged at the square foot annual fair market value rate.

2.2. **Agreement** means this Lease and Concessions Agreement.

2.3. **Agreement Year** means a period of twelve (12) consecutive months commencing upon the Rental Commencement Date.

2.4. **Airport** means the land, with all improvements thereon and to be erected thereon, owned or operated by the Airport, designated as Appleton International Airport, and the locations may be added occasionally.

2.5. **Annual Report** means the annual report required to be provided by the Concessionaire to the Authorized Representative pursuant to Section 22.4 of this Agreement.

2.6. **Authorized Representative** means the Airport Director during the performance of this Agreement. In his sole discretion, the Director may delegate certain functions under this Agreement to one or more persons to serve as the Authorized Representative for this Agreement.

2.7. **Aviation Airport, Airport, and ATW** mean the Appleton International Airport, an unattached Airport within the executive branch of the County of Outagamie.

2.8. County means the County of Outagamie and all departments and agencies thereof.

2.9. **Concessionaire** means SSP America ATW, LLC .

2.10. **Concessions Location** means any concessions location operated by the Concessionaire at the Airport and pursuant to the terms and conditions of this Agreement.

2.11. **Date of Beneficial Occupancy** means the first day on which 1) the concessionaire generates revenue from operations at the Airport, and 2) the concessionaire takes over operations of the existing concession program. The Date of Beneficial Occupancy is expected to be no later than May 1st, 2024.

2.12. **Development Period** means the period from the Execution Date to the Date of Beneficial Occupancy; however, the Development Period shall not extend past December 31, 2025.

2.13. **Development Schedule** means the Concessionaire's Development Scheduled, which shall be provided to the Airport prior to commencing construction, attached hereto as Exhibit B.

2.14. **Airport Director or Director** means the Authorized Representative of the Airport as appointed by the County.

2.15. **Execution Date** is the day the County approves and executes this Agreement.

2.16. **Enplanement or Enplaned Passenger** means any passenger who boards an aircraft from the Airport's terminal building.

2.17. **First-Class Operation** shall refer to an operation that, in the County's sole judgment, consistently maintains hours of operations that meet the needs of all passengers, provides quality products and services, is sufficiently staffed by an attentive and knowledgeable workforce, operates smoothly and efficiently, has processes and procedures in place to ensure

that customers are served in a timely and efficient manner, maintains a clean and inviting atmosphere, and is compliant with all rules and regulations as stated herein.

2.18. **Force Majeure** means that neither the Airport nor the Concessionaire shall be deemed in violation of this Agreement if it is prevented from performing any of the obligations hereunder by reason of strikes, boycotts, labor disputes, embargoes, shortage of material, acts of God, acts of the public enemy, acts of superior governmental authority, weather conditions, riots, rebellion, sabotage, epidemic, or any other circumstances for which it is not responsible or which is not within its control.

2.19. **Gross Revenues** have the meaning outlined in Section 9 of this Agreement, subject to the limitations in Section 9.9 of this Agreement.

2.20. **Leasehold Improvements** means those improvements constructed or implemented by the Concessionaire, or on its behalf, on the Leased Premises for the operation of Concessions.

2.21. **Lessor** shall collectively refer to the Airport and the County.

2.22. **Mid-Term Refurbishment** means those mid-term refurbishments to be provided by Concessionaire pursuant to Section 15.2 of this Agreement.

2.23. **Minimum Annual Guarantee or MAG** means the Concessionaire's annual minimum rental obligation. During the first year of the Term Concessionaire will pay no MAG. For the remainder of the Term the MAG shall be calculated as eighty-five percent (85%) of all Rent paid during the preceding Agreement Year or three hundred thousand dollars ($300,000.00), whichever is greater.

2.24. **Minimum Initial Capital Investment** means the Concessionaire's minimum capital investment towards the initial design, construction, and equipping of the Leased Premises, which shall be $2,268,963 .

2.25. **Monthly Report** means the monthly report required to be provided by the Concessionaire to the Authorized Representative pursuant to Section 22.2 of this Agreement.

2.26. **Price Benchmark Establishment** means any business approved in writing by the Director or Authorized Representative to be used as the basis for price comparisons during the remainder of the term pursuant to Section 8.15.7 of this Agreement.

2.27. **Rental Commencement Date** means the date Concessionaire is obligated to commence payment of Rental Obligations under this Agreement and will be on the first day of the month following the Date of Beneficial Occupancy.

2.28. **Rental Obligation** means the monthly rental obligation listed in Section 9.1 of this Agreement, which shall be the MAG payment or the Monthly Rent Obligation payment, whichever is greater.

2.29. **Rental Obligation – Additional Storage** means the monthly rental obligation listed in Section 9.5. The Concessionaire's monthly rental obligation for Additional Storage shall be the fair market value as determined by the Airport on an annual square foot basis.

2.30. **Turn-Over of Leased Premises** means the physical turn-over of the Leased Premises to the Concessionaire for construction and operation pursuant to the terms and conditions of this Agreement.

3. TERM

3.1. **Original Term of this Agreement.** The term of the Concession Agreement shall be for eleven (11) years, commencing on the 1st of May, 2024 through the 30th of April, 2035 unless sooner terminated or canceled as herein provided.

3.2. **Holding Over.** Should the Concessionaire hold over the Leased Premises after this Concession Lease has been terminated in any manner, Concessionaire shall continue such holding over only at sufferance to the County. In the event of such holding over, the County shall be entitled to collect from Concessionaire double the amount of the monthly prorate share of the Minimum Annual Guarantee each month or portion thereof during the holdover period. All other terms and conditions in such holdover shall be the same as herein provided.

4. LEASED PREMISES

4.1. **Leased Premises.** As further indicated in Exhibit A1-A7, the Leased Premises shall consist of approximately 8,217 square feet for the placement of Food and Beverage, and Retail concepts inside the Airport. In addition, Leased Premises include a vertical garden and concessionaire operated vending machines.

4.2. **Additional Storage.** Additional Storage may be added as an office and administrative space and for the preparation and storage of products necessary. The County shall have the right to charge the then-market rate for additional storage space leased by the Concessionaire.

4.3. **Amendment of Leased Premises.** The Airport and Concessionaire may, during the Term and by mutual agreement, add additional certain revenue-generating space(s) or non-revenue generating space(s) or delete any space(s) from the Leased Premises. All non-revenue generating space(s) added to the Leased Premises pursuant to this Section shall be subject to all the terms, conditions, and other provisions of this Agreement, and Concessionaire shall pay the Airport all rents, fees, and charges applicable to the additional space(s) by this Agreement. In deleting space(s) from the Leased Premises, rents, fees, and charges paid to the Airport by the Concessionaire shall be appropriately adjusted.

4.4. **No Liability.** Concessionaire shall not be compensated, and the Airport shall not be liable for any inconvenience to Concessionaire, for any interruption of Concessionaire's business, or any other damages as a result of moving to replacement Leased Premises; provided, however, Concessionaire shall receive a day for day abatement for all rent, fees, and charges for each day that Concessionaire is not able to open for business to the public due to such reclaiming or relocation of the Leased Premises.

4.5. **Leased Premises Acceptance As-Is.** Concessionaire accepts the Leased Premises in their current condition, as-is and with all faults, as of the date of the Turn-Over of Leased Premises. The Airport shall not be obligated to construct additional improvements or to modify existing conditions, nor to provide services of any type, character, or nature (including any utilities or

telephone/data service) on or to the Leased Premises during the Term other than as explicitly stated in this Lease.

4.6. **No Warranty of Economic Viability.** The Airport makes no warranty, promises, or representations regarding the economic viability of the Leased Premises, the Concessionaire's business concept(s), or any other matter pertinent to the potential or likelihood for success or failure of the Concessionaire's business operations. Concessionaire acknowledges that airline gate usage and other aspects of Airport operations are subject to change during the Term without notice and that the Airport makes no warranty regarding the location of the airline gate or terminal usage. Except as is expressly set forth herein, the Airport shall not, by virtue of the existence of this Lease, be constrained in connection with its operation of the Airport. Opening a business anywhere involves an amount of risk. By signing this Agreement, Concessionaire affirmatively states that they have investigated the Concessions' potential for success and failure and willingly accept said risk.

5. CONSTRUCTION AND CAPITAL INVESTMENT

5.1. **Construction by Concessionaire.** The Concessionaire shall be obliged to design, completely finance, and construct certain Leasehold Improvements to the Leased Premises at the areas designated on Exhibits A1-A7. Construction must be coordinated with the County and performed in phases to limit negative impacts on passenger experience. All constructions performed by Concessionaire shall be conducted pursuant to the terms and conditions of this Agreement.

5.2. **Minimum Initial Capital Investment.** The Concessionaire's minimum capital investment towards the initial design, construction, and equipping of the Leased Premises shall be $2,268,963. The Concessionaire shall be responsible for all costs associated with the initial improvements of the Leased Premises, even if the cost is greater than the proposed amount.

5.2.1. If the actual initial capital investment, as certified by the Concessionaire, is less than the proposed Minimum Capital Investment, then Concessionaire agrees to pay to the Airport within thirty (30) days of such determination, the difference between the actual initial capital investment and the Minimum Initial Capital Investment. Any amounts paid to the Airport as a result of this provision shall not be deemed a capital investment for any purpose under this Agreement, nor shall it be deemed payment of any rent or other fees due under this Agreement.

5.3. **"Eligible Costs"** means, for any expenditures made by Concessionaire for Leasehold Improvements, including those made as Minimal Initial Capital Investments, the following:

5.3.1. Construction Costs, and

5.3.2. Architectural and engineering fees, construction management fees, and the cost to obtain the applicable permits, which amounts under this clause shall not exceed fifteen percent

(15%) of the contracted Construction Costs unless otherwise approved by the Airport in writing, and

5.3.3. Capital Improvements (including any equipment and custom-built "trade fixtures"), which constitute fixtures installed for use in the Premises, and

5.4. Non-Eligible Cost. Notwithstanding the foregoing, the definition of Eligible Costs shall exclude:

5.4.1. Costs for construction incurred by the Airport, and

5.4.2. Costs in excess of one hundred twenty-five percent (125%) of the estimated costs of Capital Improvements provided by the Concessionaire to, and approved in writing by, the Airport at the time preliminary approval is sought unless otherwise specifically approved by City in writing, and

5.4.3. Any overhead, financing costs (e.g., loan origination fees or interest, points, legal fees, or any non-construction-related cost) in connection with said construction.

5.5. In order for expenditures to qualify as Eligible Costs, documentary evidence of payments for expenditures on improvements to the Leasehold Improvements must be provided to the Airport.

5.6. **Submittal Plans and Specifications.** Concessionaire shall submit preliminary plans and specifications for proposed Improvements to the Premises to the Director within 30 days after the Agreement is executed.

5.7. **Approval of Plans and Specifications.** The Airport will review and respond to submittals of plans and specifications within twenty-one (21) days or provide notice to Concessionaire that the review time has been extended. In the event of disapproval by the Airport of any portion of any submittal of plans and specifications, Concessionaire shall promptly make modifications and revisions and re-submit for approval by the Airport.

5.8. **Approval of Projects.** Concessionaire may submit and the Airport may approve construction plans and specifications on an individual project basis. For purposes of this Agreement, an "Approved Project" shall mean any project that has been approved by the Airport.

5.8.1. **Disclaimer of Compliance with Laws or Codes.** The approval by the Airport of any plans and specifications refers to the conformity of such plans and specifications to the Concession Design Criteria Manual and other Airport standards that may be provided. Approval of any plans and specifications by the Airport does not constitute its representation or warranty as to their conformity with applicable laws, statutes, codes, or permits, and responsibility for conformity, therefore, at all times, remains with Concessionaire.

5.9. **Approvals Extend to Architectural and Aesthetic Matters.** Required approval of the Airport will extend to and include architectural and aesthetic matters. The Airport reserves the right to reject any designs submitted by Concessionaire and to require Concessionaire, at

Concessionaire's expense, to make modifications and revisions and to resubmit designs until designs are deemed acceptable and subsequently approved in writing by the Airport.

5.10. **Design and Permitting**. Concessionaire shall be responsible, at its sole cost and expense, for the costs of design and permitting of all improvements within the Leased Premises and shall not commence any work with respect to an Approved Project until all governmental permits and approvals for the Approved Project have been obtained. At no cost or liability to the Airport, the Airport shall cooperate in all reasonable respects with the Concessionaire's efforts to obtain such permits and approvals, which cooperation shall include, without limitation, the execution of such instruments as may be required by governmental authorities for Concessionaire to apply for and obtain such permits and approvals.

5.11. **Performance and Payment Bonds**. During the lease term, if Concessionaire constructs or renovates Leasehold Improvements that require construction or engineering permits, they must provide Payment and Performance Bonds in an amount equal to the construction cost. The bonds must be provided by a company authorized to write such bonds in Wisconsin, with an "A" or better rating in the most current edition of the A.M. Best Insurance Report, and must be countersigned by a Wisconsin licensed agent. The bonds must remain in force until Concessionaire submits lien waivers from all contractors and subcontractors. The Airport and County will retain the bonds for the duration of the construction.

5.12. **Ownership of Improvements**. All improvements, additions, or alterations, including trade fixtures, equipment, furniture, Improvements, additions, and alterations made to the Premises by the Concessionaire shall become the property of the County free and clear of any demand, lien, claim or other encumbrance of the Concessionaire, upon the expiration or earlier termination of this Agreement. However, if requested In writing by the County, the Concessionaire will remove any such Improvement, addition, or alteration at the Concessionaire's sole expense and will repair all damages caused by such removal.

5.13. **Commencement of Construction**. Concessionaire shall, at its own cost and expense, commence construction of an Approved Project within ten (10) days of the Turnover of Leased Premises date stated in the notice to proceed for such Approved Project; all necessary building, demolition, or other permits and approval must be obtained by this date, and Concessionaire agrees that all construction work to be performed, including all workmanship and materials, shall be of first-class quality and in accordance with the Development Schedule. All construction shall be performed in accordance with the requirements of this Agreement and applicable laws, regulations, ordinances, codes, and permits. The Airport shall have the right to inspect each Approved Project from time to time.

5.13.1. **Cooperation during Development Period.** During all phases of the Development Period, Concessionaire shall cooperate and provide such other documentation or information reasonably requested by the Airport, Authorized Representative, or Program Manager to

ensure the proper and timely coordination of the development tasks or activities necessary for the project's timely completion.

5.13.2. **Completion of Construction**. The Concessionaire must complete all Approved Projects and open for business by the required completion date set forth in the notice to proceed with the Approved Project, which is anticipated to be sometime in July 2025. Failure to complete the approved projects and open for business by the required completion date may result in Liquidated Damages.

5.14. **Project Closeout**. For each Approved Project, Concessionaire shall conform to project closeout and operational readiness activities and further agrees that it shall deliver to the Airport within sixty (60) days of the construction completion date the following evidence of completion:

5.14.1. "As built" record documents of the construction, additions, and other modifications constructed by the Concessionaire on the Leased Premises. During the Term, the Concessionaire shall keep said documents current, with all changes or modifications made by Concessionaire in or to the Leased Premises or additions thereto.

5.14.2. A statement certified by Concessionaire's chief financial officer specifying the final capital investment related to each of the Approved Projects with the level of detail as requested by the Airport.

5.14.3. A certification that construction has been completed in accordance with the approved plans and specifications and in compliance with all laws and other governmental rules, regulations, and orders.

5.14.4. Certified proof demonstrating that no liens exist on the Leased Premises, including but not limited to, a waiver of lien from all construction contractors and signed releases from all subcontractors that indicate receipt of payment in full for all work performed or trade fixtures delivered.

5.15. **Additional Improvements and Alterations**. Concessionaire shall make no alterations or improvements, to the Leased Premises following the Date of Beneficial Occupancy of each concept without the prior written approval of the Airport, which shall set forth the procedures applicable to the alteration. To obtain the Airport's written authorization, Concessionaire agrees to submit written specifications of the modifications requested to the Authorized Representative. The Airport's approval shall not waive any local, State, or federal requirements governing such alterations and improvements. All alterations and improvements made to the Leased Premises will be at the sole cost and expense of Concessionaire.

5.16. **Removal of Unapproved Improvements**. Improvements made on the Leased Premises without the approval of final plans for said improvements as outlined herein are hereby determined to be unapproved improvements constructed or installed in violation of the conditions, restrictions, and requirements of this Agreement. Unapproved improvements shall

be immediately removed at Concessionaire's sole expense unless otherwise approved in writing by the Airport. Portions of improvements that are not constructed as indicated and specified on approved plans are also hereby determined to be unapproved improvements and shall be immediately removed or corrected at Concessionaire's sole expense.

5.17. **Delayed Commencement Fee for Failure to Complete Construction of an Approved Project**. Concessionaire acknowledges that if it fails to open for business by the required completion date, the delay may cause the Airport to suffer substantial damages; therefore, if Concessionaire fails to either complete the construction of one or more Approved Projects or open the concession location for business by the required completion date, the following will apply:

5.17.1. If Concessionaire is unable to open any unit by the commencement date, a delayed commencement fee shall be due to the Airport in the amount of one and a half (1.5x) time the projected rent for said unit(s), until the date that said unit is open for business; and

5.17.2. If the Concession Location is not open for business within thirty (30) days after the required completion date, the failure is an event of default. The Airport has the right to exercise any and all remedies herein, at law or in equity, including but not limited to the option to terminate this Agreement or to remove the applicable concession location from the Leased Premises.

5.18. **Delay Due to Force Majeure**. Notwithstanding the foregoing, the parties agree that any delay in the construction of any improvements due to Force Majeure or acts of the Airport or the Airport's contractors shall extend the required completion date for an Approved Project day for day. Any extension provided per the terms of this Section shall be limited to the actual delays caused by any such Force Majeure event or act of the Airport. However, the Airport shall have no liability to Concessionaire for compensation or damages for any such delay.

6. LIENS

6.1. **Waiver.** The County and the Airport and the interest of the County and the Airport in the Leased Premises shall not be liable for or subject to any mechanic's, laborer's or materialmen's liens for materials furnished, improvements, labor, or work made by or for Concessionaire to the Leased Premises. Concessionaire shall not pledge, lien, or otherwise encumber any assets located at the Airport or any interest in this Agreement without prior written approval by the Airport. Concessionaire shall not allow any mechanic's, materialmen's, or laborers' liens to attach to the Leased Premises. Concessionaire shall require every sub-concessionaire, sub-tenant, contractor, or sub-contractor with whom its contracts to execute a waiver of the right to file any liens against the Airport or the Leased Premises, which waiver shall be effective against claims by any such entities and all material, vendors, laborers, and workers arising from any work, services, or goods furnished at the Airport.

6.2. **Discharge.** In the event any construction, mechanic's, laborer's, materialmen's or other lien or notice of lien is filed against any portion of the Leased Premises for any work, labor, or materials furnished to the Leased Premises, whether or not the same is made or done in accordance with an agreement between the Airport and Concessionaire, Concessionaire will cause any such lien to be discharged of record within thirty (30) days after notice of filing thereof by payment bond or otherwise or by posting with a reputable title company or another escrow agent acceptable to the Airport, security reasonably satisfactory to the Airport to secure payment of such lien if requested by the Airport, while Concessionaire contests to the conclusion the claim giving rise to such lien.

6.3. **Lien and Privilege.** To the extent permitted by law, the Airport shall have a lien upon all Trade Fixtures and Personal Property of the Concessionaire placed in or on the Leased Premises for the purpose of securing the payment of all sums of money that may be due to the Airport from Concessionaire under this Agreement. This lien shall supersede any other lien, including any lien created in connection with Concessionaire's financing. Concessionaire is prohibited from pledging any Trade Fixtures and/or Personal Property without prior written permission from the Airport.

7. USE OF LEASE PREMISES

7.1. **Permitted Uses.** Pursuant to the terms and conditions of this Agreement, the Leased Premises shall be used by Concessionaire or its sub-concessionaires and/or sub-tenants only for the provision of food and beverage service, news, gift, and retail services, use as an office and administrative space, and for the preparation and storage of products necessary for the provision of Concession services. The Airport may, in its sole discretion, expand the permitted uses of the Leased Premises.

7.2. **Innovative Growth and Customers First Uses.** Concessionaire shall partner with the County to explore, implement, and maintain innovative growth and customer-first initiatives, such as autonomous markets, food lockers, etc., within the Leased Premises and throughout the Airport.

7.3. **Vending Machines.** Concessionaire shall install and operate vending machines and micro markets (herein "Vending Machines") on the Leased Premises. With written approval from the County, the Concessionaire may add, delete, or replace Vending Machines. The Airport reserves the right to install and maintain, through contractors of its choosing, vending machines at the Airport, including in Support Spaces.

7.4. **Restricted Uses.** Nothing contained in this Article should be construed as authorizing Concessionaire to conduct any business not specifically permitted by this Agreement or in areas at the Airport other than the Leased Premises. Any rights not specifically granted to Concessionaire are hereby reserved by the Airport.

7.4.1. **Interference with Airport Operations.** The Concessionaire shall not use the Leased Premises or allow the Leased Premises to be used in any manner that interferes with or adversely affects the operation or maintenance of the Airport.

7.4.2. **Obstruction.** Unless approved in writing in advance by the Airport, which approval is in the Airport's sole discretion, Concessionaire will not obstruct any part of the Airport terminals outside of the Leased Premises and shall not otherwise interfere or permit interference with the Airport's use, operation, or maintenance. Concessionaire shall keep all service corridors, hallways, stairways, doorways, and loading docks free and clear of all obstructions.

7.4.3. **Entertainment.** Concessionaire and/or its sub-concessionaires and sub-tenants may not transmit any unlicensed or non-copyrighted music, radio broadcasts, recorded music, television, or movie broadcasts, in the Leased Premises in compliance with Federal Copyright Law found in Title 17 of the United States Code, or as amended. Concessionaire and/or its sub-concessionaires and sub-tenants must obtain any required permits, licenses, or copyrights.

7.4.4. **Cable Television.** The Airport reserves the right to require the Concessionaire to use one (1) cable television provider as selected by the Airport.

7.4.5. **Wireless Internet.** Concessionaire and/or its sub-concessionaires and sub-tenants are not permitted to install its own high-speed wireless local area network ("WLAN") without the express written consent of the Airport.

7.5. **Compliance with Applicable Laws, Ordinances, Permits, and Licenses.** Concessionaire and its sub-tenants shall comply with all provisions of this Agreement and applicable state, federal, and local laws, and ordinances, as well as all permits and licenses necessary for the operation of the services provided on the Leased Premises. The Airport may assess liquidated damages set forth in Section 6.24 until such prohibited act is ended. Moreover, if the prohibited act is not corrected as directed by the Airport, the Airport or its representative shall have the right to enter upon the Leased Premises and take corrective action. Concessionaire agrees to promptly reimburse the Airport for any related costs, plus an administrative fee of fifteen percent (15%) of the corrective action costs.

8. OPERATIONS AND PERFORMANCE STANDARDS

8.1. **The Airport's Requirements.** The occupancy and use by the Concessionaire of the Leased Premises and the rights herein conferred upon the Concessionaire shall be subject to the Airport's rules and regulations and operating directives as are now or may hereafter be prescribed by the Airport through the lawful exercise of its powers.

8.1.1. **Additional Compliance.** Concessionaire shall comply with all applicable laws, ordinances, regulations, codes, licenses, and permits in the conduct of its operations under this Agreement, including, but not limited to, TSA regulations regarding products or procedures.

8.2. **Performance Standards.** The concessionaire shall conduct its business in a manner to meet the needs of Airport patrons and employees and in a manner that will reflect positively upon the Concessionaire, the Airport, and the County. The Concessionaire shall equip, organize, and efficiently manage the Leased Premises to provide First-Class Operation.

8.2.1. **Health and Safety Standards.** Concessionaire shall comply with all health and sanitary regulations adopted by the Airport, Outagamie County, the State of Wisconsin, and any other governmental authority with jurisdiction over the Airport. Concessionaire shall give access for inspection purposes to any duly authorized representatives of all such governing bodies. Concessionaire shall provide the Authorized Representative with copies of all inspection reports by other health and sanitary governing bodies within forty-eight (48) hours of receipt. This paragraph does not require Concessionaire to waive any applicable attorney-client or attorney work product privileges.

8.3. **Quality.** All products and merchandise sold or kept for sale shall be of high quality and wholesome and must fully conform with all applicable food and drug laws, ordinances, and regulations, as well as the Airport's rules and regulations and operating procedures.

8.3.1. **Quality of Products and Services.** Concessionaire shall ensure that all customers are provided First-Class merchandise and services, and Concessionaire shall keep in stock and have ready for sale at all times of operation a sufficient supply and variety of the most popular products and goods offered for sale at each location, consistent with the product price list, to meet the demand of customers at the Airport.

8.3.1.1. **Quality Deficiencies.** If the Airport identifies any issues, such as inadequate quality, variety, or quantity of goods or services offered, the Airport can send a written notice of the issues to the Concessionaire. The Concessionaire must address and fix the issue(s) within three business days.

8.4. **Visible Pricing.** Prices for all merchandise must be displayed and available to all customers. The Airport may require the Concessionaire to display local pricing comparisons to promote consumer confidence in price-sensitive items, like bottled water.

8.5. **Product Displays**. The Airport reserves the right to approve all product displays. Concessionaire hereby affirms that the Airport, in its sole discretion, has the absolute right to require that the Concessionaire discontinue the sale of any product the Airport deems unsatisfactory, distasteful, or inappropriate for any reason and to require the Concessionaire to modify product displays for any reason. If Concessionaire fails to comply with any such request by the Airport within one (1) day after written notice from the Airport, the Airport may assess liquidated damages as described in Section 8.38.

8.6. **Personnel and Training.** Concessionaire shall hire, train, supervise, and deploy enough, properly trained representatives, agents, and employees (collectively hereinafter referred to as Personnel) to service customers in a timely and efficient manner and to properly meet Concessionaire's obligations herein.

8.7. **Supervision of Employees.** Concessionaire shall closely monitor Personnel to ensure First-Class service to customers in compliance with this Agreement. The satisfactory performance of the obligation hereunder shall be determined at the sole discretion of the Airport. Concessionaire shall take all proper steps to discipline Personnel who participate in acts of misconduct on or about the Leased Premises.

8.8. **General Manager.** The Concessionaire shall appoint an active, qualified, competent, and experienced General Manager to oversee and manage Concessionaire's performance and represent and act on behalf of the Concessionaire. The General Manager shall have full authority to make day-to-day business decisions on behalf of the Concessionaire with respect to the operation of the concession program including, but not limited to, authority to control the conduct and demeanor of the Concessionaire's Personnel. The General Manager shall represent the Concessionaire in dealings with the Airport and shall coordinate all concession activities with the Airport. The General Manager shall be assigned to an office at the Airport and shall be at the Airport during the Airport's regular business hours. The Airport may require the General Manager to be at the Airport during peak travel periods and or outside of the Airport's regular business hours. The General Manager shall designate a qualified, competent, and experienced subordinate to be in charge and available during the General Manager's absence during Concessionaire's regular operating hours.

8.9. **Concessionaire Provided Customer Service Training.** Concessionaire shall implement a customer service training program and require that all employees employed by Concessionaire at the Leased Premises shall complete Concessionaire's training program within one month (1) of their employment commencement date and receive additional customer service training each Agreement Year. The Airport may require Concessionaire to provide additional customer service training to employees who receive an unsatisfactory mystery shopper score or customer review.

8.10. **Additional Personnel Requirements.** In addition to the Personnel requirements set forth herein, Concessionaire shall ensure that all Personnel engaged in the performance of the Concession shall conform to the Airport's rules, regulations, and operating procedures.

8.11. **The Airport's Right to Object.** The Airport shall have the right to object to the demeanor, conduct, and appearance of any personnel of Concessionaire or any of its invitees or those doing business with it. Immediately upon notice of objection by the Airport, Concessionaire shall take all steps necessary to remedy the cause of the objection. If requested by the Concessionaire, the Airport shall present its objections in writing and provide Concessionaire the opportunity to reply to the objections and such reply will be given consideration by the Airport.

8.12. **Cost of Delivery and Distribution.** Concessionaire is responsible for the cost of delivery and distribution of goods, including but not limited to any transportation cost, security screening services, and repair of any damaged Airport facilities.

8.13. **Delivery and Distribution Scheduling.** Concessionaires must establish dependable and flexible delivery and distribution schedules that enhance security, do not disrupt airline service, and ensure that the Concessionaire always has products and goods available for purchase. In addition, Delivery and Distribution routes must also limit passage through public areas traversed by the passengers.

8.14. **Equipment.** Any equipment used to bring goods in or waste out shall have rubber wheels to protect the terminal flooring. Equipment shall be identified by professional, waterproof labels or placards. Equipment must be kept clean and in proper working order. Equipment used to bring in goods may not be used to bring waste out. Waste-out equipment must be leakproof and be able to enclose its contents. The Airport reserves the right to require Concessionaire to replace any equipment.

8.15. **Pricing.** Concessionaires shall provide quality food and beverage, news, gift, and specialty retail at prices that do not exceed ten percent (10%) above the average price charged for similar or identical products that are equal in size, at identical or similar concepts in the Greater Fox Cities Area for Airport approval.

8.15.1. For merchandise with a pre-printed price affixed by the manufacturer or distributor, the selling price at the Airport shall not exceed the pre-printed price.

8.15.2. Nationally and locally branded concepts shall be compared to three (3) locations of the same brand located in the Greater Fox Cities area.

8.15.3. If three (3) locations of the same brand located in the Greater Fox Cities area do not exist, Concessionaire must benchmark against as many of the same brand locations as possible and shall follow the policy found in Section 8.15.4 for the remaining comparisons.

8.15.4. For all non-branded, proprietary, or branded concession locations not represented off-Airport in the Fox Cities Area, the price for merchandise at the Airport shall not exceed the

average price by more than ten percent (10%) for the same or similar merchandise (of like size and quality). Three Price Benchmark Establishments must be selected by Concessionaire. Three (3) additional Price Benchmark Establishments may be selected by the Airport if the Airport believes that the concessionaire has left out comparable locations in favor of locations that maintain a pricing structure that does not provide value to the customer. In such a case, the price can be, at most, the average price of the six (6) locations plus ten percent (10%).

8.15.5. **Excluded Locations.** Hotels, stadiums, arenas, movie theaters, amusement parks, and similar point-of-Interest locations shall not be used as a Price Benchmark Establishment.

8.15.6. **News and Gift (Convenience) locations** are comparable to neighborhood convenience stores such as Walgreens and CVS and national gas stations like Shell and Exxon. At least one (1) neighborhood convenience store or national gas station must be used in Price Benchmark Establishments in reports for News and Gift (Convenience locations).

8.15.7. **Amendments to Benchmarks.** Once approved by the Airport, the businesses (hereinafter referred to as the Price Benchmark Establishments) will be used as the basis for price comparisons during the remainder of the Term. In the event any of the Price Benchmark Establishments ceases operations or, at the sole discretion of the Airport, alters its concept, branding, service style, merchandise selection, or menu to no longer be a valid comparison, Concessionaire must propose a substitute Price Benchmark Establishment for approval by the Airport.

8.16. **Price Surveys.** No later than forty-five (45) days prior to the Rental Commencement Date and prior to the beginning of each year of the Term, Concessionaire shall, at its own expense, prepare a product and price survey of the Price Benchmark Establishments that demonstrates, to the satisfaction of the Airport, Concessionaire's compliance with the pricing standards herein. Concessionaire shall also provide to the Airport, a price list of the top 15 items, by volume and gross revenue, to be sold at a concessions location which shall be subject to the approval of the Airport. Further, at any time during the Term, Concessionaire shall provide a current product price list to the Authorized Representative within ten (10) days of a written request by the Director.

8.17. **Price Changes.** Throughout the Term, Concessionaire may request changes to pricing at most once every four (4) months. Requested price changes must be submitted in writing and include such information and data as reasonably requested by the Authorized Representative, including, but not limited to, the results of price surveys or other economic justification supporting the requested price changes(s). In its sole discretion, the Airport shall determine which price changes are consistent with the Pricing Standard and notify Concessionaire in writing of its approval or rejection of each requested price change. If the Concessionaire submits a price request that Is found to be non-compliant with Pricing policy (e.g., greater than 10% of the market basket), the Airport may reject any further request until the following four

(4) month period. No later than ten (10) days after any adjustment to prices, the parties agree to modify the product price list to incorporate said price adjustments.

8.18. **Airport Employee Discount.** Concessionaire shall offer a ten percent (10%) discount on all merchandise purchased by Airport employees and employees of airlines operating at the Airport who have been issued (and show at the time the discount is requested) appropriate identification badges. The discount shall be based on Concessionaire's normal non-sale or non-promotional prices.

8.19. **Price Conformance.** At any time during the Term, the Airport may survey or cause to be surveyed prices being charged for goods or services offered by Concessionaire. The Airport shall have the right to monitor and test all the Concessionaire's merchandise prices by a shopping service or the Airport personnel. If the Airport concludes, based on the results of the survey, that any prices being charged by Concessionaire do not comply with the Pricing Standard, the Airport will require Concessionaire to adjust prices to the amounts permitted herein.

8.20. **Price Adjustments.** The Concessionaire shall, within three (3) days of receiving written notice from the Airport, adjust any prices that the Airport determines, in its sole discretion, to be inconsistent with the pricing standard. Failure to rectify any pricing discrepancies within the three (3) business days constitutes a material breach by the Concessionaire of this Agreement and, in addition to the assessment of liquidated damages as set forth herein and all other remedies available to the Airport, the Airport may, in its sole, terminate this Agreement.

8.21. **Deficiency Penalty-Pricing Policy.** In addition to performance standards liquidated damages which may be assessed upon initial notice of noncompliance, Concessionaire is subject to deficiency penalties for failing to rectify any pricing discrepancies within three (3) business days. The deficiency penalty for failure to comply with the pricing policy shall be $100 per item per day.

8.22. **Hours of Operation.** Unless otherwise agreed to in writing by the Airport, which shall be in the Airport's sole discretion, Concessionaire shall ensure that, throughout the Term, each concession location is open daily for business without interruption during the hours of operation, which shall be (i) the time that the TSA checkpoint opens, until 30 minutes prior to the last actual aircraft departure from the area or (ii) 5 am till 9 pm, whichever provides the highest level of service as determined by the Airport.

8.22.1. **Changes to Store Hours.** The Airport may, at its sole discretion, change store hours during the Term. Concessionaire hereby acknowledges and agrees to operate the concession locations as required, which, if requested by the Airport, may be 24 hours per day, seven (7) days per week, including all holidays. Concessionaire may request changes to store hours. The Airport may, in its sole discretion, approve such requested changes.

8.22.2. **Irregular Operations or Emergency Hours of Operation**. In the event of irregular operations or emergency, as determined by the Airport, Concessionaire shall remain

continuously open and provide all goods and services as required by the Agreement for the concession locations beyond the then-current store hours as instructed by the Director or designee. The Airport will provide Concessionaire with as much warning of this necessity as possible under the circumstances. However, Concessionaire acknowledges that sometimes the amount of warning for the need to continue operating past normal closing hours may be minimal, and Concessionaire commits to operating during any hours directed by the Airport. Concessionaire will have a plan to ensure continued operations, subject to review by the Airport.

8.22.2.1. Should the Airport authorize the Concessionaire to distribute merchandise or provide services during an emergency free of charge or for discounted prices, Concessionaire shall track all goods and services provided and shall submit to the Airport for reimbursement. If approved by the Airport, reimbursement will be provided in the form of Rent credit.

8.22.3. **Failure to Maintain Hours of Operation.** Failing to maintain posted hours of operation shall constitute a violation of this Section, for which the Airport may assess liquidated damages as further described in Section 8.38. Repeated failure to maintain posted hours of operation may constitute an Incidence of default under this Agreement.

8.23. **Badging and Security Requirements.** All of the Concessionaire's personnel who work at the Airport must apply for and be issued a proper security identification badge prior to beginning work at the Airport. Concessionaire shall be responsible for ensuring Personnel, vendor, and contractor compliance with all security rules, regulations, and procedures, including, but not limited to, those issued by the FAA, TSA, and the Airport. The rules, regulations, and procedures of the FAA, TSA, and the Airport regarding security matters may be modified during the Term and Concessionaire shall be required to comply with all modifications. Concessionaire shall pay all costs associated with obtaining the required security identification badge and security clearances for its Personnel, including, but not limited to, the costs of training and badging as established by the Airport.

8.24. **Badge-Related Liquidated Damages.** Concessionaire will comply with rules, practices, security restrictions, and regulations set forth by the County or any agency with jurisdiction at the Airport. Any liquidated damages assessed against the County because of the Concessionaire's failure to comply with the provisions of this paragraph or other intentional or negligent acts or omissions of the Concessionaire, its employees, or agents will be paid promptly, upon demand, to the County by the Concessionaire.

8.25. **Employee Clearance.** The Airport Director shall have complete control over granting, denying, withholding, or terminating security clearance for said employees. Clearance is required for all employees working in restricted/sterile areas upon being hired or assigned to the Airport. The Concessionaire shall not permit any employee to begin work in the restricted/sterile areas until the Airport Administration clears the employee through the

mandated 10-year fingerprint-based Criminal History background check, as well as all other background checks, and issues the necessary documents and ID/access badge.

8.26. **Use of SIDA Badge.** Concessionaire's Personnel who are issued security identification badges shall only utilize such badges and access rights in connection with the operation of the Concessionaire's business as outlined herein. Concessionaire's Personnel shall be informed by Concessionaire, in writing, of this requirement, and a violation of such shall be a basis for the termination of a Person's employment if that person violates such restrictions.

8.27. **Surveillance and Security Systems.** Concessionaire is responsible for securing their premises. With Airport approval, tenants may install their own surveillance and security systems for security, loss prevention, and quality assurance purposes. If such surveillance systems are installed, the Airport shall be given access to remotely monitor the system and the ability to download footage.

8.28. **Employee Parking.** Nothing in this Agreement shall be deemed to require the Airport to provide parking to Concessionaire's Personnel. The Airport may provide parking accommodations to Concessionaire's Personnel in common with employees of other concessionaires and users of the Airport subject to the payment of reasonable charges therefor as may be established from time to time by the Airport. In such an event, Concessionaire's Personnel must park within the designated areas.

8.29. **Employee Uniforms and Appearance.** The Airport is extremely interested in the appearance of Concessionaire employees. Concessionaire uniforms can create a sense of place, improve customer service, create a safer workspace, and mitigate security risks. A professional appearance may comfort passengers and lead to a professional attitude of the employee and increased sales. All uniforms must be approved in writing by the Airport.

8.29.1. Employees who traverse the AOA for the purpose of distributing goods must wear reflective safety vests on the outermost garment that clearly identifies the Concessionaire.

8.30. **Point of Sale Terminals.** Concessionaire must install electronic point-of-sale terminal(s) (POS Terminals) to accurately record all transactions occurring in each concession location for accounting, reporting, and auditing purposes.

8.30.1. All POS Terminals used at the Airport must have the ability to be tied into systems allowing the Airport to remotely monitor transaction data, periodic reports for each location, and all locations included under this agreement. Alternatively, should remote monitoring not be feasible, Concessionaire shall provide the same data reports daily with a monthly summary, in a format that is acceptable to the Airport.

8.30.2. The Airport reserves the right to implement a universal point-of-sale system or other technology to work in tandem with Concessionaire's POS Terminals. Concessionaire agrees to cooperate in the implementation fully. If the Airport instructs Concessionaire to install any

technology, the Airport shall not be obligated to furnish Concessionaire with the technology, equipment, software, or systems necessary to do so.

8.31. **Complaints.** All customer complaints referred to Concessionaire by the Airport must be responded to by Concessionaire within one business day of receipt. A written copy of the Concessionaire's response shall be delivered to the Airport within said twenty-four-hour (24) period.

8.32. **Concessionaire Performance Audit.** The concessionaire shall regularly conduct self-performance audits and document their efforts and all findings. Performance audits shall include minimum objective standards in any or all the areas of (i) product quality; (ii) customer service; and (iii) cleanliness and maintenance. Upon request from the Airport, Concessionaire shall conduct additional audits within the prescribed timeframe. If not requested by the Airport, Concessionaire Performance Audits shall be provided to the Airport no later than first business day of the month, following the audit.

8.33. **Performance Audit.** The Airport reserves the right to conduct regular performance audits of the Leased Premises to assure that all the operational, safety, and compliance standards of this Agreement are consistently performed by the Concessionaire. Concessionaire acknowledges that performance audits will be conducted by the Airport, or its representative, and hereby agrees to cooperate with all performance audits. Additionally, the concessionaire shall conduct self performance audits as described herein or as requested by the Airport.

8.33.1. Performance audits may include minimum objective standards in any or all the areas of (i) product quality; (ii) customer service; and (iii) cleanliness and maintenance. If Concessionaire fails to meet minimum standards in any of these areas, the Airport may, at its discretion, assess liquidated damages as set forth in 8.38.

8.33.2. To ensure consistent adherence to performance standards throughout the Term, the Airport will use a rolling twelve-month (12) cycle to record incidents of failure to meet standards. The Airport reserves the right to assess liquidated damages for violations of performance standards as set forth in Section 8.38.

8.33.3. Repeated violations and deficiencies in performance by Concessionaire may result, at the Airport's sole discretion in the termination of this Agreement.

8.34. **Annual Review.** No later than ninety (90) days after the end of each year of the Term of the Agreement, Concessionaire will schedule a meeting with the Airport to review and evaluate the financial, customer service, and operational performance of each concession location. During the review, the Airport may determine, in its sole discretion, that the performance of one or more of the concession locations is unsatisfactory if one or more of the following occurred during the prior year:

8.34.1. Sales per enplaned passenger were less than ten percent (10%) of the projected sales per enplaned passenger for the concession location;

8.34.2. Sales per enplaned passenger were less than fifteen percent (15%) of sales per enplaned passenger for the same concession location during each of the two (2) preceding Agreement Years;

8.34.3. Scores on any secret shopper survey(s) conducted by the Airport or its representative were less than twenty five percent (25%) of the maximum achievable scores for the survey(s) ALTERNATIVE: "...were over ten percent (10%) less than the average (mean) of all stores shopped; or

8.34.4. Scores on any operational survey(s) conducted by the Airport or its representative scored less than eighty percent (80%) of the maximum achievable scores for the survey(s).

8.35. **Deficient Performance by Concessionaire.** The Airport, in its sole discretion, shall have the right to raise reasonable objections to the condition of the Leased Premises, the quality and quantity of products, merchandise and food and beverage, the character of the service, the hours of operation, and/or the appearance and performance of service personnel, and to require any such conditions or practices objectionable to the Airport be promptly remedied by Concessionaire. Such objections raised by the Airport shall be delivered to Concessionaire in writing, and Concessionaire shall correct, or cause to be corrected, such problem or deficiencies within seven (7) days of receipt of any such objections. If Concessionaire fails to correct within seven (7) days after written notice is given by the Airport, the Airport may assess penalties as described in Section 8.38.

8.36. **Remediation Plan.** If the Airport determines, based on the performance criteria specified in this Section 6, that a concession location performed unsatisfactorily during the prior Agreement Year, the Airport will provide written notice to Concessionaire. Within thirty (30) days of receipt of such written notice, Concessionaire shall prepare and submit to the Authorized Representative, for its approval, a Remediation Plan, as described below, to improve the performance of the Concession Location.

8.36.1. The Remediation Plan shall include, but not be limited to, proposed remedial activities such as employee training, staffing changes, merchandise and service modifications, facility refurbishment and repair, and/or replacement of concept or brand. Upon approval by the Airport, Concessionaire agrees to implement the approved Remediation Plan diligently and further agrees to submit to the Authorized Representative monthly reports on the progress of such implementation. If the approved Remediation Plan includes the replacement of a concept or brand, then the Airport and Concessionaire will enter good faith negotiations concerning a concept or replacement brand. In the event the Airport determines, after six (6) months of implementation of a Remediation Plan, the subject concession location is still performing in an unsatisfactory manner, the Airport reserves the right to require Concessionaire to replace the underperforming concept or brand if not already replaced by the Remediation Plan. Within ninety (90) days of receipt of written notice from the Airport requiring a replacement,

Concessionaire shall submit a proposal for a brand or concept replacement plan to the Authorized Representative. Such a replacement plan shall include, but not be limited to, a detailed description of the brand or concept, the capital expense required to re-brand, sales projections, and the specific timetable to replace the brand or concept. In its sole discretion, the Airport reserves the right to approve or deny the replacement plan and require Concessionaire to submit another replacement plan.

8.37. **Failure to Comply with Performance Standards**. Concessionaire acknowledges the Airport's objective to provide the public and air travelers with the level and quality of service as described herein. Accordingly, the Airport has established a series of penalties, as set forth in the table below, that it may assess, in its sole discretion, as liquidated damages for various violations of the provisions of this Agreement. Concessionaire and the Airport agree that the penalties set forth herein are reasonable, and Concessionaire further agrees to pay to the Airport such liquidated damages in accordance with the rates or in the amounts specified herein upon each occurrence of the specified violation and upon written demand by the Airport. The Airport will, in its sole discretion, determine the classification of each fine as per day or per occurrence. Concessionaire further acknowledges that the liquidated damages are not exclusive remedies, and the Airport may pursue other remedies as allowed for in this Agreement and, at law, in the Airport's sole discretion. The Airport's waiver of any fine provided for in this Section shall not be construed as a waiver of the violation or the Concessionaire's obligation to remedy the violation.

8.38. **Performance Standard Liquidated Damages.** Concessionaire 's failure to adhere to the operating requirements set forth in this Agreement is reasonably anticipated to result in significant inconvenience to the public, adversely affect the overall commercial business of the Airport, and reduce the amount of rent to be paid to County. Additionally, County resources will be expended in dealing with violations of this Agreement by Concessionaire. The parties hereby agree that total damages sustained by to County for violations of the provisions of this Agreement addressing this subject matter could be significant but would be difficult to determine and to track. Therefore, the parties hereto agree that the liquidated damages amounts set forth below for violation of Agreement terms addressing the referenced subject matter are reasonable estimates of the loss anticipated to be suffered or incurred by County. Concessionaire, therefore, hereby agrees that imposition of the liquidated damages set forth below is fair and reasonable and Concessionaire agrees to pay immediately upon demand by to County the following amounts as liquidated damages upon the occurrence of breaches, in any Contract Year, related to operation violations:

8.38.1. $100 per occurrence-first occurrence

8.38.2. $200 per occurrence-second occurrence

8.38.3. $300 per occurrence-third occurrence

8.38.4. $1,000 per occurrence-fourth occurrence
8.38.5. For hours of operations violations, liquidated damages shall be as follows;
8.38.6. $100 per hour or portion thereof, during which location is not open-first occurrence
8.38.7. $200 per hour or portion thereof, during which location is not open-second occurrence
8.38.8. $300 per hour or portion thereof, during which location is not open-third occurrence
8.38.9. $1,000 per hour or portion thereof, during which location is not open-fourth occurrence
8.38.10. County's failure to impose liquidated damages for any violation of the requirements set forth above shall not waive any right or prohibit County from doing so for subsequent violations.
8.38.11. Except for violations regarding the minimum hours of operation, the liquidated damages for which shall be incurred immediately and without notice upon violation, other liquidated damage amounts shall not be imposed unless the violation continues for more than three (3) calendar days after County has given Concessionaire written notice (and this written notice may be in the form of an email) of the violation; provided, however, after County has given Concessionaire notice of the same violation more than twice during any calendar year, the liquidated damage amount shall be immediately imposed with no opportunity to cure in order to avoid the sanction. Additionally, after two (2) violations of the same type in the same calendar year, County reserves the right, at its sole option, not to impose the liquidated damage and instead seek any other remedies available to it for an event of Default, including termination of this Agreement.

9. RENT

9.1. **Rental Obligation.** As consideration for the right to occupy the Leased Premises, Concessionaire shall make monthly rent payments (Rent) to the County for the full Term of the Concession lease. In all cases, the Rent due will be the greater of Percentage Rent versus the Minimum Annual Guarantee, which will be as calculated based on methodology found in either Section 9.4.
9.2. **Percentage Rent.** Concessionaire's Percentage Rent shall be the percent (%) of its Gross Revenue as described in Table 1 herein.

Table 1-Concessions Percentage Rent

Concession	Rental Percentage
Food And Beverage	
a) Food and non-alcohol beverages	12%
b) Alcohol beverages	16%
Retail	12%
Vending	14%

9.3.

9.4. **Minimum Annual Guarantee ("MAG").** During the first year of the Term Concessionaire will pay no MAG, but rather will pay only the percentage rent, as specified in Section 9.3. For the remainder of the Term, the MAG shall be calculated as eighty-five percent (85%) of all Rent paid during the preceding Agreement Year or three hundred thousand dollars ($300,000.00), whichever is greater. Each month, one-twelfth of the MAG will be compared to the percentage rent and the greater of those two numbers will be the monthly rent payment due.

9.5. **Additional Storage Rent.** The County shall have the right to charge the Concessionaire then-market rate for any additional storage or office space leased at the Airport by the Concessionaire.

9.6. **Monthly Rental Payments.** On or before the twentieth (20th) day of each month, Concessionaire shall deliver to the Airport a correct accounting statement In the form prescribed by the County and signed by Concessionaire or the Concessionaire's responsible agent under penalty of perjury. Each statement shall state; I) Minimum Annual Guarantee effective during the preceding calendar month; II) The amount of receipts subject to the percentage rent, broken down into categories of rent applicable; III) The Percentage Rent due for the previous calendar month for each unit of the Leased Premises and the sum thereof; IV) The total rent previously paid by Concessionaire for the Lease Year within which the preceding Calendar month falls; V) The Monthly Rent due for the preceding calendar month; and VI) Any Additional Rent due for the preceding calendar month.

9.7. **Form of Payment.** All payments due under this Agreement shall be accomplished in a form acceptable to the Airport.

9.8. **Pro-Rata Application of Rent.** For any period of less than one month during the Term, the Leased Premises Rent will be calculated on a pro rata basis in the same proportion that the number of days in the payment period bears to the total number of days in the month for which the Leased Premises rent is payable.

9.9. **Gross Revenues.** For purposes of calculating the monthly rental obligation, Gross Revenue includes:

9.9.1. All monies paid or payable to the Concessionaire for sales made, services rendered, and customer orders fulfilled at or from the Leased Premises, regardless of when or where the customer order is placed (including outside the Leased Premises).

9.9.2. Any receipts, credits, rebates, allowances, internet sales, or revenues of any type arising out of or in connection with the Concessionaire's or its sub-tenants' or agents' operations at the Leased Premises, including, but not limited to, branding fees, marketing fees, merchandising fees, promotional allowances, performance allowances, retail display allowances (RDA), and any other type of ancillary advertising or product placement fees, and other allowances and fees; and

9.9.3. Any income resulting from transactions originating in, facilitated by, at, or from the Leased Premises, and

9.9.4. Any deposits not refunded to customers.

9.10. **Not Included In Gross Revenue.** Gross revenue shall not include:

9.10.1. Any taxes imposed by law that are separately stated to and paid by a customer and directly payable to the taxing authority by Concessionaire.

9.10.2. Amounts and credits received from suppliers for products and merchandise returned by Concessionaire.

9.10.3. Cash and credit card refunds to customers for merchandise returned.

9.10.4. Amounts and credits received to settle claims for loss of, or damage to, merchandise.

9.10.5. Insurance proceeds received from the settlement of claims for the loss of or damages to Concessionaire's property at or on the Leased Premises other than the proceeds from business interruption insurance.

9.10.6. Intra-company store transfers.

9.10.7. Uniforms or clothing purchased by employees where such uniforms or clothing are required to be worn by employees.

9.10.8. Reimbursements from Concessionaire's sub-concessionaires for any taxes, fees, franchise or license fees, utilities, or other services paid or provided by Concessionaire for or on behalf of its sub-concessionaires; provided, however, that any reimbursement in excess of the actual cost of such taxes, fees, franchise or license fees, utilities or other services shall be included in Gross Receipts.

9.10.9. Rental, fees, and charges paid to Concessionaire by its sub-concessionaires pursuant to the provisions of this Agreement; provided, however, that any such payment in excess of the amounts required hereunder shall be included in Gross Receipts.

9.10.10. The redeemable value of gift cards sold at the Leased Premises. However, when a gift card is redeemed or accepted as payment for a purchase at the Leased Premises, the

transaction must be reported as part of Gross Receipts. Additionally, if there is any charge for the purchase of a Gift Card, that amount is immediately included in Gross Receipts.

9.10.11. Amounts for coupons and other forms of discounts (including but not limited to employee meals, complimentary customer meals, and the Airport employee discount described in 8.18 such that only the amounts received are ultimately included in Gross Receipts.

9.10.12. Gratuities for services performed by employees paid by Concessionaire or its customers except to the extent Concessionaire may be entitled to a portion of the gratuities.

9.11. **Annual Reconciliation.** At the end of each year during the Term, Concessionaire shall calculate payments due for the entire Agreement Year based on the greater of the MAG or rental payment as set forth herein. If Concessionaire has underpaid, Concessionaire shall pay the Airport the amount it has underpaid within ninety (90) days of the end of the Agreement Year. If Concessionaire has overpaid, the Airport will credit Concessionaire's future rent. Any overpayment made in the last year of the Agreement will be refunded to Concessionaire.

9.12. **Interest and Late Fees.** Any payment required by this Agreement that is not paid within seven (7) days of the date required herein, shall be considered delinquent. Concessionaire shall pay a penalty for late or delinquent payments during the Term of this Agreement and any extensions of fifteen percent (15%) per annum on the balance of the unpaid amount calculated from the date the amount is due until the close of the business day upon which the delinquent payment is received by the Airport.

9.13. **Concessionaire's Right of Abatement.** In the event that the following condition exists during the term of this Agreement, the minimum annual guarantee hereinabove provided for in Section 9.4 shall be abated for the period of time the condition exists:

9.13.1. **A major traffic reduction at the Airport.** A major traffic reduction shall be defined as a not less than twenty-five percent (25%) reduction in the number of passengers deplaning on scheduled airline flights at the Airport during any period of three (3) consecutive calendar months as compared to the number of such deplaning passengers in the same calendar months during the preceding calendar year.

9.13.2. The abatement amount for those months that are abated as defined in Section 9.13.1 will be the prorated reduction of that month's 1/12th payment of the minimum annual guarantee. For example, if May, June and July have a traffic reduction of 27%, 30% and 26% respectively, then the 1/12th minimum annual guarantee payment for May would be reduced by 27%, June would be reduced by 30%, and July would be reduced by 26%.

9.13.3. If the major traffic reduction continues for additional months, the proportional abatement will continue as well, until there is a month when traffic does not fall below the twenty-five percent (25%) threshold, at which time the full minimum annual guarantee payment shall be made for such month.

9.13.4. This major traffic reduction can only be identified after any three-month period ends; however, the major traffic reduction exists for any three-month period when all three months had a not less than twenty-five percent (25%) reduction in passenger deplanements. Overpayments of the MAG will be credited to the Concessionaire during the year-end reconciliation process described in 9.11.

9.14. **Disputed or Partial Payments.** In the event of a dispute as to the amount to be paid, the Airport shall accept the sum tendered without prejudice and, if a deficiency is determined to exist, interest shall apply only to the deficiency.

9.15. The right of the Airport to require payment of interest and the obligation of the Concessionaire to pay same shall be in addition to and not in lieu of the right of the Airport to enforce other provisions herein, including termination of this Agreement, and to pursue other remedies provided by law.

9.16. **The failure of the Airport to act** in the event of a delinquent payment or series of payments shall in no way waive the right of the Airport to take action at a subsequent time.

9.17. **Non-Abatement.** The rent and any other payment obligations shall be paid by the Concessionaire without set-off, notice, deduction demand, or abatement except as otherwise specifically provided herein.

9.18. **Remittance Of Payments.** All remittances shall be made payable to the Airport and forwarded, along with all monthly reports due.

Outagamie County Treasurer
410 S. Walnut St.
Appleton, WI 54911

with a copy of all reports to:

Airport Director
Appleton International Airport
W6390 Challenger Dr.
Appleton, WI 5914

9.19. **No Effect.** The MAG suspension shall have no effect on (i) any adjustments specified in this Lease to be made to the MAG, or (ii) the Deposit Amount.

9.20. **Effect of Default.** Notwithstanding anything to the contrary herein, in the event Tenant shall default under this Lease or any Other Agreement, the Director may immediately reinstate the MAG without giving to Tenant the benefit of any notice or right to cure as may otherwise be provided under this or Other Agreement.

9.21. **Subtenants.** Without limiting the provisions herein, Tenant subleases any portion of the Premises, Tenant shall offer to such subtenant(s) the same types of MAG suspension as are provided herein. Should Concessionaire fail to offer such MAG suspension to any subtenant, then Concessionaire will also not be eligible to receive a MAG reduction.

10. TAXES, UTILITIES, AND OTHER FEES

10.1. **Taxes and Permitting Fees.** Concessionaire or its sub-concessionaires or sub-tenants shall pay all taxes of whatever character, license fees, permit fees, and other charges or fees which may be levied or assessed against the Leased Premises, Leasehold Improvements, operations hereunder, and upon property or leasehold interests of Concessionaire and its sub-concessionaires or sub-tenants located thereon or used in connection therewith, or which may be levied or assessed on account of the transaction of Concessionaire or its sub-concessionaries or sub-tenants business in, on or about the Leased Premises. Taxes and other fees may be invoiced by a third-party provider and/or the Airport. Concessionaire or its sub-concessionaries or sub-tenants are responsible without deduction or set-off for obtaining and paying for all licenses and permits necessary or required by law for the construction of improvements, installation of equipment and furnishings, and any other licenses or permits necessary for the conduct of its operations hereunder.

10.2. **Utilities.** Concessionaire or its sub-concessionaires or sub-tenants shall pay all utility charges billed for its consumption of utilities at the Premises. Concessionaire or its sub-tenants shall be responsible for the installation and maintenance of utility metering equipment to be installed at each concession location located on the Leased Premises. If the Concessionaire fails to properly and accurately report and meter its utility consumption, then the Airport shall have the right to invoice Concessionaire an amount determined by the Airport, in its sole discretion, sufficient to pay Concessionaire's utility consumption.

10.3. **Shared Utility Maintenance Program.** The Airport shall maintain the sole discretion as to whether to implement a shared utility maintenance program. If such a program is implemented by the Airport, then the Concessionaire shall be required to participate.

10.4. **Other Costs and Fees.** Concessionaire and sub-tenants shall be responsible for any and all other costs, fees and expenses involved in the operation of business or arising from the occupancy or use of the Leased Premises by Concessionaire or its sub-concessionaires or sub-tenants, as well as repair and maintenance costs incident thereto.

11. SERVICES PROVIDED BY THE AIRPORT

11.1. **Maintenance of Terminal**. The Airport shall repair and maintain in good order the Airport, exclusive of the Leased Premises and any other areas of the Airport that are leased and the responsibility of any other parties. All maintenance and repair of the Leased Premises is the Concessionaire's responsibility.

11.2. **Utilities.** The Airport will provide utility mains and lines throughout the Airport. The Concessionaire, at its sole cost, shall tie into the utility mains and lines at the locations as specified by the Airport. Supplemental heated or cooled air, electrical or other utilities required by the Concessionaire in excess of what is customarily available in the Terminal Buildings will be, if approved by the Airport, at the expense of the Concessionaire.

11.3. **Maintenance of Utility Lines.** The Airport will maintain utility lines in the Airport. The Concessionaire shall maintain all utility tie-ins and utilities maintained on the Leased Premises. However, the Airport or its representative may, at the Airport's sole discretion, maintain the utilities within the Leased Premises and in doing so shall be permitted to enter upon the Leased Premises at all reasonable times to make any repairs, replacements, and alterations as may, in the opinion of the Airport, be deemed necessary. Furthermore, Concessionaire will permit the Airport or its representative access to construct or install over, on, in, or under the Leased Premises, new systems, pipes, lines, mains, wires, conduits, ducts, and equipment, provided; however, that the Airport shall exercise such right in a manner that minimizes interference with Concessionaire's operations.

11.4. **No Liability for Failure of Utilities.** The Concessionaire shall have no remedy against the Airport for interruption of any utilities.

11.5. **Reimbursement of Repair Costs.** Any damage to or failure of the utilities caused by the Concessionaire and repaired by the Airport shall be reimbursed by the Concessionaire for the cost thereof, plus an administrative fee of fifteen percent (15%) of any such costs.

12. OWNERSHIP OF IMPROVEMENTS; AND AMORTIZATION SCHEDULE; BUYOUT

12.1. **Ownership of Leasehold Improvements.** Upon completion of the construction thereof, any furniture, fixture, structure, alteration, addition, or improvement to the Leased Premises undertaken pursuant to this Agreement, whether temporary or permanent in character, excluding personal property and trade fixtures which can be removed without damage to the Leased Premises, shall immediately become part of the Leased Premises for purposes of this Agreement and shall automatically become the property of the County as owner, without compensation to Concessionaire upon the termination of this Agreement (except may be provided otherwise herein), and shall remain in place upon termination of this Agreement,

unless the Airport requests their removal prior to the termination or expiration of this Agreement. The Concessionaire shall, to the extent requested by the Airport, execute all documents deemed necessary as evidence of the transfer of title to any such improvements.

12.2. **Amortization Schedule.** Within one hundred and twenty (120) days upon completion of any Approved Projects whose value is greater than five percent (5%) of the Initial Capital Investment the Concessionaires shall certify the total amount Invested by the Concessionaire into the Improvements of the Leased Premises. Such certifications must include copies of receipts for payment of design and construction firms, the purchase of any equipment, and any and all other expenses that the Concessionaire will include in its Amortization Schedule. Concessionaire should note that receipts for payments (canceled checks, invoices marked paid by the recipients, etc.) are required, not initial estimates or any other preliminary cost proposal. Any expense not so documented will not be included in the final Concessionaire Leasehold Improvement Amortization Schedule ("CLIAS"). The Airport may audit any of the Projects or certifications that have been provided by the Concessionaire and the parties shall agree upon a final CLIAS that shall be attached hereto as Exhibit C.

12.3. **Leasehold Improvement Buy-Out.** The CLIAS shall detail all Leasehold Improvements eligible for the buy-out provisions of this Section 10.3. Concessionaire shall also provide the Authorized Representative with an amended CLIAS within one hundred twenty (120) days after any subsequent Leasehold Improvements are completed from time to time during the Term. The Airport's obligation to reimburse the Concessionaire for the unamortized value of Leasehold Improvements shall be limited to those Leasehold Improvements included on the CLIAS, which were previously approved by the Airport. In the event that the Airport and Concessionaire disagree on the value of a project to be included in the CLIAS, the parties shall submit such disputes to an independent certified public accounting firm acceptable to both the Airport and Concessionaire, and the determination of such firm shall be binding on the Airport and Concessionaire. The costs associated with obtaining such independent determinations shall be split equally between the Airport and Concessionaire.

12.4. **Construction Payment and Performance Bonds.** Prior to any commencement of any construction, alteration, or repair hereunder by Concessionaire that exceeds ten thousand dollars ($10,000) in cost, Concessionaire shall furnish to the County, at Concessionaire's sole cost, a performance bond and a payment bond issued by a surety Concessionaire licensed to transact business in the State of Wisconsin and approved by the County, in a form approved by the County. The penal amount of each bond shall be at least one hundred percent (100%) of the total cost of the contract or contracts for the construction, alteration, or repair. If such contract(s) involve alteration or work on or to the County's facilities, the performance and payment bonds shall be posted regardless of the dollar value of the work. The payment bond required by this Section shall guarantee the prompt payment to all persons supplying labor,

materials, provisions, supplies, and equipment used directly or indirectly by any contractor, subcontractor(s), and suppliers doing work provided for in the above-mentioned construction contract, and the performance bond shall guarantee the full performance of the work.

13. AIRPORT CONCESSIONS/DISADVANTAGED BUSINESS ENTERPRISES (DBE) PROGRAM

13.1. **DBE Policy.** Concessionaire agrees that this agreement is subject to the requirements of the U.S. Department of Transportation's regulations, 49 CFR part 23. The Concessionaire agrees that it will not discriminate against any business owner because of the owner's race, color, national origin, or sex in connection with the award or performance of any concession agreement, management contract or subcontract, purchase, or lease agreement, or other agreement covered by 49 CFR part 23.

13.2. Concessionaire agrees to include the above statements in Section 13.1 in any subsequent concession agreement or contract covered by 49 CFR Part 23.

13.3. Concessionaire shall comply with Outagamie County's approved Airport Concession Disadvantaged Business Enterprise (ACDBE) program submitted in compliance with all requirements imposed by or pursuant to the U.S. Department of Transportation's ACDBE regulations as enacted in Title 49, Code of Federal Regulations, Part 23, and the U.S. Department of Transportation's regulations Title 49 Code of Federal Regulations, Part 21 Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

13.4. Concessionaire shall complete the ACDBE Utilization Form in Exhibit D and submit the form to the Airport Director by May 1st, 2024. Concessionaire agrees that it will expend one point ten percent (1.10%) of the annual gross receipts with certified ACDBEs.

13.5. Concessionaire shall make a good faith effort to adhere to the ACDBE Utilization Form, which assures that one point ten percent (1.10%) of the gross receipts derived from the operation of its business at the Airport be attributed to ACDBEs certified by the Wisconsin Unified Certification Program and recognized by Outagamie County, throughout the concession term. If Concessionaire is unable to meet the assigned ACDBE goal Concessionaire must complete and submit the Good Faith Efforts Waiver Request From provided by the Airport. Any change to the ACDBE Utilization Form is subject to the Airport Director's approval. If Concessionaire desires to terminate the participation of the ACDBE firm for non-performance, Concessionaire shall get written approval from the Airport Director. Concessionaire shall be required to find a substitute ACDBE to replace the ACDBE firm's participation or shall be required to provide a Good Faith Efforts Waiver Request Form from if Concessionaire is unable to obtain such participation.

13.6. If Concessionaire fails to achieve and maintain the level of certified ACDBE participation stated in this Agreement and the Airport Director in their sole and absolute irrebuttable judgment does not believe that Concessionaire has made good faith efforts in its attempt to continue meeting the required level of ACDBE participation throughout the term of this Agreement, Outagamie County may consider this as a material breach of the Agreement and may terminate the Agreement in accordance with Section 17 of this Agreement.

13.7. Airport shall notify Concessionaire if new regulations are issued by the U.S. Department of Transportation (DOT) implementing Section 511 (h) of the Airport and Airway Improvement Act (AAIA) of 1982, as amended. Following such notification, Concessionaire shall be required to continue to meet the ACDBE goal set for this Agreement or to initiate all necessary and reasonable steps to achieve and/or maintain the newly established ACDBE goal throughout the remaining term of this Agreement. ACDBE participation may be in the form of any legal arrangement meeting the eligibility standards in 49 CFR Part 23, as currently stated or amended and shall be counted toward the goal as set forth in those regulations.

13.8. Concessionaire shall comply with appropriate provisions of 49 CFR Part 23 and shall submit a report bi-annually showing ACDBE participation. The report showing ACDBE participation for the first and second quarters of the year shall be due July 31, and the participation achieved in the third and fourth quarters shall be due on January 31. Such reports will be submitted for every full or partial year of the term of this Agreement.

14. MAINTENANCE OF LEASED PREMISES

14.1. **Cleaning and Routine Maintenance.** Concessionaire shall ensure that every concession location is maintained and operated in a First-Class manner and that the Leased Premises are kept in a safe, clean, orderly, and inviting condition at all times in a manner satisfactory to the Airport. To comply with these requirements, the Concessionaire must regularly review or cause to be reviewed the Leased Premises and their operations at the Airport.

14.2. **Pest Control**. Concessionaire, at its cost and expense, is responsible for pest control within the Leased Premises. Concessionaire shall contract with a professional pest control service to provide pest control services on a quarterly and as-needed basis. Concessionaire will coordinate its pest control service with third parties as directed by the Airport. Concessionaire must furnish the Airport with a copy of its pest control contract and monthly service reports. The Airport maintains the right to direct Concessionaire to have such additional pest control methods as it deems fit applied to the leasehold premises. Should Concessionaire fail to undertake such additional measures, the Airport maintains the right to implement such additional measures at the leasehold premises at the sole cost and expense of the Concessionaire.

14.3. **Preventive and Routine Cleaning and Maintenance Program.** Concessionaire shall establish a preventive and routine cleaning and maintenance program for the Leased Premises. A record of such preventative and routine cleaning efforts shall be maintained, including the name of the person/company which completed the effort, and the date it was done. The provisions of the program shall be subject to written approval. The Concessionaire shall provide the Airport with cleaning and maintenance program support once every month. The Airport may request additional reviews and revisions to the program.

14.4. **The Airport Sole Judge of Cleaning and Routine Maintenance.** The Airport shall be the sole judge of the quality of the Concessionaire's maintenance of the Leased Premises. The Airport or its representative may at any time, without notice, enter the Leased Premises to determine if maintenance satisfactory to the Airport is being performed. Performance by the Concessionaire of maintenance pursuant to a written maintenance plan previously approved by the Airport shall be conclusive evidence of satisfactory maintenance unless the Airport determines that there is a present and substantial danger or safety hazard within the Leased Premises. If the Airport determines that maintenance is unsatisfactory, the Airport shall notify Concessionaire in writing. Concessionaire will perform the required maintenance, to the Airport's satisfaction, within three (3) calendar days after receipt of written notice or the Airport or its representative shall have the right to enter upon the Leased Premises and perform the maintenance at Concessionaire's sole expense.

14.5. **Trash, Waste, and Garbage.** Concessionaire shall, at its own cost and expense, provide complete and proper arrangements for adequate sanitary handling and prompt, reasonable disposal of all garbage caused as a result of the operation of business by the Concessionaire and its sub-tenants on the Leased Premises. Concessionaire is responsible for ensuring all trash is collected and delivered to those location(s) determined by the Airport. Concessionaire shall provide and use suitable covered receptacles for all trash, waste, and garbage on or in connection with the Leased Premises. Concessionaire shall keep all garbage in durable, fly, rodent, and odor-proof, fireproof containers that are easily maintained. The containers shall have tight-fitting lids, doors, or covers and shall be kept covered when not actively depositing or removing material. The Concessionaire shall clean the containers as necessary to prevent odors or filth accumulation. If waste containers are held within corrals, or other small structures meant to keep the trash out of sight, they shall be kept clean, free of the accumulation of dirt, grime, or spills, and should be clearly labeled. Concessionaire shall not permit the piling of boxes, pallets, cartons, barrels, or other similar returnable items, in an unsightly or unsafe manner, on or about the Leased Premises, on the Airport space, or within view of Public Areas. Concessionaire is responsible for ensuring that these items are removed from the Airport on a timely basis.

14.6. **Plumbing Facilities.** The plumbing facilities within the Leased Premises and elsewhere in the Airport shall not be used for any purpose other than for the purposes for which they were constructed, and no foreign substance of any kind shall be thrown therein. The expense to repair any breakage, stoppage, or damage resulting from a violation of this paragraph, wherever the breakage, stoppage, or damage occurs, shall be charged by the Airport to Concessionaire, regardless of the cause.

14.7. **Sustainability Initiatives.** If at any time during the Term, the Airport establishes a sustainability initiative or participates in sustainable Initiatives, including but not limited to the Airports 2012 sustainable master plan, or the FAA Airport Zero Emissions Vehicle and Infrastructure Pilot Program, Concessionaire agrees to participate in any such program at its own cost.

14.8. **Trash, Waste, and Garbage Collection and Disposal by the Airport.** The Airport reserves the right if deemed to be in its best interests, to provide trash, waste, and other similar services, including but not limited to grease waste removal, cardboard disposal, composting, and recycling services. In the event the Airport elects to provide these services on behalf of the Concessionaire, Concessionaire shall pay its fair share of the cost of such services in an amount determined by the Airport.

14.9. **Maintenance and Repairs.** Except as may be otherwise provided herein or otherwise agreed to, in writing, by the Parties, Concessionaire shall, at its own cost and expense, maintain the Leased Premises and every part thereof, including all furniture, fixtures, equipment, and utility systems located thereon, in good appearance and repair, and in a safe, First-Class condition. Concessionaire shall maintain, repair, replace, paint, or otherwise finish all Leasehold Improvements on the Leased Premises, including, without limitation, walls, partitions, floors, ceilings, windows, doors, glass, and all furnishings, fixtures, and equipment therein, whether installed by Concessionaire or by the Airport. All of the maintenance, repairs, finishing, and replacements shall be of quality equal to or better than the original in materials and workmanship. All work, including finishing colors, shall be in conformity with the Design Specifications and shall be subject to the prior written approval of the Airport.

14.10. **Failure to Comply.** The Airport shall provide written notice to the Concessionaire of any deficient or required maintenance at the Leased Premises. If the maintenance noted in the written notice is not commenced by Concessionaire within three (3) calendar days after receipt of the notice, or if such maintenance is not completed in a reasonable time, as may be determined by the Airport, then the Airport or its representative shall have the right to enter upon the Leased Premises and perform the maintenance, and Concessionaire agrees to promptly reimburse the Airport for the cost thereof, plus an administrative fee equal to fifteen percent (15%) of the maintenance costs.

14.11. **Hazardous Conditions.** Any hazardous or potentially hazardous condition on the Leased Premises shall be corrected immediately upon receipt of a verbal or written notice from the Airport. At the sole discretion of the Airport, Concessionaire shall close the Leased Premises or affected portion thereof until the hazardous or potentially hazardous condition is corrected. If Concessionaire does not immediately commence an action to correct any such hazardous or potentially hazardous condition on the Leased Premises, or if such corrective measures are not completed within a reasonable time, as determined by the Airport, then the Airport or its representative shall have the right to enter upon the Leased Premises and perform such corrective measures.

14.12. **Inspection of Maintenance.** The Airport retains the right to inspect the Leased Premises to determine if Leased Premises are being adequately maintained. If the Airport determines that Concessionaire has not provided adequate maintenance, then the Airport shall provide notice of any such deficiencies to Concessionaire.

14.13. **Airport-Provided Maintenance.** Concessionaire agrees to comply with all present and future laws, orders, and regulations, including any rules, regulations, and procedures promulgated by the Airport regarding Airport provided maintenance within the Airport Terminal in which the Concession Location is located. If any system for Airport provided maintenance is put in place that can allocate to Concessionaire its proportional share of the cost, Concessionaire must pay its proportional share of the actual costs for the Airport provided maintenance.

15. REFURBISHMENT

15.1. **Routine Refurbishment.** On or about the commencement of each Agreement Year, representatives of the, Airport and Concessionaire shall tour the Leased Premises and jointly agree upon what, if any, routine refurbishment is required to maintain the Leased Premises in First-Class condition. Concessionaire shall promptly undertake such refurbishment at its sole cost and expense. If Concessionaire and the Airport cannot jointly agree upon the type and extent of refurbishment, the Airport may determine, in its reasonable discretion, the refurbishment required. For purposes of this Section, refurbishment shall mean the routine repainting or redecoration of public areas within the Leased Premises, including, but not limited to, the replacement or repair of worn carpet, tile, furniture, furnishings, fixtures, or finishes.

15.2. **Mid-Term Refurbishments.** In addition to the ongoing, routine maintenance described in this Agreement, Concessionaire shall, at its sole cost and expense, refurbish the Leased Premises at or about the midpoint of the Term.

15.3. **Mid-Term Refurbishments Budget.** Concessionaire's budget for the Mid-Term Refurbishments shall be no less than one percent (1%) of the Gross Revenue for the first five years of this Agreement. There is no upside limit, however, to how much the Concessionaire

may expend. Any sums spent on required maintenance, repair, or minor improvements prior to Mid-Term Refurbishments shall not be counted towards the Mid-Term Refurbishment Budget.

15.4. **Scope of Refurbishments.** The Mid-Term Refurbishments shall include without limitation all refinishing, repair, replacement, redecorating, repainting, and re-flooring necessary to keep the Leased Premises in First-Class condition and shall comply with all other terms and conditions of this Agreement. The scope and extent of the Mid-Term Refurbishment for each concession location shall be jointly determined by the Airport and Concessionaire. If Concessionaire and the Airport cannot jointly agree upon the necessary scope and extent of the Mid-Term Refurbishment for any location, the Airport may, at its reasonable discretion, determine the refurbishment required, and Concessionaire agrees to be bound by the Airport's determination.

15.5. **Approval of Plans for Mid-Term Refurbishments.** Concessionaire's plans and specifications for refurbishment must be in accordance with the Design Standards. The Concessionaire shall submit its plan specifications for refurbishment to the Authorized Representative for review and approval no later than the mid-point of the fourth (4th) full Agreement Year following the Rental Commencement Date. The Mid-Term Refurbishment shall be completed within one year after its initiation. A failure to complete said Mid-Term Refurbishments prior to the midpoint of the fifth (5th) full Agreement Year shall constitute a material default of this Agreement, and the Airport shall have the right to terminate this Agreement, pursuant to Article 15 herein.

15.6. **Construction Bonds, etc.** Concessionaire shall provide all payment and performance bonds for construction while undertaking refurbishment efforts that necessitate such work to the premises.

16. INDEMNITY AND INSURANCE REQUIREMENTS

16.1. **Insurance requirements** set forth below do not in any way limit the amount or scope of liability of Concessionaire under this Concession Lease. The amounts listed indicate only the minimum amounts of insurance coverage that the County is willing to accept to help insure the full performance of all terms and conditions of this Concession Lease. All insurance required by Concessionaire under this Concession Lease shall meet the following minimum requirements.

16.2. **Certificates: 30 Day Cancellation.** On or before the execution of this Concession Lease, Concessionaire shall provide the County with certificates of insurance establishing the existence of all insurance policies required under this Section. Thereafter, the insurance policies shall not be subject to cancellation or change except after notice to the County by registered mail at least thirty (30) days prior to the expiration date, cancellation, or material change of any insurance policy. No insurance policy may be canceled without at least thirty (30) days' prior written notice being given to the County. Where any policy(ies) has (have) normal expirations

during the term of this Concession Lease, written evidence of renewal shall be furnished to the County at least thirty (30) days prior to such expiration. Upon written request by the County, the Concessionaire shall permit the County to inspect the originals of all applicable policies. Insurance must be maintained without any lapse in coverage during the entire Lease Term. Insurance canceled without the County's consent shall be deemed an immediate event of default under this Concession Lease. The County shall also be given certified copies of Concessionaire's policies of insurance, upon request. Failure of the County to demand such certificate or other evidence of full compliance with these insurance requirements, or failure of the County to identify a deficiency from the evidence provided, shall not be construed as a waiver of Concessionaire's obligations to maintain the insurance required by this Concession Lease.

16.3. **Additional Insured; Separation of Insureds.** The County, their elected and appointed officials, agents, and employees shall be named as additional insured with respect to the Concessionaire's use of the Airport, Terminal, and the Leased Premises that are the subject of this Concession Lease in each general liability policy and as an additional insured and loss payee in each property insurance policy. Such insurance shall provide cross-liability coverage equivalent to the standard Separation of Insureds clause published by the Insurance Services Offices ("ISO") or a successor organization. Concessionaire shall supply the County with certification from the insurance carrier that the County, their elected and appointed officials, agents, and employees are so named.

16.4. **Primary Coverage.** The required policies shall provide that the coverage is primary and will not require any contribution from any insurance or self -insurance carried by the County.

16.5. **Company Ratings.** Policies of insurance must be placed with companies or underwriters authorized to issue insurance in the State of Wisconsin that carry an A.M. Best rating of "A-" or better or equivalent.

16.6. **Deductibles and Retentions.** Any deductible or self-insured retention exceeding fifteen percent (15%) of the per-occurrence or per-accident limit of a required policy is subject to approval by the County.

16.7. **Required Insurance.** At all times during this Concession Lease, Concessionaire shall provide and maintain in full force and affect the following types of coverage:

16.8. **General Liability Insurance.** The insurance policy(ies) shall be the standard comprehensive general liability insurance coverage to cover all operations of the Concessionaire and shall include, but not by way of limitation, bodily injury, property damage, products liability, and other obligations contained in this agreement.,. Concessionaire shall maintain an operations, independent contractors, products-completed operations, bodily injury and advertising injury, and liability insured under an insured contract (including the tort liability of another assumed in a business contract) occurring on or in any way related to the Lease

Premises or occasioned by reason of the operations of Concessionaire. Such coverage shall be written on an occurrence form and with such insurers acceptable to the County in an amount of not less than One Million DOLLARS {$1,000,000), combined single limit or split limits equal to and not less than One Million DOLLARS {$1,000,000), for bodily injury and property damage with respect to each occurrence, such limits subject to adjustment by the County during the term of this Concession Lease.

16.9. Automobile Liability - Owned, Non-Owned, Hired

16.9.1. Bodily Injury and Property Damage Combined - One Million Dollars ($1,000,000) for bodily injury and property damage per occurrence limit covering all vehicles to be used in connection with the performance of Contractor's/Vendor's obligations under this Concession Agreement.

16.9.2. Coverage for commercial automobile liability insurance shall be at least as broad as Insurance Services Office (ISO) Business Auto Coverage (Form CA 0001), covering Symbol 1 (any vehicle).

16.9.3. If Concessionaire or Concessionaire's Vendor's/ Subcontractor's employees use personal vehicles to perform any services or work to be performed by Vendor or Subcontractor under this Concession Agreement, the Vendor/Subcontractor must provide, to the County, a copy of the Certificate of insurance (and any other documentation requested by the County) for Personal Automobile Liability coverage for each employee of Contractor/Vendor/Subcontractor who will be using their personal vehicle to perform such services or work as evidence of satisfactory compliance.

16.10. **Liquor Liability Insurance.** Such coverage shall include all facilities serving alcohol beverages at the Airport in an amount of not less than One Million DOLLARS ($1,000,000) per occurrence.

16.11. **Fire and Property Insurance.** Upon completion of construction, Concessionaire shall procure and maintain policies of insurance at its own expense, insuring the Leased Premises and improvements thereon against all perils of direct physical loss, excluding earthquake and flood. The insurance coverage shall be for at least one hundred percent (100%) of the full replacement value of said Leased Premises and improvements with an agreed amount clause and a reasonable and customary deductible on said Leased Premises and improvements. Such an amount is subject to final by the County. The Concessionaire shall furnish to the County evidence that such coverage has been procured and is being maintained in full force and effect. The County maintains property insurance that covers the Terminal but will not cover any improvements made by Concessionaire to the Leased Premises.

16.12. **Workers' Compensation Insurance.** Concessionaire shall maintain in force Workers' Compensation insurance for all of Concessionaire's employees in accordance with all requirements of the State of Wisconsin law. Concessionaire shall also maintain employers'

liability coverage in an amount not less than One Million DOLLARS ($1,000,000) per accident. In lieu of such insurance, Concessionaire may maintain a self-insurance program meeting the requirements of the State of Wisconsin and a policy of excess workers' compensation and employer's liability insurance.

16.13. **Builder's Risk Insurance.** During any construction activity, Concessionaire shall obtain and maintain for the benefit of the parties to the Concession Lease, as their interest may appear, "special peril" Builder's Risk insurance equal to one hundred percent (100%) of the value of the project. Coverage shall also include: (a) form work in place; (b) form lumber on site; (c) temporary structures; (d) equipment; and (e) supplies related to the work while at the site. In the event Concessionaire fails to maintain such insurance, the County may, at its option, arrange therefore, and any premium incurred shall be reimbursed by Concessionaire to the County upon demand.

16.14. **Business Interruption.** Concessionaire shall maintain gross earnings and extra expense insurance that shall include coverage for all rent due in accordance with the Agreement of this Concession Lease for a minimum of six (6) month period. The proceeds of such insurance shall be used first to continue rent payments to the County.

16.15. **Concessionaire's Risk.** Concessionaire shall be responsible for obtaining any insurance it deems necessary to cover its own risks. In no event shall the County be liable for any: (a) business interruption or other consequential loss sustained by Concessionaire; (b) damage to, or loss of Concessionaire's property of any kind; or (c) damage to, or loss of, an automobile, whether or not such loss is insured, even if such loss is caused by the negligence of the County.

16.16. **Periodic Review.** The County shall have the right to periodically review the types, limits, and terms of insurance coverage. In the event the County determines that such types, limits, and/or terms should be changed, the County will give Concessionaire a minimum of thirty (30) days' notice of such determination and Concessionaire shall modify its coverage to comply with the new insurance requirements of the County. Concessionaire shall also provide the County with proof of such compliance by giving the County an updated certificate of insurance within fifteen (15) days.

16.17. Concessionaire agrees at all times during the term of the agreement to indemnify, hold harmless and defend the County, its Boards, Committees, Officers, Employees, Authorized Representatives and Volunteers against any and all liabilities, losses, damages costs or expenses (including, without limitation, actual attorney's and consultant's fees) which the County, its Boards, Committees, Officers, Employees and Representatives may sustain, incur or be required to pay by reason of or in any way related to bodily injury, personal injury or property damage of whatsoever nature or in connection with or in any way related to the performance of the work by Concessionaire, its employees, agents and anyone employed directly or indirectly by any of them or by anyone for whose acts any of them may be liable, provided, however, that the

provisions of this section shall not apply to liabilities, losses, charges, costs or expenses caused solely by or resulting from the gross negligent acts or omissions of the County, its Agencies, Boards, Committees, Officers, Employees, Authorized Representatives or Volunteers. It is agreed that Contractor/Vendor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Contractor's/Vendor's indemnity obligations shall not be limited by any worker's compensation statute, disability benefit or other employee benefit or similar law or by any other insurance maintained by or required of Contractor/Vendor. Nothing contained in this agreement is intended to be a waiver or estoppels of the County to rely upon the limitations, defenses, and immunities contained within Wisconsin law, including, but not limited to, those contained within Wisconsin Statutes 893.80, 895.52 and 345.05. To the extent that indemnification is available and enforceable, neither the municipality nor its insurer shall not be liable in indemnity and contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin law.

16.18. **Survival of Indemnities.** The indemnity agreements set forth in this Section shall survive the expiration or earlier termination of the Concession Lease and be fully enforceable thereafter.

17. TERMINATION AND DEFAULT

17.1. **Termination at the End of Term.** This Agreement shall terminate at the end of the Term and Concessionaire shall have no right or interest in the Premises except for the immediate removal of non-attached furnishings.

17.2. **Termination and Reletting.** Should there occur an early termination of this Agreement pursuant to this Section, the County shall have the right to reenter the Leased Premises, make repairs as necessary, and enter into another Lease for Leased Premises and privileges, or any part thereof, for the remainder of the term hereof.

17.3. **Termination by the Airport.** The County shall have the right to terminate the Agreement If the Concessionaire Is deemed In Default. Should the Airport find the Concessionaire to have committed acts of default, upon the fifth (5th) act of default the Airport may Immediately terminate the Agreement.

17.4. **Events of Default.** The occurrence of any of the following shall constitute an Event of Default.

17.4.1. Concessionaire fails to pay rent or make any other payment required hereunder when due to the County.

17.4.2. Concessionaire uses the premises for uses other than those permitted.

17.4.3. Concessionaire fails to comply with Operations and Performance Standards stated in Section 8.

17.4.4. Concessionaire discontinues operation of any concession in full or in part or abandons, deserts, or vacates any part of the premises without prior written consent of the County.
17.4.5. Concessionaire fails to complete Mid-Term Refurbishments before the midpoint of the fifth (5th) Agreement Year.
17.4.6. Concessionaire neglects or fails to perform or observe any promise, covenant, or condition set forth in this Agreement.
17.5. **Remedies for Airport arising from an Event of Default.** In addition to all other remedies provided herein or at law, County will have the cumulative rights to terminate this Agreement, and, if Concessionaire is in possession of the premises, to accelerate the maturity of all Rent due and to become due during the remainder of the term, by giving at least twenty (20) days written notice to Concessionaire, if Concessionaire is in default of this Agreement as set forth herein, such default is not cured to the County's satisfaction:
17.5.1. Within twenty (20) days after the County gives Concessionaire notice of default
17.5.2. If any such default (other than payment of money) is not curable within twenty (20) days, Concessionaire fails to demonstrate to the County within said twenty (20) day period that it has commenced curing the default, or Concessionaire fails to diligently pursue the cure of such default to completion.
17.5.3. Repeated defaults of the same or similar nature are curable at the sole discretion of the Airport.
17.6. **Stipulated Damages for Failure to Operate Premises.** Concessionaire acknowledges that its obligation to conduct business continuously and actively in the Leased Premises in the manner prescribed in this Agreement is for the purpose of enhancing the business activity and public patronage of retail concessions in the Terminal Building to produce the maximum Gross Revenue and concessions revenue from its Concessions Locations on the Leased Premises. Concessionaire further acknowledges that failure on its part to comply with such provisions of this Agreement would cause the Airport substantial damages which might be difficult or impossible to prove or quantify. Accordingly, the parties have agreed that, subject to Force Majeure or other causes beyond Concessionaire's control, if Concessionaire fails to continuously and actively operate any portion of the Leased Premises as provided herein throughout the Term, without curing such failure to operate within three (3) days after notice from the Airport, then the Airport shall not be required to prove its actual damages for such breach, but in lieu thereof, Concessionaire shall pay the Airport the stipulated damages provided in this paragraph. Said stipulated damages for each portion or location of the Leased Premises that is not being used to continually and actively conduct business in a manner prescribed by this Agreement shall be an additional monthly rent equal to the greater of (1) $10,000.00 per day, as escalated from time to time by increases in the Consumer Price Index or (2) the average monthly rental rate for the vacant or unused space generated by said space

during the 12-month period that immediately preceded said vacancy. Such stipulated damage payments shall continue from the date of a breach until such breach is cured or until the end of the Term, whichever is first. Said stipulated damages shall be paid monthly, concurrently with the monthly payments of the MAG reserved under this Agreement. Nothing in this Section shall be construed as a limitation upon the Airport's right to obtain specific performance of the Concessionaire's obligations to conduct business continuously in the manner herein specified or to recover any other provable monetary damages or to pursue any other remedies as provided in this Agreement. The Airport shall have the discretion to waive the enforcement of this Section against the Concessionaire.

17.7. **Non-Exclusive Remedies.** The remedies set forth in this Section shall be in addition to all other remedies which are or may be available to the Airport at law or in equity. No termination of this Agreement or the taking or recovering of the Leased Premises shall deprive the Airport of any of its remedies or actions against the Concessionaire for rentals due for damages or for the breach of any covenant herein contained, nor shall the bringing of any action for rentals due or breach of any covenant, or the resort to any other remedy herein provided for the recovery of rentals due be construed as a waiver of the right to obtain possession of the Leased Premises.

17.8. **Agreement to Pay Attorneys' Fees and Expenses.** In the event, Concessionaire defaults under this Agreement and the Airport employs attorneys or incurs other expenses for the collection of rentals or any other amounts due hereunder, or for the enforcement of performance or observance of any obligation or agreement on the part of Concessionaire herein contained, Concessionaire shall, on demand, pay to the Airport the reasonable fees and expenses of such attorneys and such other reasonable expenses so incurred by the Airport.

17.9. **Non-Waiver.** A failure by either party to take any action with respect to any default or violation of any of the terms, covenants, or conditions of this Agreement shall not in any respect limit, prejudice, diminish, or constitute a waiver of any rights of such party to act with respect to any subsequent violation or default or with respect to any continuation or repetition of the original violation or default. The acceptance by the Airport of payment for any period or periods after a default or violation of any of the terms, conditions, and covenants of this Agreement shall not constitute a waiver or diminution of, nor create any limitation upon any right of the Airport pursuant to this Agreement to terminate this Agreement for subsequent violation or default, or for continuation or repetition of the original violation or default.

17.10. **Condemnation.** If the Airport or any portion of the Leased Premises thereof shall be taken or condemned by any competent authority for any public or quasi-public use or purpose and such taking makes it necessary or desirable to remodel or reconstruct the Airport, the Airport shall have the right, exercisable at its reasonable discretion, to cancel this Agreement upon not less than ninety (90) days notice prior to the date of cancellation designated in the

notice, unless the Airport is given less than ninety (90) days notice of the taking. No money or other consideration shall be payable by the Airport to Concessionaire for the right of cancellation and Concessionaire shall have no right to share in the condemnation award or in any judgment for the damages caused by such taking or change in configuration, except that Concessionaire may assert a separate claim for the unamortized construction costs for any Infrastructure Improvements and Leasehold Improvements. If a condemnation adversely affects any portion of the Leased Premises, an equitable adjustment to the Rent and MAG will be negotiated.

17.11. **End of Term Transition**. During the final Agreement Year, the Airport plans to award and transition to a new contract for Concession services that may include rights to the Leased Premises or portions thereof. If Concessionaire is not selected for the new contract, the Airport will notify Concessionaire in writing of the exact dates of a transition period. Concessionaire shall cooperate fully with the Airport and Concessionaire's successor to ensure an effective and efficient transition of the Leased Premises and concession operations to the successor. Concessionaire acknowledges its responsibility to continuously perform the concession in a First-Class manner during the transition to the successor.

18. DAMAGE TO LEASED PREMISES

18.1. **Damages Caused by Concessionaire.** All damage to the Leased Premises and the Airport caused by Concessionaire or sub-concessionaires or sub-tenants, or their invitees (while in the Leased Premises), agents, or employees, resulting from any cause shall be repaired, restored, or replaced promptly by Concessionaire, at its cost and expense, within fifteen (15) days to the satisfaction of the Airport which shall be provided in writing and not unreasonably withheld or delayed. No rent shall abate if the damage resulted from any act of the Concessionaire or its invitees (while in the Leased Premises), agents, or employees. If such repairs are not made within fifteen (15) days of the notification of the damage, then the Airport shall have the right, but not the obligation, to make such repairs and Concessionaire shall be obligated to reimburse the Airport the cost of such repairs plus an administrative fee equal to fifteen percent (15%) of any such costs, plus additional interest at the rate of eighteen percent (18%) per year, accruing beginning on the date such expenses are incurred.

18.2. **Complete Destruction.** If the Leased Premises are completely destroyed due to the negligent or willful act or omission of Concessionaire, its sub-concessionaires or sub-tenants, or their invitees, agents, or employees, then the rent shall not abate and the Airport may, in its discretion, require Concessionaire to repair and reconstruct the Leased Premises within twelve (12) months of such destruction and pay the costs thereof; or, should Concessionaire refuse to reconstruct or make repairs, the Airport may repair and reconstruct the Leased Premises within twelve (12) months of such destruction and Concessionaire shall be responsible for reimbursing

the costs and expenses of the repair of the Leased Premises plus fifteen percent (15%) of the total costs and expenses, plus additional interest at the rate of eighteen percent (18%) per year, accruing beginning on the date such expenses are incurred.

18.3. **Damage Caused by the Airport.** If the Airport or its employees or agents damage the Leased Premises through gross negligence or intentional act, then Airport will be solely responsible for the repairs.

18.4. **Abatement of Rent.** If the Leased Premises, or a portion thereof, is damaged through no fault of Concessionaire, its sub-concessionaires or sub-tenants, or their invitees, agents, or employees which renders the Leased Premises, or a portion thereof, unusable, then rent and all other charges shall be abated on a per day pro-rated basis during the time the Leased Premises are unusable.

18.5. **Application of Insurance Proceeds.** Whenever the Airport repairs the damage, proceeds of the Concessionaire's and the Airport's property insurance on the Leased Premises and Improvements shall be applied to the cost of the repairs and replacement of the Leased Premises and Improvements. Concessionaire is responsible for payment of all repair and replacement costs and expenses exceeding insurance proceeds for all non-structural portions of the Leased Premises, and for all structural portions of the Leased Premises only in the event, the damage resulted from Concessionaire's negligent or intentional act or omission or such acts of Concessionaires employees, invitees, or agents. Nothing herein shall be considered a waiver of any claim or cause of action against the Concessionaire. If the Airport is not required to and elects not to repair the Leased Premises, the proceeds of all applicable insurance shall be paid to the Airport or Concessionaire as their interest appear. The Airport is entitled to all insurance proceeds attributable to structural portions of the Leased Premises and all Improvements funded by the Airport in any portion.

18.6. **No Liability.** The Airport shall not be liable or responsible to Concessionaire for any damage or destruction to Concessionaire's property from any cause whatsoever.

19. WARRANTY OR REPRESENTATION OF LEASED PREMISES

19.1. **No Warranty or Representations.** The Airport makes no warranties or representations, either expressed or implied, whatsoever regarding the Leased Premises. Without limiting the declaration contained in the immediately preceding sentence, the Airport makes no warranties or representations, either expressed or implied, as to the Leased Premises' fitness or suitability for a particular purpose, as to the environmental condition of the Leased Premises, as to redhibitory defects, or as to vices or defects of whatever kind or nature, and whether known, unknown, latent or hidden, as to the Leased Premises, and disclaims all responsibilities, liabilities, and obligations that are or may be imposed on the Airport or County by state law, inclusive, or otherwise. Concessionaire affirms that it has had full opportunity to examine and

to inspect the Leased Premises. Concessionaire accepts the Leased Premises in an "as is, where is" condition. On behalf of Concessionaire and its officers, managers, members, directors, stockholders, employees, successors, assigns, and representatives:

19.2. Concessionaire hereby waives, to the fullest extent allowed under state law, all of Concessionaire's rights and remedies against the County and the Airport relating to the Leased Premises; and

19.3. Concessionaire hereby relieves and releases:

19.3.1. The Airport, County, and all prior owners of the Leased Premises;

19.3.2. All entities controlled in whole or in part by the Airport and the County; and

19.3.3. The Airport and the County, and said prior owners' respective officials, officers, directors, commissioners, members, employees, contractors, subcontractors, representatives, attorneys, agents, affiliates, agencies, successors, and assigns; from any and all claims, losses, causes of action, rights of action, damages, expenses (including without limitation reasonable attorney's fees) and costs (collectively "Claims") for vices or defects (whether known, unknown, latent, or hidden) of, for peaceful possession of, or otherwise relating to, the Leased Premises, including without limitation any and all Claims based on environmental conditions; any and all Claims based on any one or more of state laws, inclusive; any and all Claims (if any) for redhibition pursuant to Wisconsin Civil Code Articles.; and any and all Claims based on Concessionaire's inability to obtain any and all applicable permits, approvals or other authorizations from any governmental entities, units or agencies.

20. ENVIRONMENTAL

20.1. **Knowledge of Applicable Laws.** Concessionaire is knowledgeable of all applicable federal, state, and local environmental laws, ordinances, rules, regulations, and orders ("Environmental Laws"), which apply to the Concessionaire's operations at the Leased Premises and acknowledges that such Environmental Laws change from time to time and Concessionaire agrees to keep informed of any such future changes.

20.2. **Compliance with Law.** Concessionaire shall, at all times, comply with all applicable Environmental Laws and obtain, and comply with, all necessary government permits, or other approvals required by Environmental Laws. Concessionaire shall also ensure that its agents, representatives, contractors, and sub-tenants comply with applicable Environmental Laws and permits.

20.3. For purposes of this Section, "Environmental Law" means any common law or duty, case law or ruling, statute, rule, regulation, law, ordinance, or code, whether local, state, or federal, that regulated, creates standards for, or imposes liability or standards of conduct concerning any element, compound, pollutant, contaminant, or toxic or hazardous substance material or

waste, or any mixture thereof or relates in a way to emissions or releases into the environment or ambient environmental conditions, or conduct affecting such matters.

20.4. **Hazardous Substances.** Concessionaire shall not use, store, or house any petroleum fuels, highly flammable or Hazardous Materials on the Leased Premises. For the purpose of this Section, the term "Hazardous Materials" means and includes the following: Any hazardous substance as defined in any Environmental Law, including any "Hazardous Waste" or "Hazardous Substance."

20.5. **Environmentally Regulated Substances.** For purposes of this Section, "Environmentally Regulated Substances" means any element, compound, pollutant, contaminant, toxic, or other hazardous substance, material or was, or any mixture thereof, designated, referenced, regulated, or identified pursuant to any Environmental Law and shall specifically include grease.

20.6. **Indemnification for Environmental Liabilities.** Concessionaire shall fully defend, indemnify and hold harmless, the Airport and the County and their respective officers, employees or agents (collectively "Indemnities") from and against any and all losses, liabilities, fines, charges, damages, injuries, penalties, response costs, or claims or any and every kind whatsoever paid, incurred or asserted against, or threatened to be asserted against, any Indemnitee, in any way relating to or regarding, directly or indirectly, Environmentally Regulated Substances or Environmental Laws, including all related claims or causes of action at common law or in equity which arise from or relate to the Leased Premises (hereinafter "Environmental Claims") and which were not wholly caused by any Indemnitee; such matters will include without limitation: (i) all consequential damages; (ii) the costs of any investigation, study, removal, response or remedial action, as well as the preparation or implementation of any monitoring, closure or other required plan or response action; and (iii) all reasonable costs and expenses incurred by any Indemnitee in connection with such matters including, but not limited to, attorney's fees and reasonable fees for professional services or firefighting or pollution control equipment related to spills. Such indemnification and Concessionaire's obligations hereunder shall survive cancellation, termination, or expiration of the Term of this Agreement.

20.7. **Notification.** Concessionaire shall immediately notify the Authorized Representative in writing of any other matter that might give rise to an Environmental Claim, or if Concessionaire obtains knowledge of any release, threatened release, discharge, disposal or emission of any Environmentally Regulated Substance in, on, under or around the Leased Premises which are not in full and complete compliance with all Environmental Laws. Concessionaire shall promptly follow the notification procedures outlined in the Airport Integrated Spill Response and Coordination Plan ("Integrated Plan") regarding any spills that occur at the Airport.

20.8. **Right to Take Action.** The Airport shall have the right, but not the obligation or duty, to join or participate in, including if it so elects as a formal party, any legal or administrative or

equitable proceedings or actions initiated by any person or entity in connection with any Environmentally Regulated Substance, Environmental Law, Environmental Claim pertaining to Concessionaire's operation at the Airport, or if Concessionaire is not fulfilling its obligations under Section above, and in such case to have its reasonable attorneys' fees and costs incurred in connection therewith paid by Concessionaire.

20.9. **Right to Investigate.** The Airport shall have the right, but not the obligation or duty, anytime from and after the date of this Agreement, to investigate, study, and test to determine whether Environmentally Regulated Substances are in, on, or under the Airport, or were emitted or released therefrom, which are not in compliance with Environmental Laws. Upon the reasonable request, Concessionaire shall provide to the Authorized Representative a list of all Environmentally Regulated Substances used in, on, or under the Airport, certified as true and correct, and specifying how such Environmentally Regulated Substances are used, stored, treated, or disposed of.

20.10. **Environmental Responsibility.** Spill Coordination and Responsibility. Concessionaire agrees to implement Integrated Plan. Concessionaire is obligated to ensure that it has adequate resources to respond to a discharge, including retaining a discharge recovery contractor and providing the necessary equipment to respond to a discharge, in accordance with the Integrated Plan.

20.11. If the Airport incurs costs related to a spill or other environmental expenses related to fuel or hazardous and/or non-hazardous substances because of actions related to Concessionaire's operations, or unless due to the gross negligence of the Airport, the Airport will bill Concessionaire for all the Airport's actual costs, plus a fifteen percent (15%) administrative fee. The Concessionaire shall pay the Airport within thirty (30) days of the Concessionaire's receipt of the invoice.

21. ASSIGNMENT AND SUBLETTING

21.1. **Mortgage.** Concessionaire shall not be allowed to mortgage, to grant a security interest in, to assign for security or collateral purposes, or otherwise to encumber its interest in and to the Leased Premises or this Agreement.

21.2. **Transfer/Sublet.** Concessionaire shall not transfer, assign, sublet, or otherwise alienate Concessionaire's interest in and to the Leased Premises without first obtaining the written consent of the Airport and the County, which consent shall not be unreasonably withheld, conditioned, or delayed. Concessionaire's rights and obligations under this Agreement can only be transferred, rebranded, assigned, or otherwise alienated to another concessionaire that can demonstrate the ability to meet all the obligations of this Agreement and can provide the same or better type and level of service and amenities as was required by the RFP and represented in Exhibit X. Any transfer, assignment, subletting, or alienation of this Agreement or of

Concessionaire's leasehold interest in the Leased Premises without the prior written consent of the Airport and the County shall be null and void. All sublease agreements between the Concessionaire and sub-lessees shall prohibit the sublessee from further subleasing or permitting the use of the Leased Premises to a third party.

21.3. **Permission to Sublease.** In the event Concessionaire requests permission to sublease, the request shall be submitted to the Airport Director and must be approved by the Airport prior to the effective date of the sublease requested and shall be accompanied by a copy of the proposed sublease agreements and all agreements collateral thereto. The area or space to be subleased, the rental to be charged, the type of business to be conducted, and the identity and financial history of the sub-tenant shall be specified. Each transfer, assignment, or subletting to which there has been consent shall be by instrument, in writing, and shall be executed by the transferee, assignee, or sub-lessee who shall agree in writing, for the benefit of the Airport and the County, to be bound by and to perform the terms, covenants, and conditions of this Agreement. Five (5) executed copies of such written instrument shall be delivered to the Authorized Representative. Failure to first obtain written consent from the Airport and the County, or failure to comply with the provisions herein contained, shall operate to prevent any such transfer, assignment, or subletting from becoming effective. At Concessionaire's option, Concessionaire shall record a memorandum of this Agreement with the recorder of mortgages for Outagamie County within fifteen (15) days of all parties signing this Agreement.

21.3.1. All concession subleases must comply with (1) all requirements listed in the RFP and its attachments and addenda; (2) all provisions, specifications, and standards set forth in Concessionaire's response to the RFP; and (3) all requirements of this Agreement.

21.4. **Lessor Consent.** Should the assignment of this Agreement be consented to by the Airport and the County and to the extent that such assignee assumes Concessionaire's obligations hereunder, Concessionaire shall not, by virtue of such assignment, be released from Concessionaire's obligations under the Agreement unless at the time of the giving of its written consent the Airport and the County expressly agrees in writing to the contrary.

21.4.1. Should the subletting of the Leased Premises be consented to by the Airport and the County, Concessionaire agrees and acknowledges that it shall remain fully and primarily liable under this Agreement, notwithstanding any such sublease and that any such sub-lessee shall be required to attorn to the Airport and the County under the terms of this Agreement.

21.4.2. The receipt by the Airport and the County of rent from any assignee, subtenant, or occupant of the Leased Premises shall not be deemed a waiver of the requirements in this Section 19 or an acceptance by the Airport or the County of the assignee, subtenant or occupant as a tenant or a release of the Concessionaire from further observance or performance by the Concessionaire of the covenants and obligations contained in this Agreement. None of the provisions of this Agreement shall be deemed to have been waived by

the Airport or the County unless such waiver is in writing, signed by the Director of Aviation. The Airport and the County reserve the right to transfer its interest in the Agreement.

22. RECORDS, BOOKS AND AUDIT

22.1. **Concessionaire's Records and Books.** Concessionaire shall prepare and maintain, in accordance with Generally Accepted Accounting Principles, complete and accurate books, and records that include all financial transactions related to the performance of this Agreement. The Concessionaire's system of accounts shall allow each Concession Location to be distinguished from all other Concession Locations. Concessionaire shall maintain source documents sufficient to support its books, records, and reports. All monies related to this Agreement shall be deposited to and paid from a business bank account(s), the records for which shall be subject to review and audit in accordance with the provisions hereof.

22.2. **Monthly Reports**. On the fifteenth (15th) day of each month following the Rental Commencement Date thereafter through and including the month following termination of this Agreement during the Term Concessionaire shall submit to the Authorized Representative, electronically at the Airport's option a statement ("Sales & Revenue Statement"), in a form satisfactory to the Airport, showing the Gross Revenue and other sales-related information for each and every Concessionaire-operated and any Subtenant-operated Concessions Location for the preceding calendar month and the cumulative Gross Revenue from all such Concessions Locations, from the date of commencement of the Agreement Year for which the report is made through the last day of the preceding month, accompanied by payment. The Airport reserves the right to prescribe and revise the format of the Sales Statements at any time and reserves the right to direct the Concessionaire to provide information on the sales of item classes (for example, "single-serve bottled water," or "16 or 20-ounce bottled soda," or ("potato chips, any flavor, less than 2oz. bag"), and Concessionaire hereby agrees to supply information on the quantity of these products sold, and the total retail value of said sales for all months following until the Airport notifies Concessionaire that the information is no longer needed. The Airport may also request up to twelve (12) months of historical information on said sales of product classes.

22.3. **Monthly General Ledger Transactions.** Concessionaire shall, on or before the fifteenth (15th) day of each and every calendar month during the Term, or as otherwise requested by the Airport or the Authorized Representative, submit an extract of the Concessionaire or Concessionaire's Subtenants detailed general ledger transactions listing each entry on the general ledger accounting system. Transaction listings should be specific to each Concessions Location and include all general ledger accounts and available data fields in each transaction for the preceding calendar month in a format acceptable to the Airport

for each of the Concessionaire's Airport locations, including subtenants. Files should be provided electronically to the Authorized Representative. Concessionaire shall also provide a complete and current detailed chart of accounts for all general ledger accounts upon request.

22.4. **Annual Reports.** No later than one hundred eighty (180) days after the end of each year during the Term, Concessionaire shall, at its sole cost and expense, provide an annual audit report by an independent Certified Public Accountant acceptable to the Authorized Representative, of the Concessionaire's monthly Gross Revenue and any amounts paid to the Airport per the terms of this Agreement, or part thereof. There may be no limitation on the scope of the engagement that would preclude the auditor from expressing an unqualified opinion as to the correctness and completeness of the reported Gross Revenue. The engagement will include a Schedule of Gross Revenue and all payments made to the Airport per this Agreement, prepared in accordance with the comprehensive basis of accounting defined herein and reported in a format acceptable to the Airport. The engagement will be conducted in accordance with Generally Accepted Auditing Standards and shall include an opinion on whether the Schedule of Gross Revenue and all payments to the Airport has been completely and accurately presented, calculated, and reported according to the terms of this Agreement.

22.4.1. The Airport reserves the right to challenge any findings or conclusions of the Annual Report if it believes an error may have occurred. In such an event, the Airport may conduct its own audit under the provisions in Section or may require production of the supporting documentation used to reach the finding or conclusion in question. The resolution by the Airport of any dispute will be final. Delivery of an Annual Report containing a qualified opinion, or an adverse opinion, or a disclaimer of opinion as defined in the Statements on Auditing Standards, as may from time to time be amended or superseded, issued by the Auditing Standards Airport of the American Institute of Certified Public Accountants, or any successor Airport or agency thereto, will be deemed a material breach of this Agreement.

22.5. **Audit and Inspection.** Concessionaire will submit to any audit requested by the County or the Airport, inspection, and review and, at the County's or Airport's request, will make available all documents relating or pertaining to this Agreement maintained by or under the control of the Concessionaire, its employees, agents, assigns, successors, and subcontractors, during normal business hours at Concessionaire's office or place of business in Wisconsin. If no such location is available, Concessionaire will make the documents available at a time and location that is convenient for the County or the Airport.

22.6. Fees, Expenses, Interest and Default. If an audit establishes that there has been an understatement of the Gross Revenue received from all operations at the Leased Premises by three percent (3%) or more (after the deductions and exclusions allowed in this Agreement) the entire reasonable expense of such audit and applicable attorney's fees shall be paid by Concessionaire. Any additional monies due as a result of the audit shall be paid by Concessionaire to the Airport with interest at eighteen percent (18%) per annum from the date such additional monies became due. If Concessionaire has overpaid rent, the Airport will credit the amount of the overpayment against future rent payments or, if the Term has expired, shall refund the overpayment to Concessionaire. If a second audit during the Term that shows an understatement of Gross Revenue by three percent (3%) or more will be considered an event of default, with the potential for termination by the Airport as defined in Section 17 of this Agreement. Concessionaire shall comply with all requirements under this Section or Concessionaire will incur liquidated damages as referenced in Section 8.38 of this Agreement.

22.7. **General Ledger Sales Transactions.** Concessionaire shall, within seven (7) days of a written request by the Airport, submit an extract of the Concessionaire and Concessionaire's Subtenants' detailed general ledger sales transactions listing each sales entry on the general ledger accounting system for the period specified by the Airport. Transaction listings must be specific to Concessionaire and Concessionaire's Subtenants units and include all general ledger accounts available data fields in each transaction in a format acceptable to the Airport for each of the Concessionaire's and Concessionaire's units. Concessionaire shall also provide to the Airport a current detailed chart of accounts for all general ledger accounts at the Airport's request.

22.8. **Continuous Transmission of Sales Data.** At the option of the Airport, the Concessionaire shall on a continuous, real-time basis, using their electronic Point of Sale ("POS") system, provide transactional data for all sales transactions. Transaction listings should be specific to Concessionaire and Concessionaire's Subtenants units and include all available data fields in each transaction, except customer credit or debit card information shall not be included in this continuous transmission. However, it shall be noted whether the purchase was for cash or credit/debit.

23. GENERAL PROVISIONS

23.1. **Amendment.** Any amendment to this Agreement shall be effective only if mutually agreed upon, reduced to writing, and signed by the appropriate officers of both parties.

23.2. **Choice of Laws.** This Agreement has been made in and shall be construed in accordance with the laws of the State of Wisconsin, with the venue of any judicial proceedings arising hereunder in the Court of Outagamie County. All duties, obligations, and liabilities of the County and Concessionaire with respect to the Leased Premises are expressly set forth herein and this Concession Lease can be amended only in writing and agreed to by both parties.

23.3. **Conflict of Interest.** In the interest of ensuring that the efforts of the Concessionaire do not conflict with the interests of the Airport, and in recognition of the Concessionaire's responsibility to the Airport, Concessionaire agrees to decline any offer of employment if its independent work on behalf of the Airport is likely to be adversely affected by the acceptance of such employment. The initial determination of such a possibility rest with Concessionaire. It is incumbent upon Concessionaire to notify the Authorized Representative and provide full disclosure of the possible effects of such employment on the Concessionaire's independent work on behalf of the Airport. A final decision on any disputed offers of other employment for the Concessionaire shall rest with the Airport.

23.4. **Construction of Agreement.** Neither party will be deemed to have drafted the Agreement. The Agreement has been reviewed by all parties and will be construed and interpreted according to the ordinary meaning of the words used so as to fairly accomplish the purposes and intentions of all parties. No term of the Agreement will be construed or resolved in favor of or against the Airport or Concessionaire on the basis of which party drafted the uncertain or ambiguous language. The headings and captions of the Agreement are provided for convenience only and are not intended to have an effect on the construction or interpretation of the Agreement.

23.5. **Contract Documents.** It is understood and agreed that this Concession Lease (including all Exhibits and other documents incorporated by reference) contains the entire agreement between the County and Concessionaire this Concession Lease. It is further understood and agreed by Concessionaire that the County and the County's agents and employees have made no representations or promises with respect to this Concession Lease or the making or entry into this Concession Lease, except as in this Concession Lease expressly set forth, and that no claim or liability or cause for termination shall be asserted by Concessionaire against the County for, and the County shall not be liable by reason of, the breach of any representations or promises not expressly stated in this Concession Lease. Any other written or oral agreement with the County is expressly waived by Concessionaire.

23.6. **Convicted Felon Statement.** No principal, member, or officer of Concessionaire has, within the preceding five (5) years, been convicted of, or pled guilty to, a felony under state or federal statutes for embezzlement, theft of public funds, bribery, or falsification or destruction of public records.

23.7. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original copy of this Agreement, but all of which, when taken together, shall constitute one and the same agreement.

23.8. **Electronic Signature and Delivery.** The parties agree that a manually signed copy of this Agreement and any other document(s) attached to this Agreement delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement. No legally binding obligation shall be created with respect to a party until such party has delivered or caused to be delivered a manually signed copy of this Agreement.

23.9. **Employee Verification.** Concessionaire swears that (i) it is registered and participates in a status verification system to verify that all employees in the State of Wisconsin are legal citizens of the United States or are legal aliens; (ii) it shall continue, during the Term of this Agreement, to utilize a status verification system to verify the legal status of all new employees in the State of Wisconsin; and (iii) it shall require all subcontractors to submit to Concessionaire a sworn affidavit verifying compliance with items (i) and (ii) above. Any violation of the provisions of this paragraph may subject this Agreement to termination and may further result in Concessionaire being ineligible for any public contract for a period of three years from the date the violation is discovered. Concessionaire further acknowledges and agrees that it shall be liable for any additional costs incurred by the Airport occasioned by the termination of this Agreement or the loss of any license or permit to do business in the State of Wisconsin resulting from a violation of this provision. Concessionaire will provide to the Airport with an affidavit attesting to the above provisions if requested by the Airport. The Airport may terminate this Agreement for cause if Concessionaire fails to provide the requested affidavit or violates any provision of this paragraph.

23.10. **Entire Agreement.** This Agreement, including all incorporated documents, constitutes the final and complete agreement and understanding between the parties. All prior and contemporaneous agreements and understandings, whether oral or written, are superseded by this Agreement and are without effect to vary or alter any terms or conditions of this Agreement.

23.11. **Equal Opportunity Employment.** In all hiring or employment made possible by, or resulting from this agreement, Concessionaire agrees that there (1) will not be any discrimination against any employee or applicant for employment because of race, color, religion, gender, age, physical or mental disability, national origin, sexual orientation, creed,

culture, or ancestry, and (2) where applicable, affirmative action will be taken to ensure that Concessionaire's employees are treated during employment without regard to their race, color, religion, gender, age, physical or mental disability, national origin, sexual orientation, creed, culture, or ancestry. This requirement shall apply to, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. All solicitations or advertisements for employees shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, age, physical or mental disability, national origin, sexual orientation, creed, culture, or ancestry.

23.12. **Exclusive Jurisdiction and Venue.** For all claims arising out of or related to this Agreement, Concessionaire hereby consents and yields to the jurisdiction of the Circuit Court for Outagamie County, and expressly waives any (A) pleas of jurisdiction based upon Contractor's residence and (B) right of removal to federal court based upon diversity of citizenship.

23.13. **Incorporation into Subcontracts.** Concessionaire will incorporate Agreement Terms and Conditions into all subcontracts, by reference or otherwise, and will require all subcontractors to comply with these provisions.

23.14. **Independent Contractor Status.** Concessionaire is an independent contractor and shall not be deemed an employee, servant, agent, partner, or joint venture of the Airport or the County and will not hold itself or any of its employees, subcontractors, or agents to be an employee, partner, or agent of the Airport or the County.

23.15. **Limitations of the County's Obligations.** The Airport and the County have no obligations not explicitly set forth in this Agreement or any incorporated documents or expressly imposed by law.

23.16. **No Third-Party Beneficiaries.** The Agreement is entered into for the exclusive benefit of the Airport, County, and Concessionaire, and the Airport, County, and Concessionaire expressly disclaim any intent to benefit anyone not a party to this Agreement.

23.17. **Non-Exclusive Rights.** The rights granted to Concessionaire in this Agreement are non-exclusive. The Airport may, at any time, award a contract to other parties who may have rights or may sell Concession goods or provide similar or identical services at the Airport as those non-exclusively granted to Concessionaire herein. Further, the Airport may, in its sole discretion, grant exclusive rights to other concessionaires to sell goods or services that Concessionaire is not authorized to sell.

23.18. In the event of a dispute between Concessionaire and any other party operating at the Airport as to the rights of the parties under their respective contracts, the Airport shall

determine the rights of each party and Concessionaire agrees to be bound by the Airport's decision.

23.19. **Non-solicitation.** Concessionaire has not employed or retained any company or person, other than a bona fide employee working solely for him, to solicit or secure the subject Agreement. Concessionaire has not paid or agreed to pay any person, other than a bona fide employee working for him, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the subject Agreement.

23.20. **Non-waiver.** The failure of the Airport to insist upon strict compliance with any provision of the Agreement, to enforce any right or to seek any remedy upon discovery of any default or breach of Concessionaire at such time as the initial discovery of the existence of such noncompliance, right, default or breach shall not affect or constitute a waiver of the Airport's right to insist upon such compliance, exercise such right or seek such remedy with respect to that default or breach or any prior contemporaneous or subsequent default or breach.

23.21. Notices and Communications.

23.21.1. All notices provided to be given under this Agreement shall be in writing and shall be deemed properly served if such notice is given by certified mail, return receipt requested, or by expedited prepaid commercial delivery service (such as Fed Ex), with proof of delivery, addressed to the other party at the following address, or such other address as either party may, from time to time, designate in writing:

The Airport: Airport Director
Appleton International Airport
W6390 Challenger Dr.
Appleton, WI 5914

Concessionaire: SSP America ATW, LLC
20408 Bashan Drive, Suite 300
Ashburn, VA 20147

23.22. Notices mailed in accordance with the provisions hereof shall be deemed to have been given as of the date of receipt or the third business day following the date of such mailing, whichever is earlier.

23.23. Unless notified otherwise, all correspondence, documentation, and information, including but not limited to inquiries, review, questions, pay requests and other matters that require action on the part of the Airport shall be addressed to the Authorized Representative.

23.24. **Ownership interest disclosure**. Concessionaire will provide an affidavit listing all-natural or artificial persons with an ownership interest in Concessionaire and stating that no other person holds an ownership interest in Concessionaire via a counter letter. For the purposes of this provision, an "ownership interest" shall not be deemed to include ownership of stock in a

publicly traded corporation or ownership of an interest in a mutual fund or trust that holds an interest in a publicly traded corporation. If Concessionaire fails to submit the required affidavits, the Airport may, after thirty (30) days' written notice to Concessionaire, take such action as may be necessary to cause the required affidavits to be submitted.

23.25. **Ownership of records.** Upon final payment, all data collected and all products of work prepared, created or modified by Concessionaire in the performance of this Agreement, including without limitation any and all notes, tables, graphs, reports, files, computer programs, source code, documents, records, disks, original drawings or other such material, regardless of form and whether finished or unfinished, but excluding Concessionaire's personnel and administrative records and any tools, systems, and information used by Concessionaire to perform the services under this Agreement, including computer software (object code and source code), know-how, methodologies, equipment, and processes and any related intellectual property (collectively, "Work Product") will be the exclusive property of Airport and the Airport will have all right, title and interest in any Work Product, including without limitation the right to secure and maintain any copyright, trademark, or patent of Work Product in the Airport's name. No Work Product may be reproduced in any form with the Airport's express written consent. The Airport may use and distribute any Work Product for any purpose the Airport deems appropriate without Concessionaire's consent and for no additional consideration to Concessionaire.

23.26. **Prohibition against financial interest in agreement.** No elected official or employee of the Airport or the County shall have a financial interest, direct or indirect, in the Agreement, including through any financial interest held by the spouse, child, or parent. Any willful violation of this provision, with the expressed or implied knowledge of Concessionaire, will render this Agreement voidable by the Airport and the County and shall entitle the Airport or the County to recover, in addition to another rights and remedies available to the Airport or the County, all monies paid by the Airport to Concessionaire pursuant to this Agreement without regard to Concessionaire's satisfactory performance.

23.27. **Prohibition of political activity.** None of the funds, materials, property, or services provided directly or indirectly under the terms of this Agreement shall be used in the performance of this Agreement for any partisan political activity, or to further the election or defeat of any candidate for public office.

23.28. **Remedies cumulative.** No remedy set forth in the Agreement or otherwise conferred upon or reserved to any party shall be considered exclusive of any other remedy available to a party. Rather, each remedy shall be deemed distinct, separate, and cumulative and each may be exercised from time to time as often as the occasion may arise or as may be deemed expedient.

23.29. **Severability**. If a court of competent jurisdiction finds any provision of the Agreement to be unenforceable as written, the unenforceable provision should be reformed, if possible, so that it is enforceable to the maximum extent permitted by law, or, if reformation is not possible, the unenforceable provision will be fully severable and the remaining provisions of the Agreement will remain in full force and effect and will be construed and enforced as if the unenforceable provision was never a part the Agreement.

23.30. **Survival of certain provisions.** All representations and warranties and all obligations concerning record retention, inspections, audits, ownership, indemnification, payment, remedies, jurisdiction, venue, and choice of law shall survive the expiration, suspension, or termination of the Agreement and continue in full force and effect.

23.31. **Terms binding.** The terms and conditions of the Agreement are binding on any heirs, successors, transferees, and assigns.

23.32. Waiver of benefits. Concessionaire, as an independent contractor, will not receive from the Airport or the County any sick and annual leave benefits, medical insurance, life insurance, paid vacations, paid holidays, sick leave, pension, or Social Security for any services rendered to the Airport or the County under this Agreement.

23.33. **Amendment Required by FAA/TSA**. This Lease may be amended without further consideration for the purpose of satisfying FAA or TSA requirements. In the event that the FAA requires, as a condition precedent to granting of funds for the improvement of the Airport, modifications or changes to this Lease, Concessionaire agrees to such modifications or changes as may be required to enable Lessor to obtain FAA funds.

23.34. **Accord and Satisfaction.** No payment by Concessionaire or receipt by the Airport of a lesser amount than the rent, fees, and/or charges due to be made by Concessionaire herein shall be deemed to be other than on account of the rent, fees, and/or charges due, and no endorsement or statement on any check or in any letter accompanying any check or payment as rent, fees, and/or charges shall be deemed an accord and satisfaction, and Airport may accept such check or payment without prejudice to Airport's right to recover the balance of such rent, fees, and/or charges or to pursue any other remedy provided in this Lease.

23.35. **Delinquent Taxes.** Concessionaire swears that it complies not delinquent in any taxes owed to the County.

23.36. **Amendment.** The Lease shall not be modified except by written amendment executed by duly authorized representatives of the parties.

24. REQUIRED FEDERAL PROVISIONS

24.1. Civil Rights – General

24.1.1. The Concessionaire and the Airport agree to comply with pertinent statutes, Executive Orders, and such rules as are promulgated to ensure that no person shall, on the grounds of

race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance.

24.1.2. This provision obligates the Concessionaire or its transferee for the period during which Federal assistance is extended to the airport through the Airport Improvement Program.

24.1.3. In cases where Federal assistance provides, or is in the form of personal property; real property or interest therein; structures or improvements thereon, this provision obligates the party or any transferee for the longer of the following periods:

24.1.4. The period during which the property is used by the airport sponsor or any transferee for a purpose for which Federal assistance is extended, or for another purpose involving the provision of similar services or benefits; or

24.1.5. The period during which the airport sponsor or any transferee retains ownership or possession of the property.

24.2. General Title VI - Compliance with Nondiscrimination Requirements

24.2.1. During the performance of this contract, the Concessionaire, for itself, its assignees, and successors in interest (hereinafter referred to as the "Concessionaire") agrees as follows:

24.2.1.1. Compliance with Regulations: The Concessionaire (hereinafter includes consultants) will comply with the Title VI List of Pertinent Nondiscrimination Acts And Authorities, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

24.2.1.2. Non-discrimination: The Concessionaire, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Concessionaire will not participate directly or indirectly in the discrimination prohibited by the Nondiscrimination Acts and Authorities, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21.

24.2.1.3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Concessionaire for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Concessionaire of the Concessionaire's obligations under this contract and the Nondiscrimination Acts And Authorities on the grounds of race, color, or national origin.

24.2.1.4. Information and Reports: The Concessionaire will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the sponsor or the Federal Aviation Administration to be pertinent to ascertain compliance with such Nondiscrimination Acts and Authorities and instructions. Where

any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Concessionaire will so certify to the sponsor or the Federal Aviation Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

24.2.1.5. Sanctions for Noncompliance: In the event of Concessionaire's noncompliance with the Non-discrimination provisions of this contract, the Airport will impose such contract sanctions as it or the Federal Aviation Administration may determine to be appropriate, including, but not limited to:

24.2.1.5.1. Withholding payments to the contractor under the contract until the contractor complies; and/or

24.2.1.5.2. Cancelling, terminating, or suspending a contract, in whole or in part.

24.2.1.6. Incorporation of Provisions: The Concessionaire will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Concessionaire will take action with respect to any subcontract or procurement as the sponsor or the Federal Aviation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the sponsor to enter into any litigation to protect the interests of the sponsor. In addition, the contractor may request the United States to enter into litigation to protect the interests of the United States.

24.3. Title VI - Title VI Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility, or Program

24.3.1. The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Lessor pursuant to the provisions of the Airport Improvement Program grant assurances.

24.3.1.1. The Concessionaire for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that:

24.3.1.2. In the event facilities are constructed, maintained, or otherwise operated on the property described in this Lease for a purpose for which a Federal Aviation Administration activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the Concessionaire will maintain and operate such facilities and services in compliance with all requirements imposed by the Nondiscrimination Acts and Regulations listed in the Pertinent List of Nondiscrimination Authorities (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from

participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

24.3.2. With respect to licenses, leases, permits, etc., in the event of breach of any of the above covenants, Lessor will have the right to terminate the Lease and to enter, re- enter, and repossess said lands and facilities thereon, and hold the same as if the Lease had never been made or issued.

24.4. Title VI - Clauses for Construction/Use/Access to Real Property Acquired Under the Activity, Facility or Program

24.4.1. The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Lessor pursuant to the provisions of the Airport Improvement Program grant assurances.

24.4.1.1. The Concessionaire for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the List of discrimination Acts And Authorities.

24.4.1.2. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above nondiscrimination covenants, Lessor will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.

24.5. Title VI List of Pertinent Nondiscrimination Acts and Authorities

24.5.1. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

24.5.1.1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);

24.5.1.2. 49 CFR part 21 (Non-discrimination In Federally-Assisted Programs of The Department of Transportation—Effectuation of Title VI of The Civil Rights Act of 1964);

24.5.1.3. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);

24.5.1.4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR part 27;

24.5.1.5. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);

24.5.1.6. Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);

24.5.1.7. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);

24.5.1.8. Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;

24.5.1.9. The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);

24.5.1.10. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

24.5.1.11. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

24.5.1.12. Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq)

24.5.1.13. Subtitle A of Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131), which prohibits discrimination on the basis of disability by public entities as implemented by the Department of Justice regulations at 28 CFR part 35;

24.5.2. Title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181), which prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with accessibility standards as implemented by the Department of Justice regulations at 28 CFR Part 36.

24.6. Fair Labor Standards Act

24.6.1. All contracts and subcontracts that result from this solicitation incorporate by reference the provisions of 29 CFR Part 201, the Federal Fair Labor Standards Act (FLSA), with the same force and effect as if given in full text. The FLSA sets minimum wage, overtime pay, recordkeeping, and child labor standards for full and part time workers.

24.6.2. The Concessionaire has full responsibility to monitor compliance to the referenced statute or regulation. The proposer must address any claims or disputes that arise from this requirement directly with the U.S. Department of Labor – Wage and Hour Division.

24.7. Occupational Safety and Health Act of 1970

24.7.1. All contracts and subcontracts shall incorporate by reference the requirements of 29 CFR Part 1910 with the same force and effect as if given in full text. Concessionaire must provide a work environment that is free from recognized hazards that may cause death or serious physical harm to the employee. Concessionaire retains full responsibility to monitor its compliance and their subcontractor's compliance with the applicable requirements of the Occupational Safety and Health Act of 1970 (20 CFR Part 1910). Concessionaire must address any claims or disputes that pertain to a referenced requirement directly with the U.S. Department of Labor – Occupational Safety and Health Administration

Signature Page Follows

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this_____day of , 2024.

OUTAGAMIE COUNTY

By: _____

Thomas Nelson
County Executive

By: _____

Jeff Nooyen
Board Chairperson

By: _____

Jeffrey King
County Clerk

APPROVED AS TO FORM:

By: *Electronically Signed: Kyle J. Sargent*

Kyle Sargent
Corporation Counsel

SSP America ATW, LLC

By: _____
Name: _____
Title: _____

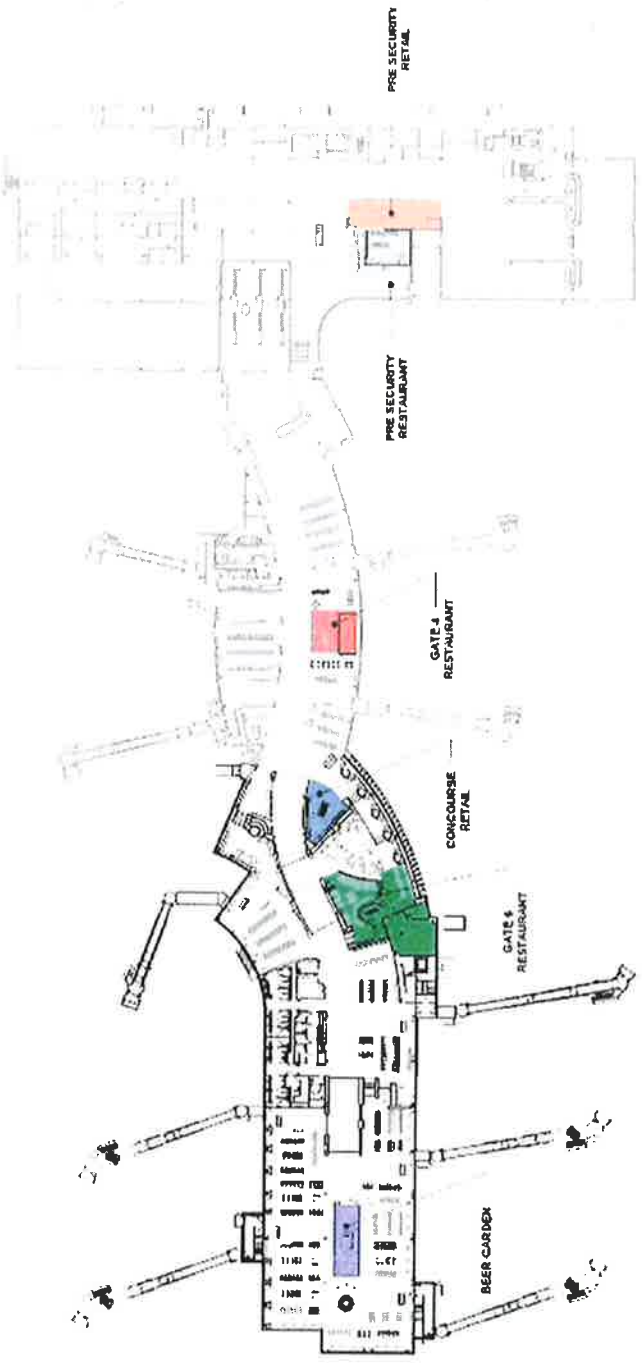


Exhibit A1: Concourse and Terminal Expansion Presentation

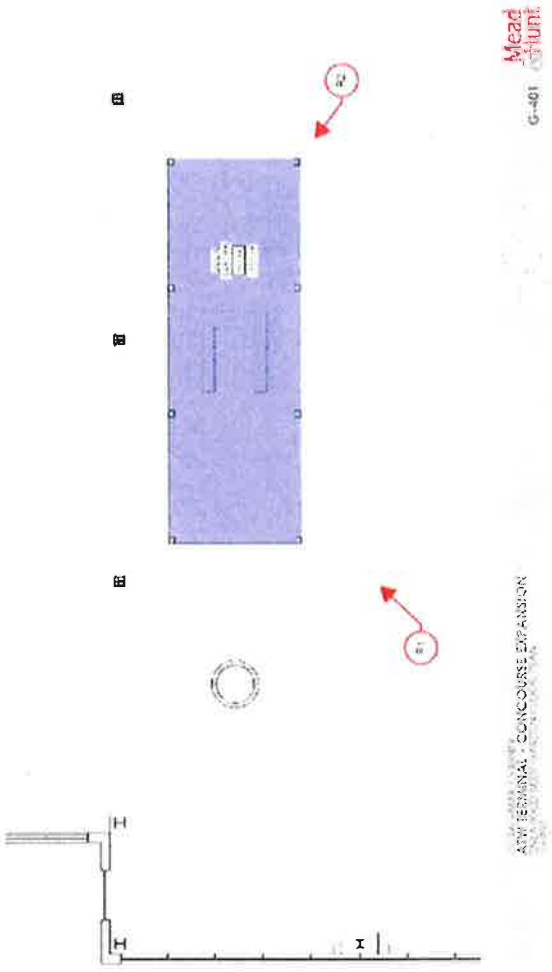
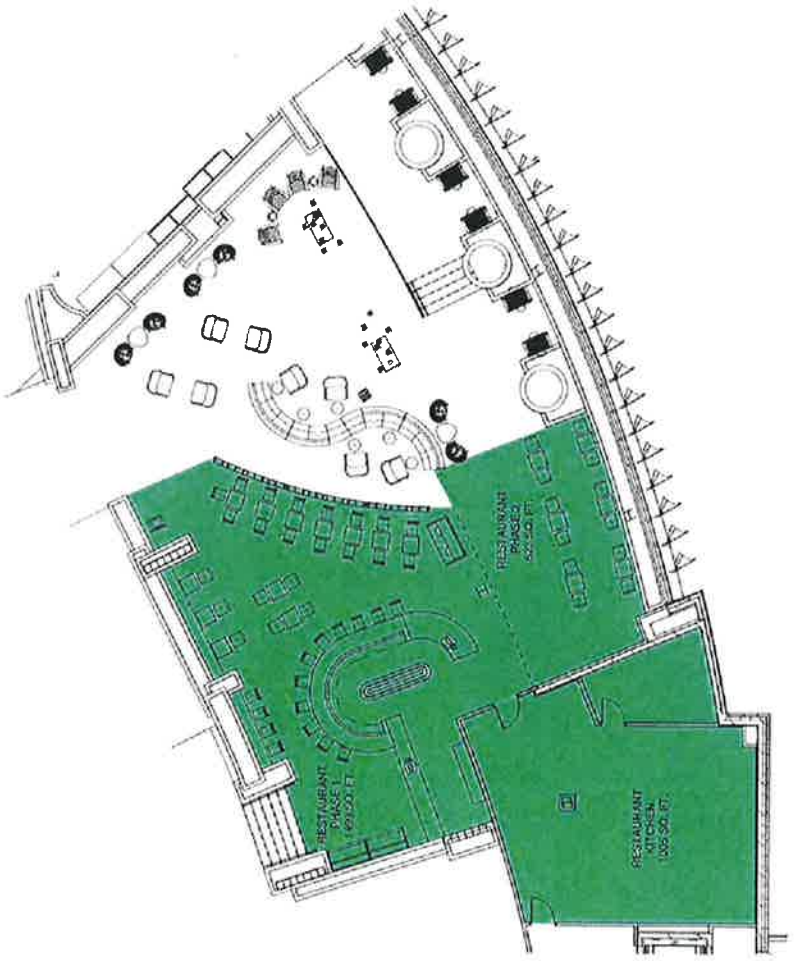


Exhibit A2: Beer Garden Drawing

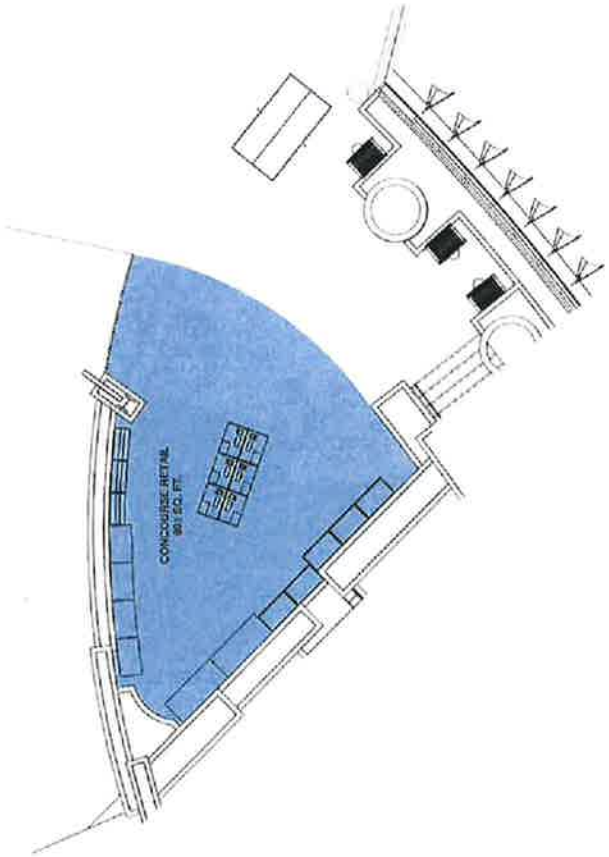


Mead & Hunt

G-401

QUAD CITIES INTERNATIONAL
ATW TERMINAL - CONCOURSE EXPANSION
ENLARGED GATE SIX RESTAURANT FLOOR PLAN

Exhibit A3: Gate Six Restaurant Drawing



Mead & Hunt

G-402

OUTAGAMIE COUNTY
ATW TERMINAL - CONCOURSE EXPANSION
ENLARGED CONCOURSE RETAIL FLOOR PLAN

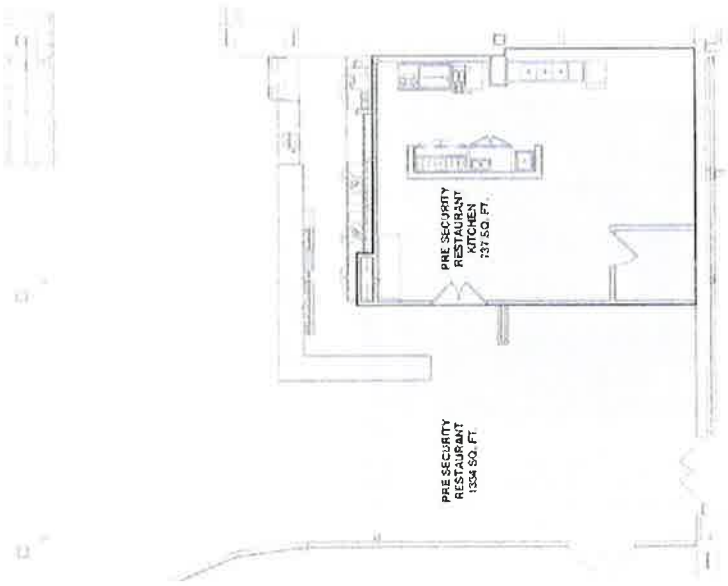
Exhibit A3: Concourse Retail

Mead Hunt

G-403

CHEYENNE COUNTY
ATW TERMINAL - CONCOURSE EXPANSION
ENLARGED GATE 4 RESTAURANT FLOOR PLAN

Exhibit A4 Gate Four Restaurant Drawing



Mead & Hunt

G-404

OUTAGAMIE COUNTY
ATW TERMINAL - CONCOURSE EXPANSION
ENLARGED PRE SECURITY RESTAURANT FLOOR PLAN

Exhibit A5: Pre-Security Restaurant Drawing



Mead & Hunt

G-405

QUAD CITIES INTERNATIONAL AIRPORT
ATW TERMINAL - CONCOURSE EXPANSION
PROPOSED PRE SECURITY RETAIL FLOOR PLAN

Exhibit A5: Pre-Security Retail Drawing

Exhibit B: Development Schedule

To Be Provided By Concessionaire

To Be Provided By Concessionaire

Exhibit C Concessionaire Leasehold Improvement Amortization Schedule (XLSX)

To Be Provided By Airport and Completed By Concessionaire

Exhibit D: ACDBE Utilization Form

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** SSP America ATW, LLC Lease and Concession Agreement

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Appleton International Airport has chosen a new concessionaire for food/beverage and retail through an RFP process. The Airport has negotiated a lease and concession agreement with SSP American ATW, LLC for a concessionaire lease to operate a food and beverage business. The lease term is eleven (11) years beginning May 1, 2024 and terminating on April 30, 2035. The lease rate will be the greater of the Minimum Annual Guarantee (ranging from $300,000 to $481,038 annually) or a percentage of gross receipts based on amount of revenue generated. This lease has already been included in the 2024 budget.

Current Year Budget Impact (Check one or more of the following boxes)

[ ] Revenues [ ] Expenses (Cost) [X] None

3. Is the specific cost or revenue included in the current year's budget? yes (X) no ( ) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (X) no ( )

6. Does this request modify/adjust the current year budget? yes ( ) no (X)
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (I.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Already included in 2024 budget			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact?
Annual Cost
Annual Revenue $300,000 to $481,038

Fiscal Note Prepared by: Abe Weber/Katie Horan

For Financial Services purposes only	
Reviewed By: Kay L Hamilton	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount
Date: 2/21/2024	
Comments:	

Resolution No. 113—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Appleton International Airport entering into a second addendum to lease with Maxair, LLC, as detailed in the attached Second Addendum to Lease, and transfer $60,000 from the line item of Airport Terminal Fund Balance Applied to the FBO Hangar – Tenants, as detailed on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 113—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 113—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve the Appleton International Ai… with Maxair, LLC, as detailed in the attached Second Addendum to Lease, and transfer $60,000 from the line item of Airport Terminal Fund Balance Applied to the FBO Hangar – Tenants, as detailed on the attached fiscal note.

Passed With 2/3 of Full Membership

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO ABSENT
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County **3-12-24 County Board Meeting - March 12 2024 07:18:03 PM**

March 12, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 113—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Appleton International Airport and Maxair, LLC desire to incorporate a second addendum to the Building Lease Agreement. This addendum provides for additional common hangar space to accommodate three (3) additional aircraft owned by Maxair, LLC. The monthly rental revenue for the three additional aircraft will be $2,000 per aircraft. The fuel into wings rates were also renegotiated based on the number of additional aircraft. A budget adjustment is being requested for the period from March 1, 2024 to December 31, 2024 to increase the rent fom Maxair. No budget adjustment related to the fuel revenue is needed as an estimate was already included in the 2023 budget.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Appleton International Airport entering into a second addendum to lease with Maxair, LLC as detailed in the attached Second Addendum to Lease, which by reference is made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does approve transferring $60,000 from the Airport Terminal Fund Balance Applied line item to the FBO Hangar – Tenants line item as noted on the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Appleton International Airport Director.

Dated this 12th day of March 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3/18/24 Vetoed: _____

Signed: _____
County Executive

SECOND ADDENDUM TO LEASE

THIS SECOND ADDENDUM is entered into this____day Of _____, 2024, between Outagamie County ("LESSOR") and Maxair, LLC, ("LESSEE").

WHEREAS, the parties entered into a Building Lease Agreement on January 1, 2021 (hereinafter the "Agreement"), providing for lease of facilities situated in the State of Wisconsin, County of Outagamie, Town of Greenville, located at the Appleton International Airport; and

WHEREAS, the parties have previously amended the Lease by Addendum One (1); and

WHEREAS, the parties desire to amend the Agreement by this Second Addendum; and

NOW, THEREFORE, in consideration of the mutual benefits, covenants and obligations of the parties contained in the Lease, Lessor and Lessee agree to amend the lease as follows:

1. Section **2. Premises** will be amended to include the following paragraph:

   Lessor herby leases space, in common with others for the purpose of hangaring, storing and operating three (3) of Tenant's aircraft to Lessee, and Lessee hereby leases space in the Premises from Lessor. The Airport Director may change the assignment of hangar space at any time at the sole determination and discretion of the Airport Director, for comparable space.

2. Section **5. County Covenants** will be amended to include the following:

   h. Lessor hereby warrants that Lessee shall have sufficient space, in common with others for the purpose of hangaring, storing and operating three (3) Lessee's aircraft. Lessee's aircraft shall be parked in the hangar, properly chocked, with such free space between the aircraft, the building and the other tenants' aircraft in the hangar so as to permit free movement around the aircraft and reduce any possibility of contact between Lessee's aircraft, the hangar structure, any other aircraft or any other object.

3. Section 6. Lessee Covenants will be amended to include the following:

   n. The Lessee's equipment and personal effects stored in the common storage hangar shall be at the sole risk of the Lessee or those claiming under it and the Lessor shall not be liable to Lessee, or to any person whatsoever, for any injury, loss or damage to property in or upon said hangar contiguous thereto unless caused by negligence or willful misconduct attributable to Lessor or its agents or employees. However, Lessee acknowledges and understands that the Airport is required to follow all current and future FAA regulations regarding the non-aeronautical use of airport hangars which may preclude the Lessee from storing non-aeronautical equipment in the hangar. Lessee agrees that in the event the FAA interprets lessee storage of its equipment in the hangar as a non-aeronautical use, that lessee will at that time be prohibited from such storage without a reduction in the lease rate.

4. Exhibit B shall be replaced in its entirety with the attached revised Exhibit B.2.

EXCEPT as expressly provided herein, the Lease shall remain unchanged and in full force and effect.

EXHIBIT B.2

Lease and Fuel Rates
Lease and Fuel Rates

Office and Hangar Space

Monthly rates for lease of the office and hangar space shall be as follows:

Year 1	$10,000
Years 2-4	$11,000
Years 5-7	$12,000
Years 8-12	$13,000

Common Storage Hangar Space

Monthly rates for lease of common storage hangar space for three (3) aircraft shall be as follows:

$2,000 per month per aircraft

Fuel Into-wing Rates

Per the 1st Addendum, Exhibit B.1 stated:

**If and when the County constructs an additional common storage hangar that provides for storage of additional Maxair, LLC aircraft, the tier will increase from 25,000 to 30,000.

The Lessor's Fixed Base Operator will supply Jet-A and 100LL fuel to the Lessee at the following into-wing rates. The rate charged for JetA for a month will be that applicable rate as determined by the aggregate gallons pumped in the prior month:

Type	Minimum Requirement
Jet-A	Minimum 100,000 gallons annually

Gallons pumped per month*	Into-wing Rate
Up to 20,000	$.60 / Gal
20,001-35,000	$.55 / Gal
Over 35,000	$.50 / Gal
100LL No minimum	$.80/gallon

*Minimum upload per occurrence to be 250 gallons. If individual upload of JetA is less than 250 gallons, then the rate will be $.70 per gallon.

Lessee shall be responsible for all fuel taxes and fees including the airport fuel flowage fee.

If minimum annual fuel gallons as stated above are not met, the Airport will provide an invoice to true up the fuel sales at an into-wing rate of $.80/gallon thirty (30) days following the end of the Agreement year.

OUTAGAMIE COUNTY

By: _____
Thomas Nelson
County Executive

By: _____
Jeff Nooyen
Board Chairperson

By: _____
Jeffrey King
County Clerk

APPROVED AS TO FORM:

By: *Electronically Signed: Kyle J. Sargent*
Kyle Sargent
Corporation Counsel

MAXAIR, LLC.

By: _____
Justin Johnson

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** 2nd Addendum to Maxair LLC Agreement

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Appleton International Airport and Maxair, LLC desire to incorporate a 2nd addendum for the Building Lease Agreement. This addendum provides for additional common hangar space to accommodate 3 additional Maxair, LLC aircraft. The monthly rental revenue for the 3 additional aircraft will be $2,000 per aircraft. The fuel into-wing rates were also renegotiated based on the number of additional aircraft. A budget adjustment is being requested for the period from March 1, 2024 to December 31, 2024 to increase the rent from Maxair. No budget adjustment related to the fuel revenue is needed as an estimate was already included in the 2023 budget.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (X) n/a ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes (X) no ( )

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( ) To be determined

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
FBO	Hangar - Tenants	5000119.4492.07	60,000
Airport Terminal	Fund Balance Applied	5000110.8955	(60,000)

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (x) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0

Annual Revenue $72,000

Fiscal Note Prepared by: Abe Weber/Katie Horan

For Financial Services purposes only	
Reviewed By: [signature]	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number — Amount
Date: 2/21/2024	
Comments:	

Resolution No. 114—2023-24 – Public Safety Committee. Approve the Outagamie County Sheriff's Office to accept and expend an unsolicited donation from Milk Source LLC, for $1,000, and to increase the line items of Corrections Revenue and Corrections Supplies by $1,000 each, as detailed on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Schroeder, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 114—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Resolution No. 114—2023-24

Public Safety Committee. Approve the Outagamie County Sheriff's Office to accept and expend an unsolicited to increase the line items of Corrections Revenue and Corrections Supplies by $1,000 each, as detailed on the attached fiscal note.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	ABSENT
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **3-12-24 County Board Meeting - March 12 2024 07:18:47 PM**

March 12, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 114—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Sheriff's Office is requesting approval to accept and expend an unsolicited donation from Milk Source LLC in the amount of $1,000. Funds will be used to replace an AED (Automated External Defibrillator) in the Jail. The Sheriff's Office will use already budgeted funds to cover the excess cost of the unit. There is no county match required.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Outagamie County Sheriff's Office to accept and expend an unsolicited donation from Milk Source LLC in the amount of $1,000, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Corrections Revenue line item and the Corrections Supplies line item by $1,000 each as detailed on the attached fiscal note, which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 12th day of March 2024

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3 18 24 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Sheriff's Department to accept and expend unsolicited donation from Milk Source LLC.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Sheriff's Office requests to accept and expend an unsolicited donation from Milk Source LLC in the amount of $1,000. Funds will be used to replace an AED (Automated External Defibrillator) in the Jail. The Sheriff's Office will use already budgeted funds to cover the excess cost of the unit. There is no county match required.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes (x) no ( ) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Corrections	Revenue	1008015.4510.12	1,000
Corrections	Supplies	1008015.5400	1,000

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Lisa VandenLangenberg

For Financial Services purposes only

Reviewed By: [signature]

Date: 2/2/2024

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount
1008015.5420.08	1,000

Comments:

Ordinance No. M—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH MM between Mystic Drive and the East Village limits, in the Village of Hortonville, as an ATV/UTV route, as detailed on the attached Memorandum and map.

Supervisor Hagen moved, seconded by Supervisor Wegand, for adoption.

ROLL CALL: 30 yes, 2 no (Ferguson, Thiede), 4 absent. ORDINANCE NO. M—2023-24 IS ADOPTED.

VOTE RESULTS 30 YES 2 NO 0 ABSTAIN 4 ABSENT

Ordinance No. M—2023-24

Highway, Recycling and Solid Waste Committee. Approve to designate CTH MM between Mystic Drive and th as an ATV/UTV route, as detailed on the attached Memorandum and map.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	YES	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	ABSENT
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	NO	36 LAUTENSCHLAGER	YES

Outagamie County 3-12-24 County Board Meeting - March 12 2024 07:19:29 PM

March 12, 2024 County Board Meeting

OpenMeeting

ORDINANCE NO.: M—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on roadways designated by Outagamie County and referred to as "routes." On August 22, 2023, the Outagamie County Board adopted Ordinance D—2023-2024 which modified the ordinance as pertains to speed limits and operating hours. Wis. Stat. §23.33(8)(b)1 offers a town, village, or city the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV/UTV route.

The Village of Hortonville has submitted an application to the Outagamie County Highway Commissioner to designate the following county highway as an ATV/UTV route:

- CTH MM between Mystic Drive and the East Village limits

The Village of Hortonville has completed said requirements of Outagamie County Code of Ordinance Sec. 50-353(4)(a)(ii) and submitted the following documents with the application:

- A map showing the proposed ATV/UTV route on the county highway system.
- A map showing any existing or future ATV/UTV routes leading to the proposed route.
- A statement explaining why the proposed route should be designated as an ATV/UTV route.
- Documentation that items required in Ordinance 50-353 Sec. 4(a)(i)1-3 were completed by the Municipality.
- A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
- Regulations set forth in Ordinance Sec. 50-353(5) were adopted by the Village of Hortonville on June 21, 2023.

The Outagamie County Highway Commissioner has completed a review as detailed in Ordinance Sec. 50-353(4)(b) and is recommending approval. The Outagamie County Highway, Recycling and Solid Waste Committee is recommending approval.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve designating CTH MM between Mystic Drive and the East Village limits, said section in the Village of Hortonville, as an ATV/UTV route as detailed on the attached Memorandums and map, which by reference are made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, and the Village of Hortonville.

Dated this 12th day of March 2024

Respectfully Submitted,
HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3/18/24 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Find us on @Outagamie County Highway Department

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 3/12/2024
RE: Village of Hortonville – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Village of Hortonville
Request:	ATV/UTV Route Designation
Highway:	CTH MM
Limits:	Mystic Drive to the East Village limits
Public Hearing Date:	5/18/2023 Held by the Village of Hortonville
Written Notice Sent to Property Owners on:	5/8/2023 by the Village of Hortonville
Official Action to Apply for Route Taken on:	5/18/2023 by the Village of Hortonville
Regulations Adoption Date:	6/21/2023 by the Village of Hortonville

Background:
The Village of Hortonville has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

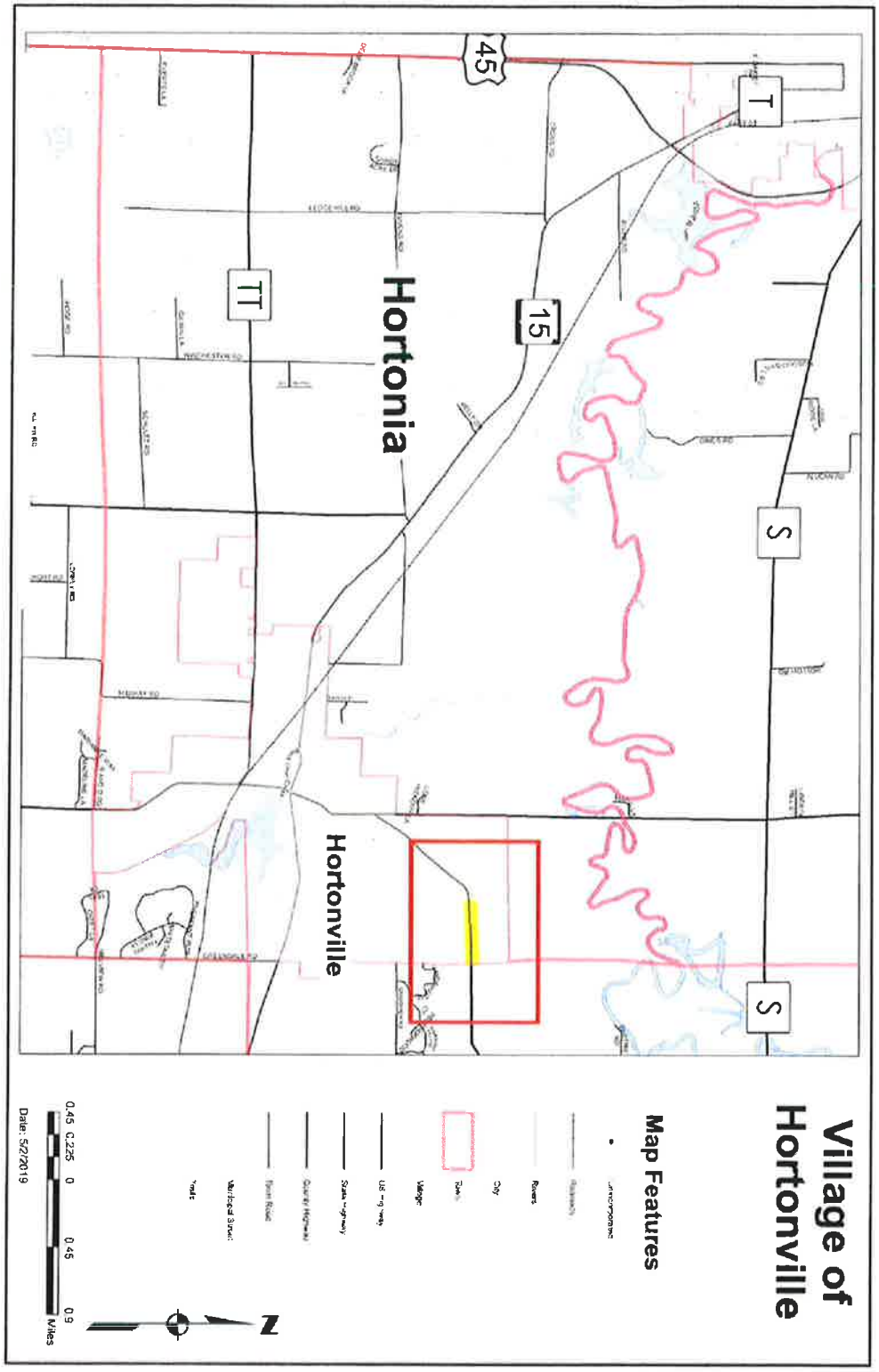
1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Village of Hortonville.
5. A statement that the Village of Hortonville will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the Village of Hortonville board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 730 AADT
Speed Limit(s): 55 MPH
Topography: No issues
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: None

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

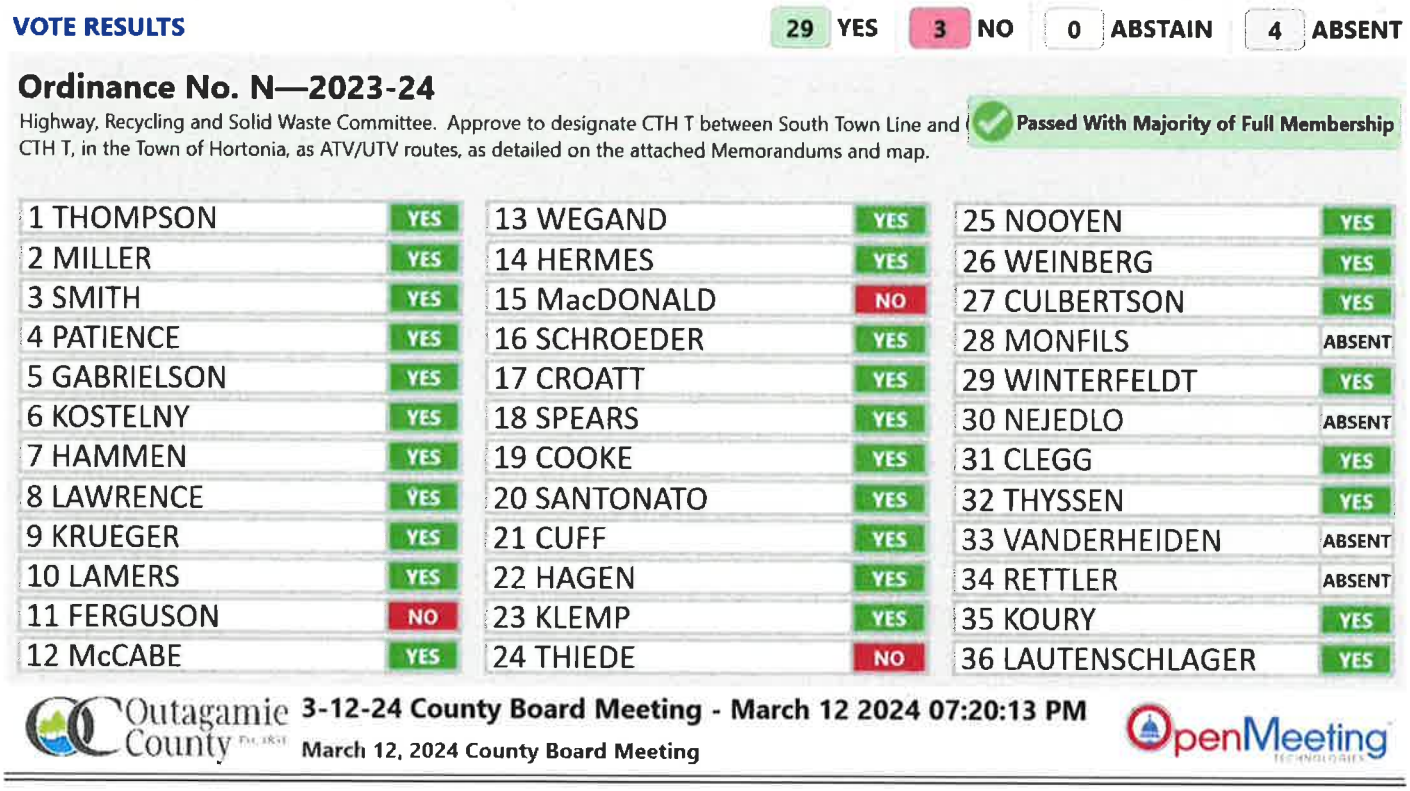
C:\Users\hickeysa\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\9JEKB7PG\Hortonville ATV UTV Engineering Memo.docx


Village of Hortonville
Map Features
Rivers
City
Village
State Highway
Town Road
Hortonia
Hortonville
45
15
TT
T
S
S
0.45 0.225 0 0.45 0.9
Miles
N
Date: 5/2/2019

Ordinance No. N—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to designate CTH T between South Town Line and Givens Road and CTH TT between STH 45 and CTH T, in the Town of Hortonia, as ATV/UTV routes, as detailed on the attached Memorandums and map.

Supervisor Krueger moved, seconded by Supervisor Koury, for adoption.

ROLL CALL: 29 yes, 3 no (Ferguson, MacDonald, Thiede), 4 absent. ORDINANCE NO. N—2023-24 IS ADOPTED.



VOTE RESULTS 29 YES 3 NO 0 ABSTAIN 4 ABSENT

Ordinance No. N—2023-24

Highway, Recycling and Solid Waste Committee. Approve to designate CTH T between South Town Line and CTH T, in the Town of Hortonia, as ATV/UTV routes, as detailed on the attached Memorandums and map.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	YES
3 SMITH	YES	15 MacDONALD	NO	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	YES	28 MONFILS	ABSENT
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	ABSENT
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	YES	21 CUFF	YES	33 VANDERHEIDEN	ABSENT
10 LAMERS	YES	22 HAGEN	YES	34 RETTLER	ABSENT
11 FERGUSON	NO	23 KLEMP	YES	35 KOURY	YES
12 McCABE	YES	24 THIEDE	NO	36 LAUTENSCHLAGER	YES

Outagamie County 3-12-24 County Board Meeting - March 12 2024 07:20:13 PM

March 12, 2024 County Board Meeting

OpenMeeting

ORDINANCE NO.: N—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

On October 27, 2020, the Outagamie County Board adopted Ordinance C—2020-2021 which created Section 50-353 (based on Wis. Stat. §23.33) allowing all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) to operate on roadways designated by Outagamie County and referred to as "routes." On August 22, 2023, the Outagamie County Board adopted Ordinance D—2023-2024 which modified the ordinance as pertains to speed limits and operating hours. Wis. Stat. §23.33(8)(b)1 offers a town, village, or city the ability to enact an ordinance to designate a highway not under its jurisdiction, but within its territorial limits, as an ATV/UTV route.

The Town of Hortonia has submitted an application to the Outagamie County Highway Commissioner to designate the following county highways as an ATV/UTV route:

- CTH T between South Town Line and Givens Road
- CTH TT between STH 45 and CTH T

The Town of Hortonia has completed said requirements of Outagamie County Code of Ordinance Sec. 50-353(4)(a)(ii) and submitted the following documents with the applications:

- A map showing the proposed ATV/UTV route on the county highway system.
- A map showing any existing or future ATV/UTV routes leading to the proposed route.
- A statement explaining why the proposed route should be designated as an ATV/UTV route.
- Documentation that items required in Ordinance 50-353 Sec. 4(a)(i)1-3 were completed by the Municipality.
- A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
- Regulations set forth in Ordinance Sec. 50-353(5) were adopted by the Town of Hortonia on February 20, 2024.

The Outagamie County Highway Commissioner has completed a review as detailed in Ordinance Sec. 50-353(4)(b) and is recommending approval. The Outagamie County Highway, Recycling and Solid Waste Committee is recommending approval.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve designating CTH T between South Town Line and Givens Road and CTH TT between STH 45 and CTH T, said sections in the Town of Hortonia, as ATV/UTV routes as detailed on the attached Memorandums and map, which by reference are made a part hereof, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Highway Commissioner, the Outagamie County Development and Land Services Director, the Outagamie County Sheriff, and the Town of Hortonia.

Dated this 12th day of March 2024

Respectfully Submitted,
HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3/18/24 Vetoed: _____

Signed: _____
County Executive

Outagamie County Est. 1851

Find us on @Outagamie County Highway Department

Highway Department
1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

MEMORANDUM

TO: Outagamie County Highway, Recycling & Solid Waste Committee
FROM: Dean E. Steingraber, Outagamie County Highway Commissioner
DATE: 3/12/2024
RE: Town of Hortonia – ATV/UTV Route – Review & Recommendation

Application Details:

Applicant:	Town of Hortonia
Request:	ATV/UTV Route Designation
Highway:	CTH T
Limits:	South Town Line to Givens Rd
Public Hearing Date:	11/21/2023 Held by the Town of Hortonia
Written Notice Sent to Property Owners on:	10/30/2023 by the Town of Hortonia
Official Action to Apply for Route Taken on:	11/21/2023 by the Town of Hortonia
Regulations Adoption Date:	02/20/2024 by the Town of Hortonia

Background:
The Town of Hortonia has completed said requirements of Ordinance Sec. 50-353(4)(a)(ii) and the following documents are attached:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any existing or future ATV/UTV routes leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. Documentation that items required in Ordinance 50-353(4)(a)(i)1-3 were completed by the Town of Hortonia.
5. A statement that the Town of Hortonia will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.
6. A copy of the board/committee action to adopt the regulations found in Ordinance 50-353(5).

Analysis:
Based on said ordinance, the following data has been collected:

Traffic Volume: 1,000 AADT
Speed Limit(s): 55 MPH
Topography: No issues
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: None

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.

Outagamie County Est. 1851

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MEMORANDUM

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DATE: 3/12/2024
RE: Town of Hortonia – ATV/UTV Route – Review & Recommendation

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Applicant:	Town of Hortonia
Request:	ATV/UTV Route Designation
Highway:	CTH TT
Limits:	STH 45 to CTH T
Public Hearing Date:	11/21/2023 Held by the Town of Hortonia
Written Notice Sent to Property Owners on:	10/30/2023 by the Town of Hortonia
Official Action to Apply for Route Taken on:	11/21/2023 by the Town of Hortonia
Regulations Adoption Date:	02/20/2024 by the Town of Hortonia

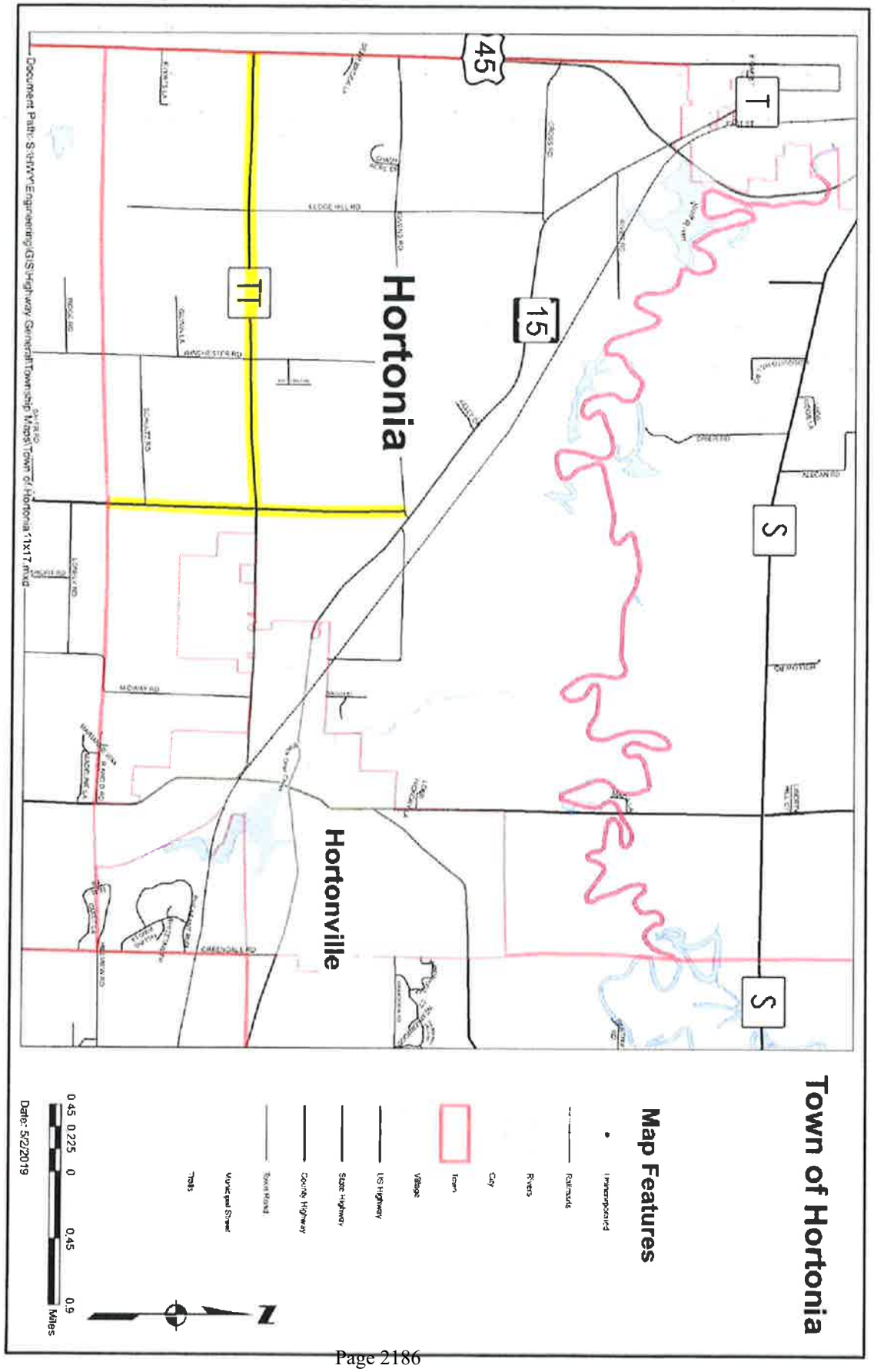
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Based on said ordinance, the following data has been collected:

Traffic Volume: 1,300 AADT
Speed Limit(s): 55 MPH
Topography: No issues
Vision Clearance: No issues
Pavement and Shoulder Conditions: No issues
Other Safety/Operational Factors: None

Recommendation:
Based on the above safety and operational considerations of the route, I am respectfully recommending that this application be approved.


Town of Hortonia
Map Features
Unincorporated
Railroads
Rivers
City
Town
Village
US Highway
State Highway
County Highway
Town Roads
Municipal Street
Trails
Hortonia
Hortonville
45
15
T
TT
S
S
0 45 0.225 0 0.45 0.9
Miles
N
Date: 5/2/2019
Document Path: S:\HWY\Engineering\GIS\Highway General\Township Maps\Town of Hortonia 11x17.mxd

Ordinance No. O—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to amend the County Code of Ordinances as pertains to Chapter 22, Finance and Taxation, Article II, Purchases and Contracts of the Outagamie County Code of Ordinances by creating Section 22-24 of Division 1. – Responsible Bidder Criteria, as detailed on the ordinance and attachments.

Supervisor Culbertson moved, seconded by Supervisor Gabrielson, for adoption.

ROLL CALL: 32 yes, 4 absent. ORDINANCE NO. O—2023-24 IS ADOPTED.

VOTE RESULTS 32 YES 0 NO 0 ABSTAIN 4 ABSENT

Ordinance No. O—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve to amend the County Code o ✓ Passed With Majority of Full Membership and Taxation, Article II, Purchases and Contracts of the Outagamie County Code of Ordinances by creating Section 22-24 of Division 1. – Responsible Bidder Criteria, as detailed on the ordinance and attachments.

1 THOMPSON YES	13 WEGAND YES	25 NOOYEN YES
2 MILLER YES	14 HERMES YES	26 WEINBERG YES
3 SMITH YES	15 MacDONALD YES	27 CULBERTSON YES
4 PATIENCE YES	16 SCHROEDER YES	28 MONFILS ABSENT
5 GABRIELSON YES	17 CROATT YES	29 WINTERFELDT YES
6 KOSTELNY YES	18 SPEARS YES	30 NEJEDLO ABSENT
7 HAMMEN YES	19 COOKE YES	31 CLEGG YES
8 LAWRENCE YES	20 SANTONATO YES	32 THYSSEN YES
9 KRUEGER YES	21 CUFF YES	33 VANDERHEIDEN ABSENT
10 LAMERS YES	22 HAGEN YES	34 RETTLER ABSENT
11 FERGUSON YES	23 KLEMP YES	35 KOURY YES
12 McCABE YES	24 THIEDE YES	36 LAUTENSCHLAGER YES

Outagamie County 3-12-24 County Board Meeting - March 12 2024 07:20:57 PM
March 12, 2024 County Board Meeting
OpenMeeting

ORDINANCE NO.: O—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

The Property, Airport, Recreation and Economic Development Committee is requesting to amend the County Code of Ordinances as pertains to Chapter 22, Finance and Taxation, as listed below.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does amend Chapter 22, Finance and Taxation; Article II, Purchases and Contracts of the Outagamie County Code of Ordinances by creating Section 22-24 of Division 1. – Generally, to read as follows:

Sec. 22-24. – Responsible Bidder Criteria.

(a) Purpose. Pursuant to Wisconsin Statutes Sections 66.0901 and 59.52(29), all public works contracts, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed $25,000, shall be let by contract to the lowest responsible bidder. What constitutes a "responsible bidder" is a determination that requires the exercise of discretion by the county and its departments, officials and/or employees under reasonably consistent responsible bidder criteria, and this Ordinance is intended to provide that criteria.

(b) Definitions. In this section, the following definitions shall apply.

1. "Contractor" means a person, corporation, partnership or any other business entity that performs work on a public works contract as a general contractor, prime contractor or subcontractor at any tier.
2. "Registered Apprenticeship Program" means an apprenticeship program that is currently registered with either a State or Federal governmental entity and that has a graduated apprentices to journeyperson job classification system process as well as a bonafide training program.
3. "Public Works Contract" includes any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed $25,000.

(c) Responsible Bidder Criteria. In order to be considered a responsible bidder by Outagamie County for purposes of being awarded a public works contract, the following criteria must be met:

1. The contractor must maintain a permanent place of business;
2. The contractor must be authorized to do business in the State of Wisconsin;
3. The contractor, agent, partner, employee and/or officer of the contractor, must not be debarred, suspended, or declared ineligible from contracting with any unit of federal, state or local government;

4. The contractor must be in compliance with the provisions of Section 2000e of Chapter 21, Title 42 of the United States Code, and Federal Executive Order No. 11246, as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions);
5. The contractor must have adequate and appropriate:
   a) General liability insurance;
   b) Automobile insurance, except when a licensed motor vehicle is not used in the performance of the contract; and
   c) Workers' compensation and unemployment insurance, except when the contractor does not have employees.
6. The contractor must have complied with all provisions of any prevailing wage laws and federal Davis-Bacon related Acts, and the rules and regulations therein, for projects undertaken by the contractor that are covered by these laws, for the past five (5) years;
7. Regarding a Public Works Contract estimated to be in excess of two million dollars, and if determined to be appropriate in the discretion of the Outagamie County Procurement Coordinator at the time a Request for Bids or Request for Quotes is issued, then in order to be considered a responsible bidder, the contractor must participate in a Registered Apprenticeship Program;
8. The contractor must have a written substance abuse prevention program meeting the requirements of Wisconsin Statutes Section l03.503;
9. The employees who will perform work on the project for the contractor must be properly classified as employees or independent contractors under all applicable laws;
10. lf the contractor has been the subject of any order or judgment from any state or federal agency or court concerning an employment practice, the contractor must provide copies of the investigation, order or judgment for the county to consider as a factor in determining whether the contractor is a responsible bidder. The contractor may be disqualified for failing to provide said documentation;
11. The contractor's employees who will perform work on the project must be covered under a current workers' compensation policy and must be properly classified under such policy;
12. The contractor must be in compliance with all laws regarding health insurance coverage for employees;
13. The contractor must possess all applicable professional and trade licenses required for performing the public works;
14. The contractor must have adequate financial resources to complete the public works contract, and to complete all other work the bidder is presently under contract to complete;
15. The contractor must be bondable for the terms of the proposed public works contract;
16. If required in the discretion of the Outagamie County Procurement Coordinator at the time a Request for Bids or Request for Quotes regarding a contract of any amount is issued, then in order to be considered a responsible bidder, the contractor must have a record of satisfactorily completing a specific number of projects of similar size and complexity within the last specific number of years, with the required specific number of projects and years to be determined by the Procurement Coordinator prior to the Request for Bids or Request for Quotes being issued;
17. The contractor must have a history of satisfactorily completing projects. Criteria which will be considered in determining whether the contractor is a responsible bidder regarding satisfactorily completing projects may include, but are not limited to, whether the contractor has an acceptable past history of:

a) Completing contracts in accordance with drawings and specifications;
b) Diligently performing work and completing contracts in accordance with established time schedules, including any granted extensions of time;
c) Fulfilling guarantee requirements of the contract documents; and

18. The contractor must have, and diligently maintain, a written safety program.
19. The general or prime contractor bidding on a public works contract must include in its sealed bid an affidavit swearing compliance with the criteria set forth in subsection (c) on the form required by the county. The general or prime contractor awarded the public works contract must also provide to the county an affidavit swearing compliance with the criteria set forth in subsection (c) on the form required by the county from every subcontractor at any tier who will perform work on the project prior to that subcontractor commencing work on the project.

(d) No Restriction on Discretion. If information is discovered or comes into the possession of the county or a county department, official and/or employee responsible for awarding the public works contract, and if such information calls into question the contractor's abilities or competence to faithfully and responsibly comply with the terms of a public works contract and is considered to be both credible and verifiable, then that information shall be considered in determining whether the contractor is a responsible bidder.

BE IT FURTHER ORDAINED, that this ordinance shall be in effect upon completion of publication in accordance with Wisconsin State Statutes, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this ordinance to the Outagamie County Corporation Counsel and Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

Dated this 12th day of March 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 12, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3-18-24 Vetoed: _____

Signed: _____
County Executive

Chapter 22 FINANCE AND TAXATION[1]

ARTICLE I. IN GENERAL

Sec. 22-1. Leasing or permitting use of county facilities.

Use of county property or facilities on a rental or no charge basis for special events or promotional events shall be permitted.

(Code 1992, § 3.16)

Sec. 22-2. Underpayments and overpayments.

(a) The county may retain overpayments made to departments, which do not exceed $2.00, unless a request for a refund for the overpayment is made to the department in writing within 30 business days, in accordance with Wis. Stats. § 59.54(24)(b).

(b) The county may waive underpayments made to a county department, which does not exceed $2.00 if the department determines that the cost of collecting the underpayment would exceed the amount of the underpayment in accordance with Wis. Stats. 59.54(24)(b).

(c) Any person who issues a worthless payment to any county department or agency may be charged a $20.00 fee or the amount of any bank service fee.

(Ord. No. E-2005-2006, § 3.50, 5-24-2005)

Sec. 22-3. Penalty.

(a) Except as otherwise provided, any person who shall violate any provision of this chapter or any rule, regulation or order made hereunder shall be subject to a penalty as provided by section 1-10.

(b) In addition to a penalty, violation of any of the provisions of this chapter by a county employee or supervisor may be considered as a basis for disciplinary action or other appropriate measures. Violations by a supplier may be considered as a basis for temporary or permanent suspension of their right to solicit county business.

(c) Failure to comply with the provisions of section 22-41 shall result in bidder's submission being declared null and void.

(Code 1992, § 3.25; Ord. No. D-2021-22 , 9-28-2021)

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[1]State law reference(s)—Financial matters, Wis. Stats. § 59.60 et seq.; finance and revenue, Wis. Stats. § 66.0601 et seq.; property taxes, Wis. Stats. § 70.01 et seq.; tax appeals, ed dd 73.01 et seq.; property tax collection, Wis. Stats. § 74.01 et seq.; tax sales, Wis. Stats. § 75.001 et seq.; sales and use tax, Wis. Stats. § 77.51 et seq.; revenue sharing, Wis. Stats. § 79.005 et seq.

Secs. 22-4—22-24. Reserved.

ARTICLE II. PURCHASES AND CONTRACTS[2]

DIVISION 1. GENERALLY

Sec. 22-24. – Responsible Bidder Criteria.

(a) Purpose. Pursuant to Wisconsin Statutes Sections 66.0901 and 59.52(29), all public works contracts, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed $25,000, shall be let by contract to the lowest responsible bidder. What constitutes a "responsible bidder" is a determination that requires the exercise of discretion by the county and its departments, officials and/or employees under reasonably consistent responsible bidder criteria, and this Ordinance is intended to provide that criteria.

(b) Definitions. In this section, the following definitions shall apply.

1. "Contractor" means a person, corporation, partnership or any other business entity that performs work on a public works contract as a general contractor, prime contractor or subcontractor at any tier.

2. "Registered Apprenticeship Program" means an apprenticeship program that is currently registered with either a State or Federal governmental entity and that has a graduated apprentices to journeyperson job classification system process as well as a bonafide training program.

3. "Public Works Contract" includes any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed $25,000.

(c) Responsible Bidder Criteria. In order to be considered a responsible bidder by Outagamie County for purposes of being awarded a public works contract, the following criteria must be met:

1. The contractor must maintain a permanent place of business;

2. The contractor must be authorized to do business in the State of Wisconsin;

3. The contractor, agent, partner, employee and/or officer of the contractor, must not be debarred, suspended, or declared ineligible from contracting with any unit of federal, state or local government;

4. The contractor must be in compliance with the provisions of Section 2000e of Chapter 21, Title 42 of the United States Code, and Federal Executive Order No. 11246, as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions);

5. The contractor must have adequate and appropriate:

a) General liability insurance;

b) Automobile insurance, except when a licensed motor vehicle is not used in the performance of the contract; and

c) Workers' compensation and unemployment insurance, except when the contractor does not have employees.

[2]State law reference(s)—Public works contracts, Wis. Stats. § 66.0901.

6. The contractor must have complied with all provisions of any prevailing wage laws and federal Davis-Bacon related Acts, and the rules and regulations therein, for projects undertaken by the contractor that are covered by these laws, for the past five (5) years;
7. Regarding a Public Works Contract estimated to be in excess of two million dollars, and if determined to be appropriate in the discretion of the Outagamie County Procurement Coordinator at the time a Request for Bids or Request for Quotes is issued, then in order to be considered a responsible bidder, the contractor must participate in a Registered Apprenticeship Program;
8. The contractor must have a written substance abuse prevention program meeting the requirements of Wisconsin Statutes Section l03.503;
9. The employees who will perform work on the project for the contractor must be properly classified as employees or independent contractors under all applicable laws;
10. If the contractor has been the subject of any order or judgment from any state or federal agency or court concerning an employment practice, the contractor must provide copies of the investigation, order or judgment for the county to consider as a factor in determining whether the contractor is a responsible bidder. The contractor may be disqualified for failing to provide said documentation;
11. The contractor's employees who will perform work on the project must be covered under a current workers' compensation policy and must be properly classified under such policy;
12. The contractor must be in compliance with all laws regarding health insurance coverage for employees;
13. The contractor must possess all applicable professional and trade licenses required for performing the public works;
14. The contractor must have adequate financial resources to complete the public works contract, and to complete all other work the bidder is presently under contract to complete;
15. The contractor must be bondable for the terms of the proposed public works contract;
16. If required in the discretion of the Outagamie County Procurement Coordinator at the time a Request for Bids or Request for Quotes regarding a contract of any amount is issued, then in order to be considered a responsible bidder, the contractor must have a record of satisfactorily completing a specific number of projects of similar size and complexity within the last specific number of years, with the required specific number of projects and years to be determined by the Procurement Coordinator prior to the Request for Bids or Request for Quotes being issued;
17. The contractor must have a history of satisfactorily completing projects. Criteria which will be considered in determining whether the contractor is a responsible bidder regarding satisfactorily completing projects may include, but are not limited to, whether the contractor has an acceptable past history of:

    a) Completing contracts in accordance with drawings and specifications;

    b) Diligently performing work and completing contracts in accordance with established time schedules, including any granted extensions of time;

    c) Fulfilling guarantee requirements of the contract documents; and
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19. The general or prime contractor bidding on a public works contract must include in its sealed bid an affidavit swearing compliance with the criteria set forth in subsection (c) on the form required by the

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(d) No Restriction on Discretion. If information is discovered or comes into the possession of the county or a county department, official and/or employee responsible for awarding the public works contract, and if such information calls into question the contractor's abilities or competence to faithfully and responsibly comply with the terms of a public works contract and is considered to be both credible and verifiable, then that information shall be considered in determining whether the contractor is a responsible bidder.

Sec. 22-25. Purchasing function.

The purchasing function will acquire on a competitive basis all goods and services at the best value and will operate in the most efficient manner to maximize the effectiveness of services provided by the county.

(Code 1992, § 3.01; Ord. No. F-1995-1996, 6-13-1995)

Sec. 22-26. Statutory authority.

This chapter is created and adopted pursuant to authority granted by Wis. Stats. § 59.51.

(Code 1992, § 3.02)

Sec. 22-27. Administration.

The provisions of this chapter and regulations adopted hereunder shall be administered by the county executive as a function of the finance department under the supervision of the procurement coordinator.

(Code 1992, § 3.03; Ord. No. F-1995-1996, 6-13-1995; Ord. No. D-2021-22 , 9-28-2021)

State law reference(s)—Purchasing agent, Wis. Stats. § 59.52(9); finances and budget provisions, Wis. Stats. § 59.60.

Sec. 22-28. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means the office of the county executive or their authorized appointee.

Board means the County Board of Supervisors.

Contractual services includes, but may not be limited to, all telephone, gas, water, electric light, power and heating services; towel and cleaning services; leases for all grounds, buildings, equipment, office or other space required by the using department; and the rental, repair or maintenance of equipment, machinery or other personal property owned by the county.

Department means all agencies, departments or offices of the county, when applicable unless otherwise provided by statute, those committees, boards or commissions which manage or operate other county properties, installations or activities.

Regulations means those administrative rules adopted to implement the provision of this chapter, applicable to departments, institutions, officers and employees of the county.

(Code 1992, § 3.04; Ord. No. D-2021-22 , 9-28-2021)

Sec. 22-29. Purchasing agent.

The agent shall adopt, promulgate and from time to time amend rules and regulations to ensure the proper and efficient administration of county purchasing. The purchasing agent will also be referred to as procurement coordinator.

(Code 1992, § 3.05; Ord. No. F-1995-1996, 6-13-1995; Ord. No. D-2021-22 , 9-28-2021)

State law reference(s)—Purchasing agent, Wis. Stats. § 59.52(9).

Sec. 22-30. Competitive bids, proposals or quotations.

All purchases and/or contracts for all procurement excluding professional services and public works shall be based on competitive bids or proposals wherever practicable.

(1) Purchases up to $10,000 may be purchased from a vendor of choice. The purchasing agent may delegate purchasing authority to the departments as determined appropriate, but the purchasing agent shall coordinate the purchase of like items where such purchase is beneficial and practical to the county.

(2) Purchases $10,000.00 to $25,000.00 require three documented proposals/quotes direct from the vendor and/or vendor website. This documentation shall be retained by the department. The purchasing agent may delegate purchasing authority to the departments as determined appropriate, but the purchasing agent shall coordinate the purchase of like items where such purchase is beneficial and practical to the county.

(3) Purchases of more than $25,000.00 must be formally solicited through a Request for Bid or Proposal, unless determined by the purchasing agent, due to time constraints, quotes would be sufficient. The purchasing agent shall coordinate the purchase of like items where such purchase is beneficial and practical to the county.

(4) Sole source. Purchases of goods and materials may be made without competition when the purchasing agent and corporation counsel determines there is a valid reason to purchase from one source or that only one source is available. The reason for invoking this provision shall be documented in writing, retained by the purchasing agent and reported to the County Board.

(5) Purchases with non-county funding sources. Any purchases made using federal, state and/or other funding sources may be more stringent and vice versa. Departments and/or purchasing agent shall comply with the most stringent regulations or procedures.

(Code 1992, § 3.06(1); Ord. No. F-1995-1996, 6-13-1995; Ord. No. D-2021-22 , 9-28-2021)

Sec. 22-31. Lowest responsible bidder / proposer and best value concepts.

(a) All open market orders of contracts made by the agent shall be awarded to the lowest responsible proposer taking into consideration the qualities of the articles to be supplied, the conformity with the specifications, product compatibility, maintenance costs, vendor support after the purchase and the delivery terms.

(b) If two or more low qualified bids or proposals are for the same total amount or unit price, quality and service being equal, the contract shall be awarded to a local proposer. Where this is not practicable, the purchasing agent shall award the contract to one of the proposers by drawing lots in public.

(c) The purchasing agent shall have the authority to require a performance bond or other similar instrument before entering a contract in such amount as they shall find reasonably necessary to protect the best interest of the county.

(d) All contracts shall be approved as to form and sufficiency by the corporation counsel.

(Code 1992, § 3.06(2); Ord. No. F-1995-1996, 6-13-1995; Ord. No. D-2021-22 , 9-28-2021)

Sec. 22-32. Serial contracting.

No contract or purchase shall be subdivided to avoid the requirements of this article. Serial contracting is the practice of issuing a series of purchasing orders to the same vendor for the same commodity or service in any 90-day period to avoid purchasing procedures.

(Code 1992, § 3.06(3); Ord. No. F-1995-1996, 6-13-1995)

Sec. 22-33. Challenges and appeals.

Challenges to purchasing procedure and awards may be made by proposers or the administrator of a using department as follows:

(1) All objections to form and content of proposals/quotation solicitation and specifications shall be received by the purchasing agent not less than 96 hours prior to the time scheduled for bid opening. Objections shall be in writing with the specific objection stated.

(2) After proposal opening, written objections shall be submitted to the agent within 48 hours.

(3) The agent shall evaluate objections and notify the objector of the decision in writing and no award of contract or purchase order shall be made until the expiration of 72 hours after the objector has been notified of the decision. The decision of the agent shall be final and binding on all parties.

(4) Computation of all time limits shall exclude Saturdays, Sundays and Federal holidays.

(Code 1992, § 3.06(4); Ord. No. F-1995-1996, 6-13-1995; Ord. No. D-2021-22 , 9-28-2021)

Sec. 22-34. Emergency purchases.

The county executive or designee may authorize any county department to purchase in the open market, without filing a requisition or estimate, any supplies, materials or equipment for immediate delivery to meet actual emergencies arising from unforeseen causes. The reason for invoking this provision shall be documented in writing, retained by the county executive or designee and reported to the County Board. Any emergency purchases made using federal, state and/or other funding sources may have different guidelines and the most restrictive would be followed.

(Code 1992, § 3.07; Ord. No. F-1995-1996, 6-13-1995; Ord. No. D-2021-22 , 9-28-2021)

Sec. 22-35. Unlawful purchases.

Whenever any county department, committee, commission, board, officer or employee shall purchase or contract without proper authority for any supplies, materials, equipment or contractual services contrary to the provisions of this chapter or rules and regulations made thereunder, such order or contracts shall be void and of no effect.

(Code 1992, § 3.08)

Sec. 22-36. Cooperative purchasing.

The agent shall have authority to join with other units of government, with quasi-governmental agencies funded in whole or in part by the county, and with other purchasing associations in cooperative purchasing plans when the best interest of the county would be served.

(Code 1992, § 3.09; Ord. No. F-1995-1996, 6-13-1995; Ord. No. D-2021-22 , 9-28-2021)

Sec. 22-37. Purchasing from governmental units.

Materials, supplies, machinery and equipment offered for sale by the federal or state government or by any municipality may be purchased without proposals at prices to be agreed upon between the purchasing agent and the respective department for whom the item is to be acquired. Expert assistance for appraisal of such items may be employed at the discretion of the agent.

(Code 1992, § 3.10)

Sec. 22-38. Highway purchases.

The highway commissioner shall be authorized to make purchases in accordance with state statutes and without reference to this chapter for those items of equipment and supplies used for highway construction, maintenance or repair, including machinery, road materials or similar equipment or supplies. Purchases for items of equipment or supplies not directly related to highway construction shall be through the agent and the highway commissioner may at their discretion utilize the services of the agent for any supplies or equipment which are required by the highway department.

(Code 1992, § 3.11; Ord. No. D-2021-22 , 9-28-2021)

Sec. 22-39. Appropriations.

All purchases by contract or otherwise as herein authorized shall be made in accordance with such appropriations as have been made by the County Board for the operation of the respective county departments and the responsibility for not exceeding existing appropriations rests with the department head making the requisitions, not with the agent.

(Code 1992, § 3.12)

Sec. 22-40. December purchases prohibited.

With the exception of repair parts, foods and expendable maintenance supplies, fuel, gas and oil for vehicles and equipment, pharmaceuticals and other miscellaneous expendable or operating supplies under $1,000.00, there shall be no purchasing during the month of December in any year, except if approved by the county executive. Purchases made under requisitions approved prior to the month of December in any year are exempt from the provisions of this section.

(Code 1992, § 3.13; Ord. No. F-1995-1996, 6-13-1995; Ord. No. D-2021-22 , 9-28-2021)

Secs. 22-41—22-51. Reserved.

Ord. No. D-2021-22 , adopted September 28, 2021, repealed § 22-41, which pertained to proposer qualification statement and derived from Code 1992, § 3.15; Ord. No. F-1995-1996, 6-13-1995.

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the March 12, 2024 County Board Minutes approved by a majority vote at a meeting of the County Board on March 12, 2024 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 12th Day of March, 2024

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: April 12, 2024

* * MINUTES * *
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, March 26, 2024.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 29 present, 7 absent. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Kostelny, Hammen, Lawrence, Ferguson, Wegand, Hermes, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, Thyssen, VanderHeiden, Rettler, and Lautenschlager. Members Absent: Krueger, Lamers, McCabe, MacDonald, Schroeder, Weinberg, Koury.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Krueger, Supervisor Lamers, Supervisor McCabe, Supervisor MacDonald, Supervisor Schroeder, Supervisor Weinberg and Supervisor Koury. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE MARCH 12, 2024 COUNTY BOARD MEETING
Supervisor Lautenschlager moved, seconded by Supervisor Wegand, to approve the minutes of the March 12, 2024, County Board meeting.

ROLL CALL: 27 yes, 2 abstain (Monfils, VanderHeiden), 7 absent. MINUTES OF THE MARCH 12, 2024, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS –

Melissa Kraemer-Badtke, East Central Wisconsin Regional Planning Commission (ECWRPC) Executive Director and Craig Moser, Deputy Director will give an ECWRPC update

Melissa Kraemer-Badtke, East Central Wisconsin Regional Planning Commission (ECWPRC) Executive Director and Craig Moser, Deputy Director gave an overview of the ECWPRC and future plans for the ECWPRC.

- There are nine regional planning commissions in the State of Wisconsin.
- East Central Wisconsin Regional Planning Commission consists of ten counties.
- ECWRPC was created under State Statute in 1972. It was established to promote intergovernmental cooperation and regional planning across municipal boundaries. Projects may include transportation, economic development, or water quality management.
- The 2024 commission budget includes projected operating revenue of $2.7 million.
    - 66% come from federal or state grants.
    - Local and county levies are used to leverage the federal and state funds.
- There are ten counties within the ECWRPC, seven counties which are members.
    - County levies are paid into the commission to leverage the federal and state funds so the commission is able to manage those programs on behalf of the counties within the region.
    - Outagamie County levy is $205,066.

- $3.42 are leveraged for every $1 of local levy. Levy funds are used for the following:
    - Appleton (Fox Cities)/Oshkosh Metropolitan Planning Organization is the largest program.
    - Fond du Lac Metropolitan Planning Organization
    - Transportation programs.
    - Economic development programs.
    - Water Quality Management Program.
    - Regional Comprehensive Plan.
    - Funding of general operations of the Commission.
- There was a reorganization plan approximately four years ago. With that reorganization plan, there was a significant levy reduction for each of the member counties. The member counties agreed to increase the levy in 2023 to leverage in additional funding available through the Bipartisan Infrastructure Law (BIL).
    - Outagamie County has seen a 15% decrease in funding for East Central due to the reorganization plan.
- Economic Development Program
    - East Central is designated by the US Economic Development Administration (EDA) as an Economic Development District (EDD).
        - This means that the municipalities in Outagamie County are eligible for EDA funding. Without this designation, EDA funds could not be given to the region.
        - Since 1984, EDA has invested $25,939,026 in our region.
        - The Appleton International Airport-Appleton Business Park Expansion is one example of a core program within the Economic Development Program.
- Transportation Planning Program
    - Appleton (Fox Cities) Metropolitan Planning Organization (MPO) is a federal designation.
    - Because of the MPO status, each MPO develops a long-range regional transportation plan, looking at the transportation network and future needs of investment, and a Regional Safe Routes to School program.
    - There are several federal requirements that ECWRPC does in order to bring in federal dollars to roadway projects that happen in Outagamie County.
        - Metropolitan Transportation Plan
        - Transportation Improvement Program
        - Bicycle and Pedestrian Plan
        - Transit Triennial Review
    - 2023 MPO Project Funding included
        - $4.9M Service Transportation Block Grant (STBG)
        - $2.4M Transportation Alternatives set aside
        - $828K Carbon Reduction Program
    - Regional Safe Routes to School Program
        - Focuses on allowing students to walk or ride bikes to school safely.
        - There is a large number of Outagamie County schools participating in 2023.
- Water Quality Management Program
    - ECWPRC has contracted with the DNR and works closely with the DNR to do the sewer service area planning in the region.
    - Important in planning for future growth and development in the community, to ensure being prepared for the sewer service that comes with growth.

    - Over the past couple years, the major updates to the Fox Cities Sewer Service Area Plans was completed. This project spanned three counties, four sewage districts, and twenty-three municipalities.
- Non-Metallic Mining Reclamation Program
    - The commission works with five counties to manage this program.
    - This involves site inspections of active mines throughout the counties. The commission has moved to a drone approach.
- GIS Data and Mapping Assistance
    - Staff does a lot of graphic design and GIS data analysis.
    - Partnership with New North on broadband mapping as part of regional broadband expansion initiatives.
- 2024 Commission Projects include:
    - Appleton (Fox Cities) Metropolitan Planning Organization – Policy Board
    - Regional Aviation Development Fund
    - College Avenue Community Connectors Project
    - Intermodal Freight Facility Study
    - Broadband Mapping (NEW North)
    - Regional Comprehensive Plan Update
    - Commission Board Assessment
    - ECWRPC Strategic Plan Update

A handout was provided highlighting Outagamie County.

On behalf of ECWRPC, Executive Director Kraemer-Badtke presented Chairperson Nooyen with a leadership award in recognition of his outstanding leadership and dedicated service to the East Central Wisconsin Regional Planning Commission. Chairperson Nooyen has served on the Commission Board for the past ten years and served as the Commission Board Chair for three years.

Recognition of retiring County Board members
Chairperson Nooyen presented a plaque in recognition of years of service on the Outagamie County Board to Supervisor and Finance Chair Miller.

Vice-Chairperson Gabrielson presented a plaque in recognition of years of service on the Outagamie County Board to Chairperson Nooyen.

ESTABLISH ORDER OF THE DAY – Chairperson Nooyen reported the request to have the Human Resources Director appointment, Ordinance No. Z-6—2023-24 and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125 and 126—2023-24 locked in at the meeting.

Chairperson Nooyen asked for unanimous consent to handle the reconsiderations and lock ins at the end of the meeting as noted.

COMMUNICATIONS – Communication Referral List (included in the packet).

Chairperson Nooyen summarized the following communications:

- There is only one County Board meeting in the month of April. It is the reorganization meeting of the County Board. The reorganization meeting takes place on the third Tuesday of April (April 16, 2024) and starts at 4:00 pm.

- One supervisor needs to complete the January security training. An email reminder was sent to this individual.
- A new security training was sent out on March 21st and needs to be completed by all supervisors by April 10th.
- Former County Board Supervisor Wayne Defferding passed away on March 16th. He served on the board from 2002-2012. There will be a celebration of life held at a later date.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR –

Jennifer Sunstrom and Joe Guidote - spoke in favor of Resolution 119—2023-24.

Lisa Strandberg, representing Pillars – spoke in favor of Resolution 119—2023-24.

APPOINTMENTS –

> County Executive Nelson nomination for appointment of Valarie Wunderlich as Human Resources Director.

Supervisor Spears moved, seconded by Supervisor Lawrence, for confirmation of the above-listed appointment.

ROLL CALL: 29 yes, 7 absent. VALARIE WUNDERLICH IS APPOINTED AS THE HUMAN RESOURCES DIRECTOR.

UNFINISHED BUSINESS – None.

NEW BUSINESS – *NOTE: The minutes that follow list the synopsis of the ordinances/resolutions and roll calls. At the end of this set of minutes, the scanned copies of the each ordinance/resolution will be appended along with the physical roll call.*

Chairperson Nooyen asked for unanimous consent to move Resolution No. 119—2023-24 before Ordinance No. Z-6—2023-24.

Resolution No. 119—2023-24 – Finance Committee. Approve funding for a conflict resolution center (CRC) in Outagamie County utilizing ARPA funds for three (3) years at $50,000 per year for a total of $150,000, said funding contingent upon securing 501c3 status for the CRC; and approve the ARPA line items by decreasing the Special Contracts/Obligations and increase the ARPA Revenues each by $50,000, as noted on the attached fiscal note.

Supervisor Croatt moved, seconded by Supervisor Miller, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 119—2023-24 IS ADOPTED.

Ordinance No. Z-6—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the Outagamie County Comprehensive Plan to amend the Farmland Preservation Plan Map for the Town of Kaukauna as reflected in the review of Exhibit 2, as noted on the ordinance and attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 29 yes, 7 absent. ORDINANCE NO. Z-6—2023-24 IS ADOPTED.

Resolution No. 115—2023-24 – Legislative/Audit and Human Resources Committee. Approve to decrease the following line items in the 2023 Legislative Services budget: Travel/Training by $700; Supplies by $1,800; Purchased Services by $18,800; and decrease the General Fund Committed Fund Balance for Small Depts Vac/Sick Payouts by $26,411; and increase the following line items: Salaries by $44,131; Fringes by $1,704; Allocated Applied Credit by $1,875; and General Funds Applied, Fund Balance Applied by $26,411 and the General Fund, Fund Balance Unassigned by $26,411, to cover the payout amount for the Lobbyist, as noted on the attachments.

Supervisor Kostelny moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 115—2023-24 IS ADOPTED.

Resolution No. 116—2023-24 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization request to move one (1) full-time Risk Coordinator position from the Table of Organization of Financial Services Department to Corporation Counsel, with no budget adjustment needed, as noted on the resolution and attachments.

Supervisor Santonato moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 116—2023-24 IS ADOPTED.

Resolution No. 117—2023-24 – Finance Committee. Approve the Sheriff's Office to expend ARPA funds of $110,000 to purchase an ICOR Technology Mini-CALIBER portable robot; and increase the ARPA line items of Revenue and Capital by $110,000 each, as noted on the attached fiscal note.

Supervisor Smith moved, seconded by Supervisor Miller, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 117—2023-24 IS ADOPTED.

Resolution No. 118—2023-24 – Public Safety Committee. Approve the Outagamie County Sheriff's Office to accept and expend an unsolicited donation from Gold Cross Ambulance Community Fund for $250; and increase the Patrol line items for Revenue and Supplies by $250 each, as noted on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 118—2023-24 IS ADOPTED.

Resolution No. 120—2023-24 – Finance Committee. Authorize writing off the 2023 Accounts Receivables, Delinquent Accounts Receivable Write-Offs, and authorize the Finance Director to remove these receivables from the County records and deem them no longer collectible, as noted on the attachments.

Supervisor Thiede moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 120—2023-24 IS ADOPTED.

Resolution No. 121—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Development and Land Services (DLS) Department to accept and expend the Smart

Growth America grant by $130,000 for the execution of a Community Engagement Planning Project along the College Avenue Corridor; and approve the DLS line items by decreasing Purchased Services and increasing Misc Revenue each by $130,000, as noted on the attachments.
Supervisor Culbertson moved, seconded by Supervisor Monfils, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 121—2023-24 IS ADOPTED.

Resolution No. 122—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to establish the week of April 15 through April 19, 2024, be designated "Work Zone Safety Awareness Week" in Outagamie County.

Supervisor Hagen moved, seconded by Supervisor Wegand, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 122—2023-24 IS ADOPTED.

Resolution No. 123—2023-24 – Public Safety Committee. Approve using Opioid Settlement funds to hire a Substance Abuse Disorder Discharge Planner as a contract employee through the Outagamie County Jail's current contracted medical provider, VitalCore; and increase the Opioid Settlement line items of Revenue and Purchased Services by $76,352 each, as noted on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Gabrielson, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 123—2023-24 IS ADOPTED.

Resolution No. 124—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize granting We Energies an easement for the area described as a strip of land varying in width, parcel number 111089700 in the Village of Greenville, as noted on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 124—2023-24 IS ADOPTED.

Resolution No. 125—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize granting We Energies an easement for the area described as strips of land twelve (12) feet in width, parcel numbers 111120200 and 111119700 in the Village of Greenville, as noted on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 125—2023-24 IS ADOPTED.

Resolution No. 126—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Lease Agreement between Outagamie County and the Wisconsin Department of Health Services for county owned property located at W7419 Trappers Lane, Shiocton for a monthly lease rate of $2,000 and approve of increasing the County Property Rent – Miscellaneous line item and the County Property Purchased Services line item by $18,000 each, as noted in the attached lease and fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 126—2023-24 IS ADOPTED.

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24 AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider the Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

REPORTS – None.

ADJOURNMENT
Supervisor Patience moved, seconded by Supervisor Thyssen to adjourn until April 16, 2024, at 4:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 8:05 p.m.

FINAL COPIES OF ORDINANCES/RESOLUTIONS AND ROLL CALLS PERTINENT TO NEW BUSINESS FOLLOW:

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24 — Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — 3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting — OpenMeeting

Resolution No. 119—2023-24 – Finance Committee. Approve funding for a conflict resolution center (CRC) in Outagamie County utilizing ARPA funds for three (3) years at $50,000 per year for a total of $150,000, said funding contingent upon securing 501c3 status for the CRC; and approve the ARPA line items by decreasing the Special Contracts/Obligations and increase the ARPA Revenues each by $50,000, as noted on the attached fiscal note.

Supervisor Croatt moved, seconded by Supervisor Miller, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 119—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Resolution No. 119—2023-24

Finance Committee. Approve funding for a conflict resolution center (CRC) in Outagamie County utilizing ARI a total of $150,000, said funding contingent upon securing 501c3 status for the CRC; and approve the ARPA line items by decreasing the Special Contracts/ Obligations and increase the ARPA Revenues each by $50,000, as noted on the attached fiscal note.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **3-26-24 County Board Meeting - March 26 2024 07:51:47 PM**
March 26, 2024 County Board Meeting
OpenMeeting

RESOLUTION NO.: 119—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Conflict resolution centers (CRCs) are non-profit organizations that provide free mediation and conflict resolution services. CRCs provide an excellent resource for training skilled mediators who help people improve communication, find common ground, resolve issues, and settle disputes. CRCs operate both inside and outside the court setting. Mediation allows parties to voluntarily agree to discuss issues and determine outcomes themselves. Although skilled mediators help guide clear and constructive discussion, they do not impose or determine solutions.

This resolution approves funding for a conflict resolution center in Outagamie County utilizing ARPA funds for three (3) years at $50,000 per year for a total of $150,000, said funding contingent upon securing 501c3 status for the CRC.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve funding for a conflict resolution center (CRC) in Outagamie County utilizing ARPA funds for three (3) years at $50,000 per year for a total of $150,000, said funding contingent upon securing 501c3 status for the CRC, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does approve decreasing the ARPA Special Contracts/Obligations line item by $50,000 and increasing the ARPA, ARPA Revenues line item by $50,000 as detailed in the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Development and Land Services Director.

Dated this 26th day of March 2024

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 3.28.24

Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Conflict Resolution Center – ARPA Funding Request

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

This request will fund a conflict resolution center in Outagamie County for $150,000 over three years utilizing ARPA funding.

Conflict resolution centers (CRCs) are non-profit organizations that provide free mediation and conflict resolution services. CRCs provide an excellent resource for training skilled mediators who help people improve communication, find common ground, resolve issues, and settle disputes. CR centers operate both inside and outside the court setting. Mediation allows parties to voluntarily agree to discuss issues and determine outcomes themselves. Although skilled mediators help guide clear and constructive discussion, they do not impose or determine solutions.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☒ Expenses (Cost) ☐ None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no ( ) partially (X)

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes (X) no ( ) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
ARPA	Special Contracts/Obligations	1003605.5562	(50,000)
ARPA	ARPA Revenues	1003605.4264.01	50,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost $50,000 (2025 & 2026); Annual Revenue $50,000 (2025 & 2026)

Fiscal Note Prepared by: Kevin Englebert, DLS Director

For Financial Services purposes only

Reviewed By: Michelle Utenbroek

Date: 3/12/2024

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24 — Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — 3-26-24 County Board Meeting - March 26 2024 08:06:08 PM
March 26, 2024 County Board Meeting — OpenMeeting

Ordinance No. Z-6—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the Outagamie County Comprehensive Plan to amend the Farmland Preservation Plan Map for the Town of Kaukauna as reflected in the review of Exhibit 2, as noted on the ordinance and attachments.

Supervisor VanderHeiden moved, seconded by Supervisor Lautenschlager, for adoption.

ROLL CALL: 29 yes, 7 absent. ORDINANCE NO. Z-6—2023-24 IS ADOPTED.

VOTE RESULTS — 29 YES | 0 NO | 0 ABSTAIN | 7 ABSENT

Ordinance No. Z-6—2023-24

Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the amendment to the amend the Farmland Preservation Plan Map for the Town of Kaukauna as reflected in the review of Exhibit 2, as noted on the ordinance and attachments.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — 3-26-24 County Board Meeting - March 26 2024 07:52:26 PM
March 26, 2024 County Board Meeting
OpenMeeting

ORDINANCE NO.: Z-6—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY COMPREHENSIVE PLAN. The subject matter of the ordinance having been duly referred and considered by the Outagamie County Agriculture, Extension Education, Zoning and Land Conservation Committee and public hearing having been held after giving requisite notice of said hearing, and a recommendation as required by Section 66.1001(4) of the Wisconsin State Statutes.

Outagamie County Planning Staff review recommends approval of proposed comprehensive plan amendment. The Agriculture, Extension Education, Zoning and Land Conservation Committee recommends approval.

NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning and Land Conservation Committee recommend adoption of the following ordinance.

BE IT ORDAINED that the Outagamie County Board of Supervisors does approve the attached proposed amendment to the Outagamie County Comprehensive Plan to amend the Farmland Preservation Plan Map for the Town of Kaukauna as reflected in the review of Exhibit 2, which by reference is made a part hereof, and

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in Outagamie County upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this Ordinance to the Outagamie County Department of Development and Land Services Director.

Dated this 26th day of March 2024

Respectfully Submitted,

AGRICULTURE, EXTENSION EDUCATION, ZONING & LAND CONSERVATION COMMITTEE

Debra Vander Heiden

Daniel Rettler

Dustin Koury

Sarah Weinberg

Rick Lautenschlager

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 3.28.24

Vetoed: _____

Signed: _____ County Executive

ZONING COMITTEE RESOLUTION NO.: PL202400041

RECOMMENDING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR OUTAGAMIE COUNTY, WISCONSIN

WHEREAS, pursuant to 59.69(3) of the Wisconsin Statutes, Outagamie County is authorized to prepare and adopt a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes, and

WHEREAS, Outagamie County has developed a process to allow for amendments to the Comprehensive Plan, and

WHEREAS, the State Comprehensive Planning Law requires that the County follow the same administrative procedures for adoption defined under Wisconsin Statutes, Section 66.1001(4), to amend the Comprehensive Plan, and

WHEREAS, Outagamie County has held at least one public hearing on this amendment, in compliance with requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

NOW THEREFORE, BE IT RESOLVED, that the Outagamie County Zoning Committee hereby recommends to the County Board that the attached Comprehensive Plan Amendment be adopted pursuant to Wisconsin Statutes Section 66.1001(4).

Adopted this _____ day of March 2024

~~Debra Vander Heiden,~~ Committee Chair
Dan Rettler

Sarah Weinberg, Committee Secretary

Adopted: _____ --- _____

Outagamie County Est. 1851

Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: **Zoning Committee**
FROM: **Sadie DiNatale Burda, Principal Planner**
DATE: **January 29, 2024**
RE: **PL202400041: Proposed Outagamie County Comprehensive Plan Amendment related to Farmland Preservation Plan Map Amendment**

BACKGROUND

The *Outagamie County Comprehensive Plan 2040: A Shared Path Forward* (hereinafter the Comprehensive Plan) was adopted in 2020. Occasionally, amendments to the Comprehensive Plan are needed to ensure the document remains up-to-date, relevant, and statutorily compliant. This memorandum discusses a proposed change to the Comprehensive Plan, Addendum 2: Farmland Preservation Plan.

PROPOSED AMENDMENT

The Outagamie County Board of Supervisors adopted the County's new Farmland Preservation Plan as Addendum 2 of the County's Comprehensive Plan on October 24, 2023. Appendix A of the County's Farmland Preservation Plan included a Farmland Preservation Map for each Town in Outagamie County. County staff developed each map based on a framework that uses the County's Future Land Use Maps as objective mapping criteria.

On November 6, 2023, Outagamie County's Board of Supervisors approved an amendment to repeal and replace the Town of Kaukauna's Future Land Use Map in the County's Comprehensive Plan. This change prompts a need to amend the Town of Kaukauna's Farmland Preservation Map to ensure consistency between both planning tools and, importantly, to ensure that agricultural producers interested in claiming Farmland Preservation Tax Credits continue to have a pathway to do so.

Exhibit 1 presents the existing Farmland Preservation Map for the Town of Kaukauna. Exhibit 2 presents the proposed Farmland Preservation Map for the Town of Kaukauna. The change results in 333.6 acres added into farmland preservation.

The Department of Agriculture, Trade, and Consumer Protection (DATCP) has certified that this proposed amendment is compliant with state statutes and the County's farmland preservation mapping framework.

County staff have found this amendment to be consistent with its Comprehensive Plan. In particular, the map amendment is consistent with:

- The County's Comprehensive Plan Future Land Use Map for the Town of Kaukauna.
- Goal 3 of the County's Comprehensive Plan: "Cooperative, intergovernmental land-use decisions."
- Policy 8 of the County's Farmland Preservation Plan: "The County should continue to manage consistency between the future land use maps with the County's Comprehensive Plan, the farmland preservation maps within the County's Farmland Preservation Plan, and town and county zoning district maps."

STAFF RECOMMENDATION

Planning staff recommends adoption of the proposed County Comprehensive Plan amendment, as discussed above. To do this, the following action is required pursuant to Wis. Stats. 66.1001:

- Zoning Committee adopts a Resolution authorizing the amendment and advancing it to the County Board (Wis. Stats. 66.1001(4)(b)).
- County Board approves an Ordinance adopting the amendment (Wis. Stats. 66.1001(4)(c)).

EXHIBITS:

- Exhibit 1: Existing Town of Kaukauna Farmland Preservation Map (to be repealed)
- Exhibit 2: Proposed Town of Kaukauna Farmland Preservation Map (to replace existing)

2

EXHIBIT 1 Map 12. Town of Kaukauna
Farmland Preservation Areas
T21N. R.19E. / T.22N. R.19E

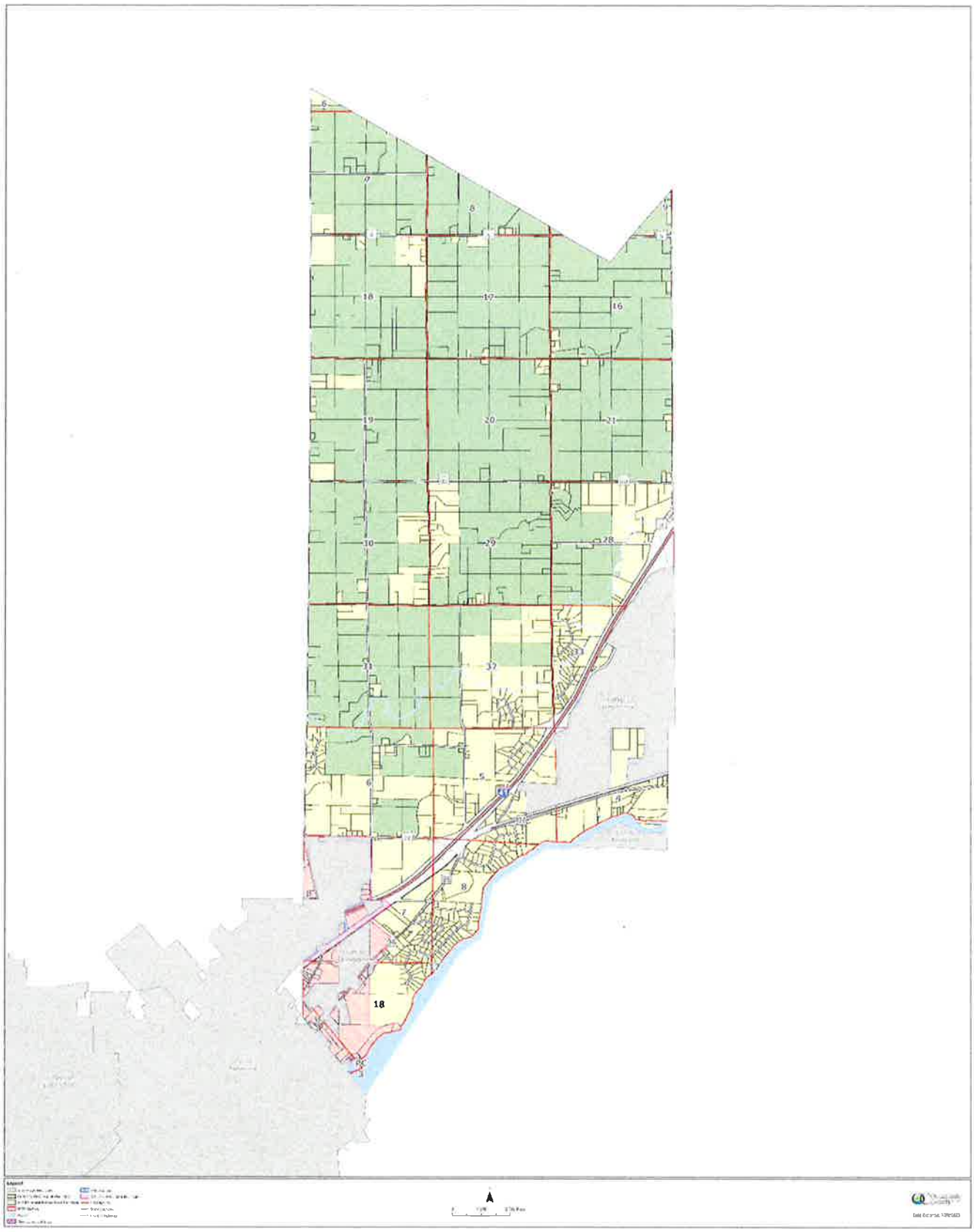
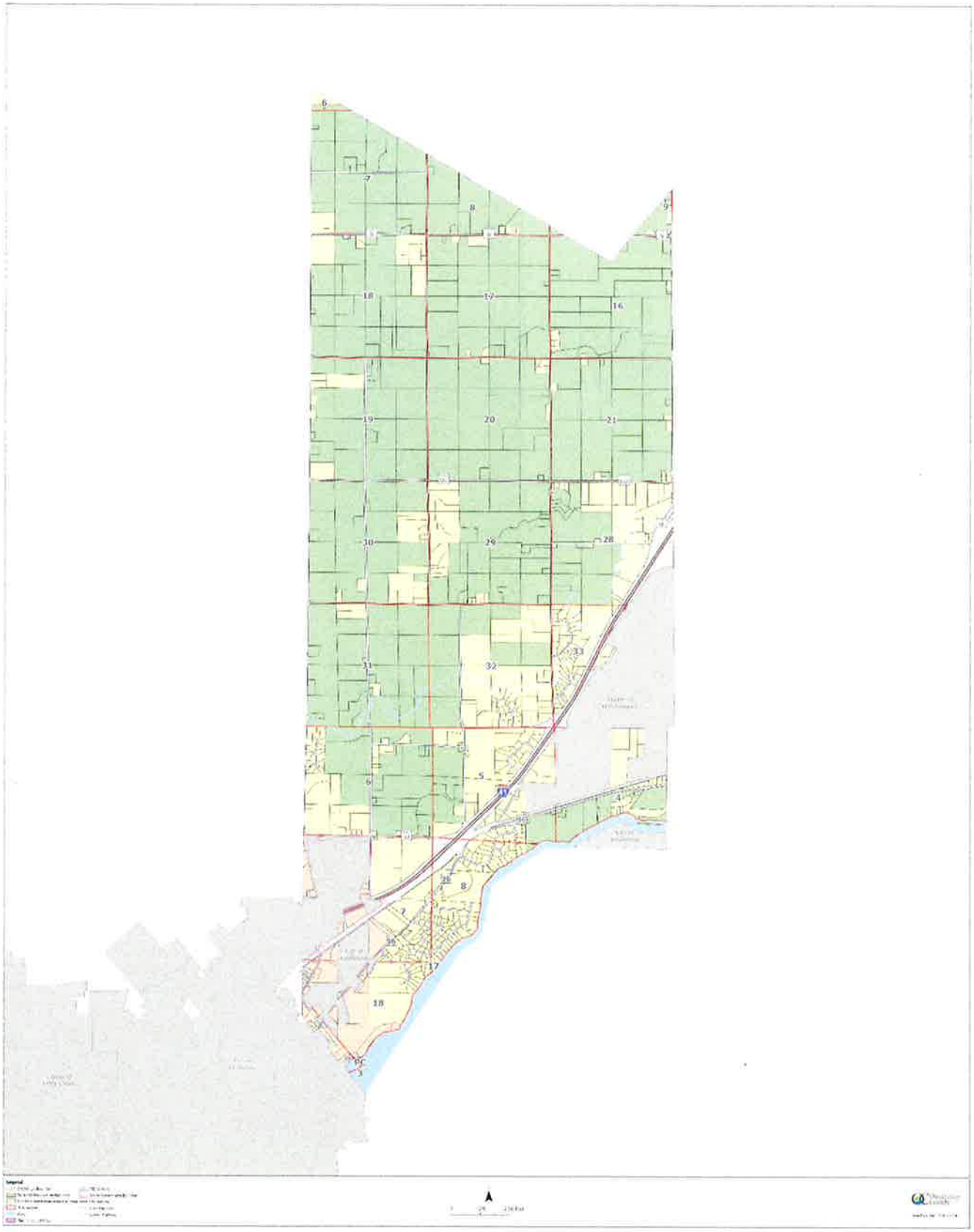


EXHIBIT 2



NOTICE OF PUBLIC HEARING

OUTAGAMIE COUNTY

TO WHOM IT MAY CONCERN

Notice is hereby given that the Outagamie County Zoning Committee will hold a public hearing on March 12, 2024 at 10:30 AM in the Outagamie County Board Room located at 320 S. Walnut Street, Appleton, WI 54911 to consider a Comprehensive Plan Amendment, in accordance with 66.1001(4) Wis Stats. The proposed amendment will repeal and replace the Farmland Preservation Map for the Town of Kaukauna (Map 12) within the County's Comprehensive Plan, Addendum 2: Farmland Preservation Plan.

For particulars, reference is made to documents located at **https://cityview.outagamie.org/** by referencing the below File Number under Planning Application search or visiting the county website at: **https://www.outagamie.org/government/departments-a-e/development-and-land-services/comprehensive-plan**.

Any interested person may address the Zoning Committee by mailing a letter to Outagamie County DLS, 320 S. Walnut Street, Appleton, WI 54911, emailing **zoningemail@outagamie.org**, or attending the meeting at the date and time listed above.

Dated this 31st day of January 2024

OUTAGAMIE COUNTY ZONING COMMITTEE
DEBBIE VANDER HEIDEN, CHAIR

File No: PL202400041

Published: February 6, 2024

Accommodation Notice

Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.

LocaliQ
Wisconsin
GANNETT

Order Confirmation
Not an Invoice

Account Number:	1013041
Customer Name:	Outagamie County Development & Land Services
Customer Address:	Outagamie County Development & Land Services 320 S Walnut ST Zoning Dept. Appleton WI 54911-5918
Contact Name:	Becky A. Meulemans
Contact Phone:	920-832-4921
Contact Email:	Becky.Meulemans@outagamie.org
PO Number:	

Date:	01/31/2024
Order Number:	9806386
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	45.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
APC Appleton Post Crescent	1	02/06/2024 - 02/06/2024	Govt Public Notices
APC postcrescent.com	1	02/06/2024 - 02/06/2024	Govt Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	$42.85
Service Fee 3.99%	$1.71
Cash/Check/ACH Discount	-$1.71
Payment Amount by Cash/Check/ACH	$42.85
Payment Amount by Credit Card	$44.56

Order Confirmation Amount	**$42.85**

1/2

Ad Preview

NOTICE OF PUBLIC HEARING
OUTAGAMIE COUNTY
TO WHOM IT MAY CONCERN
Notice is hereby given that the Outagamie County Zoning Committee will hold a public hearing on March 12, 2024 at 10:30 AM in the Outagamie County Board Room located at 320 S. Walnut Street, Appleton, WI 54911 to consider a Comprehensive Plan Amendment, in accordance with 66.1001(4) Wis Stats. The proposed amendment will repeal and replace the Farmland Preservation Map for the Town of Kaukauna (Map 12) within the County's Comprehensive Plan, Addendum 2: Farmland Preservation Plan.
For particulars, reference is made to documents located at **https://cityview.outagamie.org/** by referencing the below File Number under Planning Application search or visiting the county website at:
https://www.outagamie.org/government/departments-a-e/development-and-land-services/comprehensive-plan
Any interested person may address the Zoning Committee by mailing a letter to Outagamie County DLS, 320 S. Walnut Street, Appleton, WI 54911, emailing **zoningemail@outagamie.org**, or attending the meeting at the date and time listed above.
Dated this 31st day of January 2024
OUTAGAMIE COUNTY ZONING COMMITTEE DEBBIE VANDER HEIDEN, CHAIR
File No: PL202400041
Published: February 6, 2024
Accommodation Notice
Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.
Run February 6, 2024 WNAXLP

2/2

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 115—2023-24 – Legislative/Audit and Human Resources Committee. Approve to decrease the following line items in the 2023 Legislative Services budget: Travel/Training by $700; Supplies by $1,800; Purchased Services by $18,800; and decrease the General Fund Committed Fund Balance for Small Depts Vac/Sick Payouts by $26,411; and increase the following line items: Salaries by $44,131; Fringes by $1,704; Allocated Applied Credit by $1,875; and General Funds Applied, Fund Balance Applied by $26,411 and the General Fund, Fund Balance Unassigned by $26,411, to cover the payout amount for the Lobbyist, as noted on the attachments.

Supervisor Kostelny moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 115—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Resolution No. 115—2023-24

Legislative/Audit and Human Resources Committee. Approve to the various line item changes to cover the pa attachments.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Board 3-26-24 County Board Meeting - March 26 2024 07:53:23 PM

March 26, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 115—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

As part of the budget process, the Outagamie County Lobbyist position was eliminated from the Legislative Services Office Table of Organization. The Lobbyist was employed with Outagamie County for 23 years, and therefore, had the maximum amount of unused sick leave, as well as unused vacation and accrued vacation. This request is to transfer monies from the 2023 Legislative Services cost centers as well as from the Small Departments Vacation and Sick Leave Payout budget in order to cover the payout amount.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does hereby authorize and approve decreasing the following line items in the 2023 Legislative Services budget: Travel/Training by $700; Supplies by $1,800; Purchased Services by $18,800; and decrease the General Fund Committed Fund Balance for Small Depts Vac/Sick Payouts by $26,411; and approve increasing the following line items: Salaries by $44,131; Fringes by $1,704; Allocated Applied Credit line item by $1,875; and increase the General Funds Applied, Fund Balance Applied line item by $26,411; and increase the General Fund, Fund Balance Unassigned line item by $26,411 as noted on the attached fiscal note and worksheet and Small Departments Vacation and Sick Leave Payout Budget Request Form, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Legislative Services Manager.

Dated this 26th day of March 2024

Respectfully Submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

Joe Santonato

John Kostelny

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 3.28.24 Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Legislative Services 2023 Budget Adjustments

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Lobbyist position was eliminated by the County Board at the budget session. The Lobbyist was employed with the county for 23 years. Therefore, the Lobbyist had the maximum amount of unused sick leave, as well as unused vacation and accrued vacation. This request is to transfer $700 from the Travel/Training line item, $1,800 from the Supplies line item, and $18,800 from the Purchased Services line in the 2023 Legislative Services budget to cover the unexpected payout. Additionally, this request is to transfer $26,411 from the Small Departments Vacation and Sick Leave Payout budget for the same purpose.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☒ Expenses (Cost) ☐ None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
BALANCE SHEET ENTRY - 2023			
Legislative Services	Travel/Training	1001600.5300	($700)
Legislative Services	Supplies	1001600.5400	($1,800)
Legislative Services	Purchased Services	1001600.5500	($18,800)
General Fund	Committed Fund Balance for Small Depts Vac/Sick Payouts	1000000.3870	($26,411)
Legislative Services	Salaries	1001600.5100	$44,131
Legislative Services	Fringes	1001600.5200	$1,704
Legislative Services	Allocated Applied Credit	1001600.5940	$1,875
General Funds Applied	Fund Balance Applied	1002223.8955	$26,411
General Fund	Fund Balance Unassigned	1000000.3891	$26,411

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Sara Hickey

For Financial Services purposes only

Reviewed By: [signature]

Date: 2/6/2024

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number | Amount

Comments:

Legislative Services 2023 Budget Adjustments - Attachment A

Cost Center Name	Cost Center Num	Line Account	Line Item	Debit	Credit	Description
Legislative Services	1001600	5300	Travel/Training	$700.00		
Legislative Services	1001600	5400	Supplies	$1,800.00		
Legislative Services	1001600	5500	Purchased Services	$18,800.00		
General Fund	1000000	3870	Committed Fund Balance for Small Depts Vac/Sick Payouts	$26,410.57		
Legislative Services	1001600	5100	Salaries		$44,131.03	
Legislative Services	1001600	5200	Fringes		$1,704.37	
Legislative Services	1001600	5940	Allocated Applied Credit		$1,875.17	
General Funds Applied	1002223	8955	Fund Balance Applied		$26,410.57	
General Fund	1000000	3891	Fund Balance Unassigned		$26,410.57	

SMALL DEPARTMENTS VACATION AND SICK LEAVE PAYOUT BUDGET REQUEST FORM

Department	Legislative Services
Department Head	Sara Hickey
Date	February 6, 2024
Position Vacated	Lobbyist
Vacation and Sick Payout Estimate	$60,511
Budgeted Transfer Request Amount	$26,411

Operational Impact (i.e. risks, productivity, cost, etc) if not allowed to fill the vacated position until the vacation and sick payout is recovered on a budgetary basis:

The Lobbyist position was eliminated by the County Board at the budget session. The Lobbyist was employed with the county for 23 years. Therefore, the Lobbyist had the maximum amount of unused sick leave, as well as unused vacation and accrued vacation. Of the total payout amount, $34,100 was paid from the 2023 Office adopted budget. The Legislative Services Office is a small department. I am requesting $26,411 from the Small Department Vacation and Sick Leave Payout Budget to cover this unexpected payout.

Thank you.

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 116—2023-24 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization request to move one (1) full-time Risk Coordinator position from the Table of Organization of Financial Services Department to Corporation Counsel, with no budget adjustment needed, as noted on the resolution and attachments.

Supervisor Santonato moved, seconded by Supervisor Spears, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 116—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Resolution No. 116—2023-24

Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization request to mo **Passed With 2/3 of Full Membership** from the Table of Organization of Financial Services Department to Corporation Counsel, with no budget adjustment needed, as noted on the resolution and attachments.

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **3-26-24 County Board Meeting - March 26 2024 07:53:58 PM**
March 26, 2024 County Board Meeting
OpenMeeting

RESOLUTION NO.: 116—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Corporation Counsel provides legal services to all County Departments which includes coordinating with insurance carriers, and their assigned outside counsel, regarding claims filed against the County. The Outagamie County Risk Coordinator manages all claims filed against the county and coordinates with our insurance carriers regarding administration of claims. Traditionally, the Risk Coordinator has been under the Financial Services Department Table of Organization. Given the demands on Financial Services and departures within that department, Risk Management would be better served within the office of Corporation Counsel.

This resolution seeks to move the office of Risk Management to the table of organization for Corporation Counsel, which will allow Corporation Counsel to work more closely with the Risk Coordinator on claims filed against the county, will allow Corporation Counsel staff to provide day to day support for the Risk Coordinator, and will provide backup coverage which is no longer available from the Finance Department.

The monies for the proposed Table of Organization change were approved as part of the 2024 budget process. Therefore, no budget adjustment is needed at this time.

NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve an in-year Table of Organization request to move one (1) full-time Risk Coordinator position from the Financial Services Department Table of Organization to the Corporation Counsel Table of Organization, with no budget adjustment needed, as noted on the attached Out of Budget – Position Cost Center Change Form, Job Description, Table of Organization, and fiscal note, which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Executive, the Outagamie County Finance Director, and the Outagamie County Corporation Counsel.

Dated this 26th day of March 2024

Respectfully Submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Cathy Spears

Sarah MacDonald

Ryan Ferguson

Joe Santonato

John Kostelny

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 3.28.24

Vetoed: _____

Signed: _____ County Executive

OUT OF BUDGET - POSITION COST CENTER CHANGE FORM

Completion Checklist

- o A visual of proposed Table of Organization
- o Fiscal Note

Request Details

Effective Date of Requested Change: Note: must be beginning of pay period		3/5/2024	
Position Title:		RISK MANAGER	
Current Department:		FINANCE	
Current Department Head:		MICHELLE UITENBROEK	
Current Cost Center Number:		1004100	
New Department:		CORPORATION COUNSEL	
New Department Head:		KYLE SARGENT	
New Cost Center Number:		1001500	
Is this position full time or part time? *(If more than one position, use the worksheet for Multiples)*		Full Time:	1
		Part Time:	
Employee(s) Impact By Change	Employee Name	Employee #	New Supervisor
	CHUCK SCHROEDER		KYLE SARGENT

Position Justification

Briefly summarize why this change is needed, as well as areas of revenue and savings.

HISTORICALLY, THE RISK MANAGER HAS BEEN HOUSED IN FINANCE. GIVEN THE CHANGES IN THE FINANCE STRUCTURE DUE TO TURNOVER, THE RISK MANAGER IS IN A POSITION WHERE THERE IS LITTLE TO NO SUPPORT STAFF COVERAGE FOR THE POSITION. IN ADDITION FINANCE HAS A SIGNIFICANT WORK LOAD SUCH THAT RISK MANAGEMENT HAS BEEN IN PRACTICE ALMOST ITS OWN STAND ALONE DEPARTMENT. CORPORATION COUNSEL HAS SUPPORT STAFF WHICH CAN PROVIDE BACK UP FOR THE RISK MANAGER IF OUT OF THE OFFICE, AND CAN ASSIST WITH OTHER DAILY SUPPORT STAFF TASKS. THE RISK MANAGER WORKS WITH FINANCE IN THE SAME OR SIMILAR CAPACITY AS ALL OTHER DEPARTMENTS IN THE COUNTY. RISK, HOWEVER, WORKS WITH CORPORATION COUNSEL ON A REGULAR BASIS INCLUDING COORDINATING CLAIMS AND IDENTIFYING IF AND WHEN OUTSIDE COUNSEL SHOULD BE APPOINTED ON A PARTICULAR MATTER. IN REVIEWING WMMIC REPRESENTED COUNTIES, OF THOSE WHO HAVE A RISK MANAGER, 9 OUT OF 15 HAVE RISK MANAGEMENT PLACED WITHIN CORPORATION COUNSEL.. OTHER WMMIC MEMBERS WHO DO NOT HAVE A RISK MANAGER, WORK WITH CORPORATION COUNSEL DIRECTLY. THIS WILL NOT MODIFY THE REVENUE STREAM IN ANY WAY, NOR WILL IT INCREASE COSTS AS IT WILL BE A LATERAL TRANSFER.

Fiscal Data

How will this position be funded (choose from drop-down list)?	

PROJECTED 2023 EXPENDITURES NEW COST CENTER - Amounts must agree to amounts included in the proposed budget.

Salary	
Fringe Benefits	
Travel/Training	
Supplies - IT	
Supplies - Other	
Purchased Services - IT	
Purchased Services - Other	
Allocated Applied Expense	
Allocated Applied Credit	
Capital Outlay	
TOTAL EXPENDITURES	
COST SAVINGS OR INCREASED REVENUES NEW COST CENTER:	
Please list below the additional revenues pertaining to this position and/or cost savings (reductions in expenditures) that will be shown in the budget.	
Description	*Dollar Value (enter as negative)*
TOTAL COST SAVINGS/REVENUES	
NET COUNTY COST (Levy/Fund Bal)	
PARTIAL YEAR FUNDING - ANNUAL PROJECTION - NEW COST CENTER	
If you are requesting a position that will only be funded initially for a part of a year, please complete the following for annual (12 month) position cost:	
Salary	
Fringe Benefits	
Other Expenditures	$ -
TOTAL EXPENDITURES	$ -
Less Increased Revenue/Cost Savings (enter as negative)	$ -
NET COUNTY COST (Levy/Fund Bal)	$ -

Outagamie County

Risk Coordinator

CLASS CODE 1500-3 **SALARY** $74,068.80 - $96,636.80 Annually

Position Purpose

Reporting to the Finance Director, the Risk Coordinator is responsible for developing, coordinating and controlling a comprehensive risk management program designed to minimize the County's exposure to loss. Administers accident and claims investigations, safety and loss prevention and development of premium and budget preparations.

Key Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Establishes and maintains effective working relationships with staff, elected officials, county departments, vendors, government agencies, and the public.
- Develops and maintains county-wide Safety Program and safety policies and procedures.
- Insures that appropriate and effective safety training is performed to support the County's Safety Program.
- Establishes and coordinates safety inspections, hazard identification and corrective actions.
- Administers self-insured worker's compensation program including program development, claims investigation, coordination of medical services and return to work; represents the County at DILHR hearings on disputed claims.
- Administers liability insurance programs including program development, internal investigation, recommending defense counsel, development of defense strategies, preparing disallowances, verifying coverage and maintaining claims and litigation files.
- Develops and manages comprehensive County-wide occupation health, wellness, and safety program designed to reduce exposure to loss and claims. Keeps abreast of laws, regulations and industry standards in municipal health and safety program areas.
- Advises claims administrators, insurance adjusters, defense counsel, and affected County departments on the status and disposition of all property and casualty claims.
- Provides professional advice on risk management issues to county administration; responds to requests for information and advice from county staff, government agencies, and the public.
- Advises departments on appropriate insurance coverage limits; develops insurance specifications and indemnification agreements for bids and contracts; reviews all contracts and certificates of insurance to ensure compliance with insurance and indemnification requirements.
- Selects and oversees the maintenance of the risk management recordkeeping system.
- Administers self-insured vehicle collision program including program development, repair authorization, subrogation actions, payments and negotiated settlements.
- Works with other members of the Finance team to develop premium projections and allocations for various self-insured and commercial insurances, prepares workers compensation insurance audit, develops and

maintains rating information. Works with other members of the Finance team to develop the annual insurance budgets.

- Either develops or works with insurance carriers to maintain schedules of insurable properties. Works with other members of the Finance team to select commercial insurance coverages, prepares most insurance coverage renewable applications.
- Supports other members of the Finance team in preparing the annual vehicle assignment report by vehicle policy.
- Formulates procedures relating to the County's claims reporting; develops and maintains loss history and loss statistics used in the development of experience and exposure rating factors.
- Represents the County at the Wisconsin Municipal Mutual Insurance Company meetings.
- Assists with special projects as assigned and annual financial audit as requested by the auditors.
- Maintains regular and predictable attendance, works overtime/extra hours as required.
- Performs other duties as assigned.

Education/Certifications/Experience Requirements

- Bachelor's degree in Risk Management, or a related field, with three to five years of progressively responsible professional experience in the area of administrating Worker's Compensation claims, property and casualty claims, safety programs or insurance administration.
- Or any combination of education and experience that provides equivalent knowledge, skills, and abilities.

Required or Preferred Skills

- Ability to operate a motor vehicle.
- Ability to add, subtract, multiply, divide, calculate decimals and percents, and make use of the principles of statistical inference.
- Ability to comprehend and interpret a variety of documents including lawsuits and claims, bank statements, account summaries, billing invoices, insurance policies, actuarial reports, State statutes, budgets, etc
- Ability to prepare a variety of documents including budgets, allocation schedules, annual and other reports, policy manuals, claim forms, valuation forms, etc.
- Ability to use and interpret medical, legal, and insurance terminology.
- Ability to communicate effectively with claimants, defense attorneys, adjusters, sales representatives doctors, professional service providers, department managers, auditors, and others verbally and in writing.

OUTAGAMIE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THE COUNTY WILL PROVIDE REASONABLE ACCOMMODATIONS TO QUALIFIED INDIVIDUALS WITH DISABILITIES AND ENCOURAGES BOTH PROSPECTIVE EMPLOYEES AND INCUMBENTS TO DISCUSS POTENTIAL ACCOMMODATIONS WITH THE EMPLOYER.

FUND: GENERAL 100 COST CENTER NAME: CORPORATION COUNSEL

DEPARTMENT NAME: CORPORATION COUNSEL COST CENTER NUMBER: 1001500, 6010100

POSITION COUNT	2020 FT	2020 PT	2021 FT	2021 PT	2022 FT	2022 PT	2023 FT	2023 PT	2024 FT	2024 PT
REGULAR POSITIONS:										
ASSISTANT CORP COUNSEL	1	0	1	0	1	0	1	0	1	0
ASSISTANT CORP COUNSEL/CHILD SUPPORT	1	1	2	0	2	0	2	0	2	0
CORPORATION COUNSEL	1	0	1	0	1	0	1	0	1	0
DEPUTY CORPORATION COUNSEL	1	0	1	0	1	0	1	0	1	0
LEGAL SECRETARY	0	1	0	1	0	1	0	1	0	1
OFFICE MANAGER/PARALEGAL	0	0	1	0	1	0	1	0	1	0
PARALEGAL	2	0	1	0	1	0	1	0	1	0
COST CENTER 6010100										
RISK ADMINISTRATOR	0	0	0	0	0	0	0	0	1	0
TOTAL POSITIONS - REGULAR:	6	2	7	1	7	1	7	1	8	1
TOTAL ALL POSITIONS:	6	2	7	1	7	1	7	1	8	1

FUND: GENERAL 100 COST CENTER NAME: FINANCIAL SERVICES

DEPARTMENT NAME: FINANCIAL SERVICES COST CENTER NUMBER: 1004100, 6040300

	2020		2021		2022		2023		2024	
POSITION COUNT	**FT**	**PT**	**FT**	**PT**	**FT**	**PT**	**FT**	**PT**	**FT**	**PT**
REGULAR POSITIONS:										
COST CENTER 1004100										
ACCOUNT ASSOCIATE I	1	0	1	1	0	1	0	1	0	1
ACCOUNT ASSOCIATE III	0	1	0	0	1	0	1	0	1	0
ACCOUNT ASSOCIATE III	1	0	1	0	1	0	1	0	1	0
BUYER	0	0	0	0	0	0	0	0	0	0
CONTROLLER	1	0	0	0	1	0	1	0	1	0
DEP DIRECTOR DEPT & BOARD RELATIONS	1	0	1	0	1	0	1	0	1	0
FINANCE ACCOUNTANT	1	0	1	0	1	0	1	0	1	0
FINANCE ACCOUNTANT	0	0	0	0	0	0	1	0	1	0
FINANCE DEPUTY DIRECTOR	0	0	1	0	1	0	1	0	1	0
FINANCE DIRECTOR	1	0	1	0	1	0	1	0	1	0
PAYROLL COORDINATOR	1	0	1	0	0	0	0	0	0	0
PAYROLL SPECIALIST	1	1	1	1	1	0	1	0	1	0
PAYROLL SUPERVISOR	0	0	0	0	1	0	1	0	1	0
PROCUREMENT COORDINATOR	1	0	1	0	1	0	1	0	1	0
COST CENTER 6010100										
RISK ADMINISTRATOR	1	0	1	0	1	0	1	0	0	0
COST CENTER 6040300										
CENTRAL SERVICES SUPERVISOR/ACCOUNTANT	0	0	0	0	1	0	1	0	0	0
CENTRAL SERVICES SPECIALIST	0	0	0	0	1	0	1	0	1	0
MAIN SERVICES ASSISTANT	0	0	0	0	0	1	0	1	0	1
TOTAL POSITIONS-REGULAR:	10	2	10	2	13	2	14	2	12	2
TOTAL ALL POSITIONS:	10	2	10	2	13	2	14	2	12	2

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. Subject: Move Risk Administrator from Financial Services to Corporation Counsel

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

After the resignation of the Finance Director and Deputy Finance Director in February/March of 2023, the Risk Administrator within Finance started reporting t o the Director of Corporation Counsel and this was agreed upon by all parties that these duties were better aligned with Corporation Counsel instead of stayin g in Finance once a new Director and Deputy Director were hired. This request is to move this position permanently to Corporation Counsel Department, the budget is already separated within a Risk Management cost center, so this request is only for the change of reporting department.

Current Year Budget Impact (Check one or more of the following boxes)

☐ Revenues ☐ Expenses (Cost) ☐ None – 2025 Budget

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below yes ( ) no (x)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	(DECREASE) AMOUNT

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Kay L Hamilton

For Financial Services purposes only	
Reviewed By: Kay L Hamilton	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:
	Detail Expenditures Account Number — Amount
Date:2/20/2024	
Comments:	

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 117—2023-24 – Finance Committee. Approve the Sheriff's Office to expend ARPA funds of $110,000 to purchase an ICOR Technology Mini-CALIBER portable robot; and increase the ARPA line items of Revenue and Capital by $110,000 each, as noted on the attached fiscal note.

Supervisor Smith moved, seconded by Supervisor Miller, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 117—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES | 0 NO | 0 ABSTAIN | 7 ABSENT

Resolution No. 117—2023-24

Finance Committee. Approve the Sheriff's Office to expend ARPA funds of $110,000 to purchase an ICOR Tec increase the ARPA line items of Revenue and Capital by $110,000 each, as noted on the attached fiscal note.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 07:59:07 PM

March 26, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 117—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Sheriff's Office is requesting to expend ARPA funds to purchase an ICOR Technology Mini-CALIBER portable robot (robot). The robot is a remote system that works independently or in conjunction with the Sheriff's Office drones to clear a hazardous area that may be an elevated risk to officers. Additionally, the robot offers the ability to deliver items, examine explosive devices, communicate with a violent offender from a safe distance, and open doors. Robot technology is commonly requested to assist with critical incidents and because one is not readily available, it causes significant delays, potentially up to several hours. Having a robot readily available will help keep the Sheriff Officers and the public safer while resolving dangerous situations more quickly.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Sheriff's Office to expend ARPA funds in the amount of $110,000 to purchase an ICOR Technology Mini-CALIBER portable robot, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does approve increasing the ARPA Revenue line item and ARPA Capital line item by $110,000 each as detailed in the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Sheriff.

Dated this 26th day of March 2024

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3.28.24 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Sheriff's Department requests to expend ARPA funds to acquire ICOR Mini-Caliber portable robot.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Sheriff's Department is requesting to expend ARPA furds to purchase an ICOR Technologies Mini-Caliber portable robot. The Mini Caliber Robot is a remote system that works independently or in conjunction with our drones to clear a hazardous area that creates an elevated risk to officers. It also offers the ability deliver items, examine explosive devices, and communicate with a violent offender from a safe distance and open doors. Robot technology is commonly requested by our Agency to assist with critical incidents and because we do not have one readily available, it causes significant delays up to several hours. Having a robot readily available will help keep our officers and the pubic safer while potentially resolving dangerous situations more quickly.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (I.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (I.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
ARPA	Revenue	4660100.4264.01	110,000
ARPA	Capital	4665000.6000	110,000

Annual and Long-Term Impact

8. Is the above increase/decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Lisa VandenLangenberg

For Financial Services purposes only

Reviewed By: [signature]

Date: 3/14/2024

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount
4665000.6305	$110,000.00

Comments:

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 118—2023-24 – Public Safety Committee. Approve the Outagamie County Sheriff's Office to accept and expend an unsolicited donation from Gold Cross Ambulance Community Fund for $250; and increase the Patrol line items for Revenue and Supplies by $250 each, as noted on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Cooke, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 118—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Resolution No. 118—2023-24

Public Safety Committee. Approve the Outagamie County Sheriff's Office to accept and expend an unsolicite **Passed With 2/3 of Full Membership**
Community Fund for $250; and increase the Patrol line items for Revenue and Supplies by $250 each, as noted on the attached fiscal note.

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **3-26-24 County Board Meeting - March 26 2024 07:59:50 PM**
March 26, 2024 County Board Meeting
OpenMeeting

RESOLUTION NO.: 118—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Sheriff's Office is requesting approval to accept and expend an unsolicited donation from Gold Cross Ambulance Community Fund in the amount of $250. Gold Cross Ambulance Community Fund designated the donation as "Back the Badge" support. Funds will be used toward the purchase of medical supplies. The Sheriff's Office will use already budgeted funds to cover the excess cost. There is no county match required.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Outagamie County Sheriff's Office to accept and expend an unsolicited donation from Gold Cross Ambulance Community Fund in the amount of $250, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Patrol Revenue line item and the Patrol Supplies line item by $250 each as detailed on the attached fiscal note, which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 26th day of March 2024

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ Board Chairperson

_____ County Clerk

Approved: 3 28 24

Vetoed: _____

Signed: _____ County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Sheriff's Department to accept and expend unsolicited donation from Gold Cross Ambulance Community Fund.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Sheriff's Office requests to accept and expend an unsolicited donation from Gold Cross Ambulance Community Fund in the amount of $250. Gold Cross Ambulance Community Fund designated the donation as "Back the Badge" support. Funds will be used towards the purchase medical supplies. The Sheriff's Office will use already budgeted funds to cover any excess cost. No match is required by the County.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes (x) no ( ) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Patrol	Revenue	1008007.4510.20	250
Patrol	Supplies	1008007.5400	250

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Lisa VandenLangenberg

For Financial Services purposes only

Reviewed By: [signature]

Date: 2/29/2024

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount
1008007.5420.08	250

Comments:

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **3-26-24 County Board Meeting - March 26 2024 08:06:21 PM**

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 120—2023-24 – Finance Committee. Authorize writing off the 2023 Accounts Receivables, Delinquent Accounts Receivable Write-Offs, and authorize the Finance Director to remove these receivables from the County records and deem them no longer collectible, as noted on the attachments.

Supervisor Thiede moved, seconded by Supervisor Lawrence, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 120—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Resolution No. 120—2023-24

Finance Committee. Authorize writing off the 2023 Accounts Receivables, Delinquent Accounts Receivable W… remove these receivables from the County records and deem them no longer collectible, as noted on the attachments.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **3-26-24 County Board Meeting - March 26 2024 08:00:29 PM**

March 26, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 120—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Annually, the Finance Department brings forward a request to write-off delinquent accounts. These are accounts that have been billed to customers throughout all of the county's operations but have not been paid in full. In most cases, the County will continue to seek collection through using a collection agency, continuing to work with the customer or working with Corporation Counsel.

This resolution authorizes writing off Accounts Receivables (A/R) for 2023 in order for the A/R records to be limited to those deemed currently collectible.

NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize writing off the 2023 Accounts Receivables as referenced on the attached fiscal note and spreadsheets, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Finance Director is authorized to remove these receivables from the County records and deem them no longer collectible, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the the Outagamie County Finance Director.

Dated this 26th day of March 2024

Respectfully Submitted,

FINANCE COMMITTEE

Nadine Miller

Chris Croatt

John Cuff

Karen Lawrence

Steve Thiede

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3 28 24 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request to Write off Delinquent Accounts for 2023.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Annually, the Finance Department brings forward a request to write-off delinquent accounts for each year. These are accounts that have been billed to customers throughout all of the counties operations but have not been paid in full. In most cases, the County will continue to seek collection through using a collection agency, continuing to work with the customer or working with Corporation Counsel. This resolution writes off the Accounts Receivables (A/R) detailed in the attached listing for 2023 so the County's A/R records can be limited to those deemed currently collectible.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [ ] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no ( ) n/a (X)

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes ( ) no (X)

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (I.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
N/A			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Michelle Uitenbroek

For Financial Services purposes only	
Reviewed By: Tay Hamilton	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number / Amount
Date: 3/14/2024	
Comments:	

2023 writeoffs

ACCT NUMBER	date	amount	explanation
5614	2021 Services	$ 563.50	Past timely filing limit
5823	2022 Services	$ 5,100.00	Past timely filing limit
4751	2021 Services	$ 742.00	Past timely filing limit
4968	2019 Services	$ 3,040.00	UHC denied; appeal upheld
2707	2021 Services	$ 305.33	Past timely filing limit
5493	2021 Services	$ 92.53	Past timely filing limit
5617	2021 Services	$ 3,895.50	Past timely filing limit
5749	2021 Services	$ 11,475.00	Past timely filing limit
4177	2021 Services	$ 203.00	Past timely filing limit
5856	2022 Services	$ 77.50	passed away no probate/estate
5785	2022 Services	$ 6,442.18	moved out without paying/false addresses/Corp Counsel will assist
5682	2021 Services	$ 952.00	Past timely filing limit
5835	2022 Services	$ 40.00	co pay/passed away sent several invoices and emails but never paid
5757	2021 Services	$ 1,855.00	wrong ins on file; when found denied for timely filing
5869	2022 Services	$ 5,091.67	Past timely filing limit
5869	2022 Services	$ 56.00	denied by state medicaid/not covered by mco
1305	2021 Services	$ 83.08	medicare denied charge, co pay uncollectible
5605	2021 Services	$ 47.88	medicare denied charge, co pay uncollectible
5161	2021 Services	$ 375.00	Past timely filing limit
5732	2021 Services	$ 12,542.64	Past timely filing limit
5629	2021 Services	$ 648.05	Past timely filing limit
5795	2022 Services	$ 12,042.48	Past timely filing limit
5617	2021 Services	$ 6,072.95	Past timely filing limit
5685	2021 Services	$ 22,511.04	Past timely filing limit
1305	2021 Services	$ 332.34	speech therapy denied/billing error/past filing limit
5493	2021 Services	$ 370.13	Past timely filing limit
5605	2021 Services	$ 34.08	speech therapy deniedbilling error past filing limit
5655	2021 Services	$ 180.73	Past timely filing limit
2402	2020 Services	$ 41.61	Past timely filing limit
2941	2021 Services	$ 21.27	speech therapy denied/billing error/past filing limit
2941	2022 Services	$ 202.47	speech therapy denied/billing error/past filing limit
5750	2022 Services	$ 98.46	flu billing error/past filing limit/90 day
5537	2022 Services	$ 104.06	flu billing error/past filing limit/90 day
4134	2022 Services	$ 98.46	flu billing error/past filing limit/90 day
4134	2021 Services	$ 37.58	past filing limit/90 day limit
5874	2022 Services	$ 50.04	flu billing error/past filing limit/90 day
5476	2020 Services	$ 116.16	therapy denied/billing error/past filing limit
5846	2022 Services	$ 98.46	flu billing error/past filing limit/90 day
4197	2022 Services	$ 98.46	flu billing error/past filing limit/90 day
5806	2022 Services	$ 40.08	flu billing error/past filing limit/90 day
5695	2021 Services	$ 81.51	flu billing error/past filing limit/90 day
5880	2022 Services	$ 285.56	PT/OT therapy denied/service started without auth
5741	2021 Services	$ 235.01	speech therapy denied/billing error/past filing limit
5642	2021 Services	$ 134.38	OT therapy denied/billing error/past filing limit
5179		$ 204.71	file not transmitted/billing error/past 90 day filing limit
5336	2021 Services	$ 1,131.00	moved out, was month behind refuses to pay
		$ 98,250.89	

*Process improvements resulting in increased Department Head and Manager oversight throughout 2023 has greatly limited doubtful accounts and garnered a near 100% collection rate on 2023 charges generated.

OUTAGAMIE COUNTY
ACCOUNTS RECEIVABLE WRITTEN OFF
12/31/2023

CUSTOMER	AMOUNT	AMOUNT WRITTEN OFF	OTHER NOTES	ENDING BALANCE	
CARTWRIGHT, HOLLY	207.01	207.01	Sent to Collections	-	
MACIAS, ERIC	404.55	404.55	Sent to Collections	-	
BUCHANAN, ERIC	28,210.52	28,210.52	Restituion	-	
DISMUKE, JEREMY S	1,040.66	1,040.66	Restituion	-	This was court ordered on 11/2023 per Stephanie
TOTAL	29,862.74	29,862.74		-	

1

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

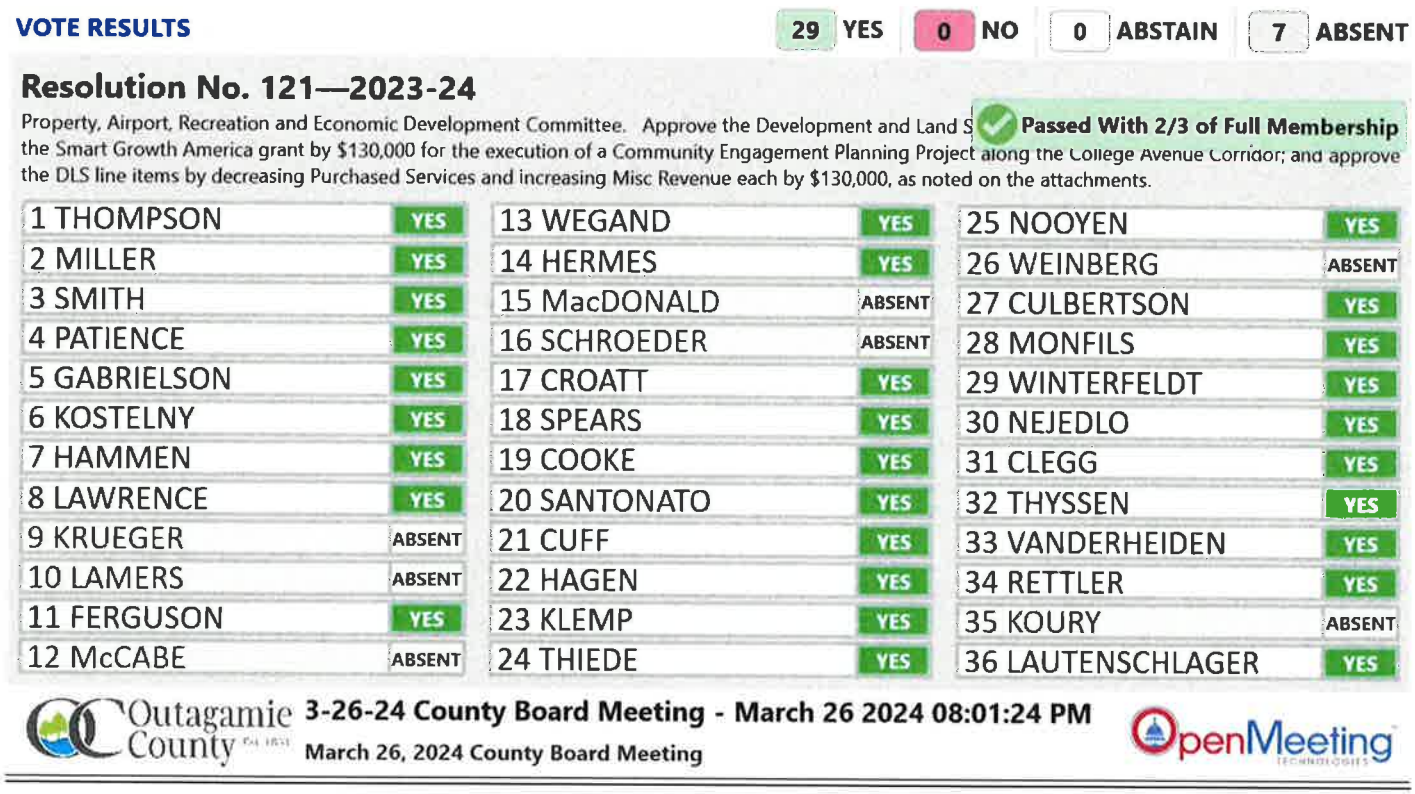
March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 121—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Development and Land Services (DLS) Department to accept and expend the Smart Growth America grant by $130,000 for the execution of a Community Engagement Planning Project along the College Avenue Corridor; and approve the DLS line items by decreasing Purchased Services and increasing Misc Revenue each by $130,000, as noted on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Monfils, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 121—2023-24 IS ADOPTED.



VOTE RESULTS — 29 YES | 0 NO | 0 ABSTAIN | 7 ABSENT

Resolution No. 121—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve the Development and Land S… the Smart Growth America grant by $130,000 for the execution of a Community Engagement Planning Project along the College Avenue Corridor; and approve the DLS line items by decreasing Purchased Services and increasing Misc Revenue each by $130,000, as noted on the attachments.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County — 3-26-24 County Board Meeting - March 26 2024 08:01:24 PM

March 26, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 121—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

The Outagamie County Development and Land Services (DLS) Department is requesting authorization to accept and expend a $130,000 grant from Smart Growth America for the execution of a Community Engagement Planning Project along the College Avenue Corridor. The County will work with community partners to create designs, seek permits, and apply for funding for investments that will address safety, increase pedestrian and cyclist infrastructure, and spur economic development along the corridor.

The fiscal impact is budget neutral, as the DLS Department will only expend the grant money that is received.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Development and Land Services Department to accept and expend the Smart Growth America grant in the amount of $130,000 for the execution of a Community Engagement Planning Project along the College Avenue Corridor, as noted on the attached Smart Growth America memo and attachments, which by reference are made a part hereof, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does approve decreasing the DLS Purchased Services line item by $130,000 and increasing the DLS Misc Revenue line item by $130,000 as detailed in the attached fiscal note, which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Development and Land Services Director.

Dated this 26th day of March 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3.28.24 Vetoed: _____

Signed: _____
County Executive

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February 27, 2024

Kevin Englebert
Outagamie County
320 S Walnut Street
Appleton, WI 54911

PROJECT: Appleton, WI: Redesigning College Ave Corridor
TEAM Lead: Kevin Englebert, kevin.englebert@outagamie.org
NUMO Contact: Justyn Huckleberry, justyn@numo.global

Dear Kevin on behalf of the Appleton Community Connectors Team:

We are pleased to inform you that as part of the Robert Wood Johnson Foundation Community Connector program, Smart Growth America is awarding you a subgrant of $130,000 to support the scope of work described in Appendix A. The award will be made in size and timing according to the terms of the Grant Agreement attached. As a condition of this award, you will need to provide a brief report by April 30, 2025, on the use of these funds along with any outputs and lessons learned.

Attached please find the Grant Agreement to review and sign. We value your work with local partners to advance this important work and are pleased to work with you and your partners.

Sincerely,

Calvin Gladney
President and CEO

Enclosures: Grant Agreement, Appendix A: Scope of Work

Page 1

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Subgrant Title: Appleton, WI: Redesigning College Ave Corridor
Subgrant Amount: $130,000
Subgrant Period: execution of this agreement until June 30, 2025

This subgrant, subject to the following terms and conditions, is made to Outagamie County to lead a stakeholder engagement process to identify areas of collaboration and to develop a more cohesive plan for the corridor. See Appendix A for a more detailed description of the project plan.

Anticipated Subgrant Results
Awardee's project outputs and outcomes for this grant period (as per the proposal) are described in detail in Table 2 of Appendix A. The team's ultimate goal is to develop a ~20 page report communicating the vision for College Ave Corridor by the end of the grant period.

The following Capacity Building tasks will be supported through the program:

1. Project management infrastructure and capacity
2. Branding and project webpage
3. Designing and implementing community engagement plan
4. Collect and analyze data to inform problem definitions and strategies
5. Develop the visioning document
6. Secure resources

Payment Schedule
The payment for $130,000 will be disbursed upon receipt of the signed Grant Agreement.

Approved Budget

Use of Funds	Estimated Budget
Branding Strategy Materials	$25,000
Payments to Team	$13,000
Community Engagement Incentives	$30,000
Engagement Space, Amenities, Supplies	$23,000
Art and Temporary Demonstrations	$25,000
Walking and Transit Tours	$10,000
Other / Data / Contingency	$4,000
Total	**$130,000**

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Adjustments to the Budget and Key Personnel
During the term of this subgrant, awardee may reallocate funds between line items by 10 percent. Any larger change will require consultation and written pre-approval from awardee's NUMO contact. Awardee must notify awardee's NUMO contact of any changes in key personnel.

Please contact awardee's NUMO contact if awardee anticipates having unexpended funds after the grant period ends.

Limitation on Use of Funds
In keeping with Robert Wood Johnson Foundation policy, funds may not be used to support clinical trials of unapproved drugs or devices, to construct or renovate facilities, for capital costs of any kind, for lobbying-related activities and expenses, for political activities, or as a substitute for funds currently being used to support similar activities.

ACCEPTANCE: On behalf of the Appleton Community Connectors Team, I hereby accept and agree to the terms of the grant as set forth above.

Signature _____

Print Name _____

Title _____

Date _____

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Appendix A. Community Connectors Capacity Building Grant Scope of Work
Appleton, WI: Redesigning College Ave Corridor

1. Background

A Coalition of government, community, non-profit, transit, and tourism organizations seek to transform the College Avenue corridor to make better use of space and to improve equitable access to commercial and employment hubs, community anchors, and residences.

The Coalition (see Appendix C) will lead a stakeholder engagement process to identify areas of collaboration and to develop a more cohesive plan for the corridor. From this plan, the County will work with the City of Appleton, Town of Grand Chute, WisDOT, community organizations, and technical experts to create designs, seek permits, and apply for funding for investments that will address safety, increase pedestrian and cyclist infrastructure, and spur economic development along the corridor.

2. Purpose

With support from the Community Connectors capacity building grant, this effort aims to establish collaboration and engagement with numerous organizations and leaders from the surrounding neighborhoods along College Avenue. The goal is to engage in a comprehensive and considerate dialogue with residents, businesses, and government stakeholders to collectively discern their perceived needs and aspirations. Together, the team will build project management infrastructure and capacity, design and implement the engagement plan, collect and analyze data to inform problem definitions and strategies, and secure resources. In accomplishing and synthesizing these tasks, the team aims to create a community vision for the College Avenue Corridor to inform design and redevelopment work as a subsequent phase in the project.

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3. Roles and Responsibilities

This project benefits from a robust coalition of partners (see Appendix C), each bringing diverse perspectives. Although the entire team will contribute input, steer the project, and support information dissemination efforts, specific team members have been assigned key roles. These roles are listed below. This approach aims to manage workloads and reduce duplication in effort, ensure accountability, and keep the project on track.

Table 1. Lead Project Roles

Project Role	Lead(s)
Project Manager	• Kevin Englebert, Outagamie County • Sadie DiNatale Burda, Outagamie County
Technical Assistance Liaison	• Justyn Huckleberry, NUMO
Community and Business Engagement	• Varies - *see Community Engagement Plan*
Appleton Neighborhood Liaison	• Lindsey Smith, City of Appleton
Grand Chute Neighborhood Liaison	• Mike Patza, Town of Grand Chute
Data Analyst / Support	• Tyler DeBruin, Town of Grand Chute • Lindsey Smith, City of Appleton • Joe Zellmer, Outagamie County • Sadie DiNatale Burda, Outagamie County • NUMO team member(s) • ECWRPC team member(s)
Graphic Designer	• Rachel Roth, East Central WI RPC • Possible consultant
Web Lead	• Tyler DeBruin, Town of Grand Chute

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4. Scope of Work

This project divides the College Avenue Corridor Project into two categories of work: (1) Capacity Building and (2) Technical Assistance. The following subsections present the scope of work for both assignments.

This section also presents an outline of deliverables (Table 2) to inform use of grant funds of [up to] $130,000 to Outagamie County from Smart Growth America.

4a. Capacity Building Subgrant Scope of Work

The Capacity Building effort aims to establish collaboration and engagement with the public and stakeholders from the surrounding neighborhoods along College Avenue to the broader community at large. The goal of this effort is to engage in a comprehensive and considerate dialogue with residents, businesses, organizations, and government stakeholders to collectively discern and verify their perceived needs and aspirations.

Together, the team will seek to accomplish the following tasks:

- **Task A: Build project management infrastructure and capacity.** The team will establish a project management framework to effectively manage and execute the project.
- **Task B: Establish branding and project webpage.** The team will create a distinct brand identity for the project by designing a logo and crafting a memorable motto that reflects the project. The team will develop a user-friendly website to serve as the project's online hub, providing essential information, updates, and interactive features to engage the community.
- **Task C: Design and implement the engagement plan.** The team will create a community engagement plan making use of ECWRPC's Equitable Engagement Toolkit & Guidebook.[1] The purpose of the engagement plan is to systematically involve and collaborate with the community in various stages of the project. The community engagement plan is intended to outline engagement activities (methods), activity leads, associated timelines, and other relevant details. The engagement plan should consider the implementation of public art demonstrations and/or temporary demonstrations.
- **Task D: Collect and analyze data to inform problem definitions and strategies.** The team will organize and analyze data collected through community engagement (Task C) and through other relevant datasets (see Appendix A) to understand and validate the issues raised by the community or uncovered through analytical explorations. This task helps to ensure issues, potential solutions, and project objectives are based on qualitative and quantitative evidence, contributing to a more

[1] ECWRPC's Equitable Engagement Toolkit and Guidebook: https://www.ecwrpc.org/wp-content/uploads/2022/12/Equitable-Engagement-Toolkit-and-Guidebook.pdf

informed and data-driven understanding of the challenges or issues affecting and impacting the community.

- **Task E: Develop the visioning document.** This task involves synthesizing insights gathered through previous tasks to create a comprehensive visioning document. By merging themes, solutions, and project objectives into a single document, the team will articulate a cohesive and well-informed vision and purpose for the project. The document allows the team to bring the resulting vision back to the community to ensure it aligns with their expectations.
- **Task F: Secure resources.** To enhance the likelihood of initiating the next phase of the project, the team will identify and seek alternative funding options to implement our vision and contribute towards future engineering and construction costs. The team will explore funding options, such as local contributions, community fundraising initiatives, and potential state and federal grant opportunities.

As the team progresses through the aforementioned tasks, they will rely on the capacity building grant to:

- Establish a website and branding strategy.
- Pay for private and non-profit team members' time and efforts (if needed).
- Offer incentives in exchange for community engagement participants' time and efforts.
- Support space and amenities needed for convening stakeholders and the public, including costs for childcare and food.
- Institutionalize community-led planning across the Fox Cities through support, advisory, and training for community members.
- Implement public art demonstrations and/or temporary demonstrations.
- Implement walking and transit tours along the project corridor.

The specific amounts that will go to each organization will be determined by the number of groups participating and the overall community engagement plan (i.e., the type and scope of specific events and/or activities planned). An approximate budget is presented in Section 6.

4b. Outline of Deliverables and Schedule

This section presents an outline of Capacity Building deliverables (Table 2). A schedule is offered to highlight deliverable deadlines. Deadlines may shift as priorities shift or if task durations are longer than previously anticipated or estimated.

Please note, an overarching project schedule is offered in Section 6. Further, a schedule of individual community engagement activities will be located in this project's Community Engagement Plan.

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Table 2. Capacity Building Deliverables and Delivery Deadlines

Capacity Building Deliverable	Deliverable Description	Delivery Date	Task
Periodic meetings	1-hour meetings to coordinate/communicate updates • Quarterly for larger group • Monthly for smaller group • As needed with NUMO	Ongoing	A
Branding Materials	Logo and other branding materials in various file formats.	April 1, 2024	B
Website	Live website for the project.	April 19, 2024	B
Community Engagement Plan	Multi-page document summarizing: • Key activities • Activity leads • Schedule of implementation • Outline of resources needed by activity Not necessarily included in the plan, but prepared: • Draft of questionnaires, agenda, or other tool or instrument to collect data	May 3, 2024	C
Presentation	PowerPoint and talking points to give an informational update / presentation at a Grand Chute, Appleton, and Outagamie County standing committee or Council/Board meeting.	Summer 2024	A, C
Interim Summary Reports / Memos	• Documents presenting community engagement activity data, and summaries of findings and themes. • Documents summarizing data analysis findings and themes.	March 2024 - October 2024	C, D
Subgrant Disbursement	Outagamie County disburses grant funding to other team members (payments to team)	December 2024	C
Draft Visioning Document	Draft ~ 20-page report communicating the vision for the College Avenue Corridor, made available for public review.	March 14, 2025	E
Progress Report	Brief summary (max. 4 pages) to outline project progress and a financial report out.	April 30, 2025	A

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Capacity Building Deliverable	Deliverable Description	Delivery Date	Task
Final Visioning Document	Final ~20-page report communicating the vision for the College Avenue Corridor.	May 23, 2025	E
Implementation Strategy Memo	Memorandum documenting next steps, funding strategy options, and roles and responsibilities for Phase 2.	May 23, 2025	F

5. Schedule

This section presents a high-level schedule to organize Capacity Building and Technical Assistance tasks. The schedule is subject to change. Please see this project's Community Engagement Plan, which will include a more granular schedule of community engagement activities.

Table 4. Project Schedule

Task	2024												2025					
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6
Capacity Building Subgrant Tasks																		
Task A: Build project mngmt infrastructure and capacity.																		
Task B: Establish branding and project webpage.																		
Task C: Design and implement the engagement plan.																		
Task D: Collect and analyze data.																		
Task E: Develop the visioning document.																		
Task F: Secure resources.																		

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6. Budget

This section presents a conceptual-level budget to determine estimated uses of funds for the capacity building subgrant. This budget is subject to changes based on project need.

Table 5. Conceptual Project Budget

Use of Funds	Percent of Total Budget	Estimated Budget	Notes
Branding Strategy Materials	19.2%	$25,000	Planning to hire consultant
Payments to Team	10.0%	$13,000	
Community Engagement Incentives	23.1%	$30,000	
Engagement Space, Amenities, Supplies	17.7%	$23,000	
Art and Temporary Demonstrations	19.2%	$25,000	May hire artists/others to set up
Walking and Transit Tours	7.7%	$10,000	
Other / Data / Contingency	3.1%	$4,000	
Total	**100%**	**$130,000**	**Grant is up to $130k**

For additional context, please note the following ineligible and eligible funding uses:

- **Ineligible funding uses:** In keeping with Robert Wood Johnson Foundation policy, funds may not be used to support clinical trials of unapproved drugs or devices, to construct or renovate facilities, for capital costs of any kind, for lobbying-related activities and expenses, for political activities, or as a substitute for funds currently being used to support similar activities.

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- **Eligible funding uses:** The capacity building grant is intended to build a community's capacity—including the capacity for community members and community-based organizations to participate in and advance the project. Grant funds may be used for staff salaries, consultant fees, data collection and analysis, meetings, supplies, funding support for community-based organization participation, initiative-related travel, other direct expenses, and other expenses not named here but approved during the scoping process.

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Appendix A: Data Needs

This section presents a preliminary summary of data needs for the project.

Table 6. Summary of Preliminary Data Needs

Data Category	Data Needs
Parcel Inventory	• Acreage • Zoning Districts • Existing and Future Land Use • Property owner • Assessor data (improvement and land values) - present and historical
Other Land Use Data	• Zoning Regs (e.g., setbacks, height, etc.) • Easements; Covenants; Access commitments / restrictions • Neighborhood association boundaries, other planning boundaries • Environmental constraints • Tax Increment Districts
Business	• QCEW; ESRI analyst data • Businesses by type (services offered) • Existing and forecasted employment • Data from Mall • Tourism destinations; event frequency; access
Housing	• Units by Type and by Tenure • Housing Vacancy • Housing Costs
Demographic	• Existing and forecasted Population • Age • Household Income • Race/Ethnicity • Total Households, HH Size
Transportation	• CSAP data • Crash data x location (5-years) - vehicular, bike, and pedestrian • Vehicular, bicycle, and pedestrian traffic counts • Railroad data • Trip data, volume/activity, point of origins data
Transit	• Bus stop locations • Routes and schedule • Ridership data, including boarding and alighting at bus stops

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Data Category	Data Needs
Other	• Utility data • Photos and drone footage along corridor

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Appendix B: Stakeholders to Engage

This section presents a summary of who the team would like to engage in this process. This is a preliminary list that will inform the team's Community Engagement Plan.

- **General Public**
  - Constituents of Outagamie County, Grand Chute, and Appleton
  - Residents of neighborhoods along / surrounding the corridor
  - Specific demographics of people: people of color, people who speak languages other than English, low-income populations, persons experiencing homelessness; people with disabilities; youth and senior citizens.
  - Transit riders
- **Business Community**
  - Business owners along / surrounding the corridor, and their employees
  - Fox River Mall property manager, and tenants
  - Hotels, motels, lodging facilities
  - Tourism destination/facility managers
- **Nonprofit and Community Anchor Institutions**
  - Fox Valley Technical College
  - Appleton Area School District
  - Badger Elementary, Wilson Middle School, Appleton West High School
  - St Matthews Lutheran Church
  - Lawrence University
- **Advocacy Groups**
  - Fox Cities Greenways; other cycling groups
  - Neighborhood Associations
  - Homeowner's Association
- **Other**
  - Elected Officials
  - Utility companies
  - Railroad
  - Police, Fire, and EMS

Smart Growth America

smartgrowthamerica.org

Appendix C: Coalition Members

This section presents the Coalition's core team and partners.

- Outagamie County
- East Central Wisconsin Regional Planning Commission
- Town of Grand Chute
- City of Appleton
- Wisconsin Department of Transportation
- Appleton Area School District
- Fox Cities Convention and Visitors Bureau
- Boys and Girls CLub of the Fox Valley
- Safe Routes to School
- Appleton COTS
- Pillars
- Valley Transit
- Appleton International Airport
- Outagamie COunty Public Health Division

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Accept and Expend Smart Growth America Grant in the amount of $130,000.

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Development and Land Services seeks to accept and expend a $130,000 grant from Smart Growth America for the execution of a Community Engagement Planning Project along the College Avenue Corridor. The fiscal impact will be budget neutral, as the Department will only expend the grant money that they receive.

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (x) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
DLS	Purchased Services	1007300.5500	($130,000)
DLS	Misc Revenue	1007300.4510.12	$130,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no ( ) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0 Annual Revenue 0

Fiscal Note Prepared by: Sadie DiNatale Burda

For Financial Services purposes only

Reviewed By: Michelle Utterstrom

Date: 3/12/2024

If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:

Detail Expenditures Account Number	Amount

Comments:

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 122—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to establish the week of April 15 through April 19, 2024, be designated "Work Zone Safety Awareness Week" in Outagamie County.

Supervisor Hagen moved, seconded by Supervisor Wegand, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 122—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Resolution No. 122—2023-24

Highway, Recycling and Solid Waste Committee. Approve to establish the week of April 15 through April 19, Awareness Week" in Outagamie County.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Board

3-26-24 County Board Meeting - March 26 2024 08:01:59 PM

March 26, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 122—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

In 1999 the Federal Highway Administration (FHWA) partnered with the American Association of State and Highway Transportation Officials (AASHTO) and more recently with the American Traffic Safety Services Association (ATSSA) to create the National Work Zone Safety Awareness Week campaign, held annually in April prior to the construction season for much of the nation.

The Wisconsin County Highway Association is asking all seventy-two (72) counties in the state to unite and kick-off "Work Zone Safety Awareness Week" with a resolution and campaign to raise awareness for its' workers and those of various highway contractors performing work for the counties.

According to data from UW Madison's Traffic Operations and Safety Laboratory's Community Maps between 2019 and 2023, there were 64 fatalities recorded as a result of more than 10,000 crashes within work zones which injured more than 3,800 people.

Construction and maintenance activities on our streets and highways periodically require that work zones be established.

There has been an average of 2,336 work zone crashes in Wisconsin in each of the last five years. In 2023, Wisconsin suffered from 2,168 crashes in road construction and maintenance zones, resulting in over 712 injuries and 10 fatalities.

Through their enforcement activities and other participation, the Outagamie County Sheriff's Office, Wisconsin State Patrol, and the Outagamie County Highway Department will work to make "Work Zone Safety Awareness Week" a success. The County Sheriff's Office is committed in 2024 to conduct enforcement activities and work jointly with the County Highway Department to make "Work Zone Safety Awareness Week" a success in Outagamie County.

The Federal Highway Administration has designated April 15 through April 19, 2024 as National Work Zone Safety Awareness Week with this year's theme "Work Zones are temporary. Actions behind the wheel can last forever", which focuses on awareness to all drivers in work zones of their speed and proximity to workers.

NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does establish the week of April 15 through April 19, 2024, be designated "Work Zone Safety Awareness Week" in Outagamie County, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Executive.

Dated this 26th day of March 2024

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3 29 24 Vetoed: _____

Signed: _____
County Executive

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County Board

3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 123—2023-24 – Public Safety Committee. Approve using Opioid Settlement funds to hire a Substance Abuse Disorder Discharge Planner as a contract employee through the Outagamie County Jail's current contracted medical provider, VitalCore; and increase the Opioid Settlement line items of Revenue and Purchased Services by $76,352 each, as noted on the attached fiscal note.

Supervisor Patience moved, seconded by Supervisor Gabrielson, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 123—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Resolution No. 123—2023-24

Public Safety Committee. Approve using Opioid Settlement funds to hire a Substance Abuse Disorder Discha… Outagamie County Jail's current contracted medical provider, VitalCore; and increase the Opioid Settlement line items of Revenue and Purchased Services by $76,352 each, as noted on the attached fiscal note.

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **3-26-24 County Board Meeting - March 26 2024 08:02:38 PM**

March 26, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 123—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

A workgroup consisting of the Outagamie County Sheriff's Office, Criminal Justice Treatment Services Office, and Health and Human Services Department was created to identify jail-specific needs for the Opioid Settlement Funds. This workgroup met several times to discuss substance use disorder (SUD) needs within the jail, as many individuals that become incarcerated have substance use issues. The consensus was that hiring a SUD Discharge Planner as a contract employee through the jail's current contracted medical provider, VitalCore, would be the most effective use of funds. This position will provide SUD screening, case management services and treatment readiness services to individuals in the jail, bridging a gap in services that exists in the current operating system, and would be fully funded by the Opioid settlement. This position will be similar to the current Behavioral Health Coordinator and Community Liaison positions, however, would be solely focused on SUD needs. VitalCore has provided a quote that this position will have an annual cost of $114,527.42 in Year One (1) of the contract, with a 4% increase per year thereafter through Year five (5). The fiscal impact assumes an anticipated start date of May 2024.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve using Opioid Settlement funds to hire a Substance Abuse Disorder Discharge Planner as a contract employee through the Outagamie County Jail's current contracted medical provider, VitalCore, and

BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve of increasing the Opioid Settlement Revenue line item and the Opioid Settlement Purchased Services line item by $76,352 each as detailed on the attached fiscal note, which is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Criminal Justice Treatment Services Director, the Outagamie County Health and Human Services Director, the Outagamie County Corporation Counsel, the Outagamie County Sheriff and the Outagamie County Finance Director.

Dated this 26th day of March 2024

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

Katrin Patience

Christine Lamers

Michael Smith

Timothy Hermes

Chad Cooke

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3-28-24 Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for 2024 Budget Adjustment for Opioid Settlement Fund Expenditures and related revenue

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

A workgroup consisting of the Sheriff's Office, CJTS, and HHS was created to identify jail-specific needs for the Opioid Settlement Funds. This workgroup met several times to discuss substance use disorder (SUD) needs within the jail; as many individuals that become incarcerated have substance use issues. The consensus was that hiring a SUD Discharge Planner as a contract employee through the jail's current contracted medical provider, VitalCore, would be the most effective use of funds. This position will provide SUD screening, case management services and treatment readiness services to individuals in the jail; bridging a gap in services that exists in our current operating system, and would be fully funded by the Opioid settlement. This position will be similar to the current Behavioral Health Coordinator and Community Liaison positions but would be solely focused on SUD needs. VitalCore has quoted this position will have an annual cost $114,527.42 in Year 1 of the contract, with a 4% increase per year thereafter through Year 5. The fiscal impact based on our budget year is below, and assumes an anticipated start date of May 2024.

Current Year Budget Impact (Check one or more of the following boxes)

[X] Revenues [X] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (X) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (X) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (X)

6. Does this request modify/adjust the current year budget? yes (X) no ( )
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Opioid Settlement	Revenue	2170100.4280.99	76,352
Opioid Settlement	Purchased Services	2170100.5500	76,352

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no (X) n/a ( )

9. What is the anticipated annual and/or long-term cost or revenue impact?

Annual Cost
2024 – 76,352
2025 – 117,581
2026 – 122,285
2027 – 127,176
2028 – 132,263
2029 – 44,660

Annual Revenue
2024 – 76,352
2025 – 117,581
2026 – 122,285
2027 – 127,176
2028 – 132,263
2029 – 44,660

Fiscal Note Prepared by: Lisa VandenLangenberg

For Financial Services purposes only	
Reviewed By:	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below:
Date: 3/14/2024	Detail Expenditures Account Number: 2170100.5515.50 — Amount: 76,352
Comments:	

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

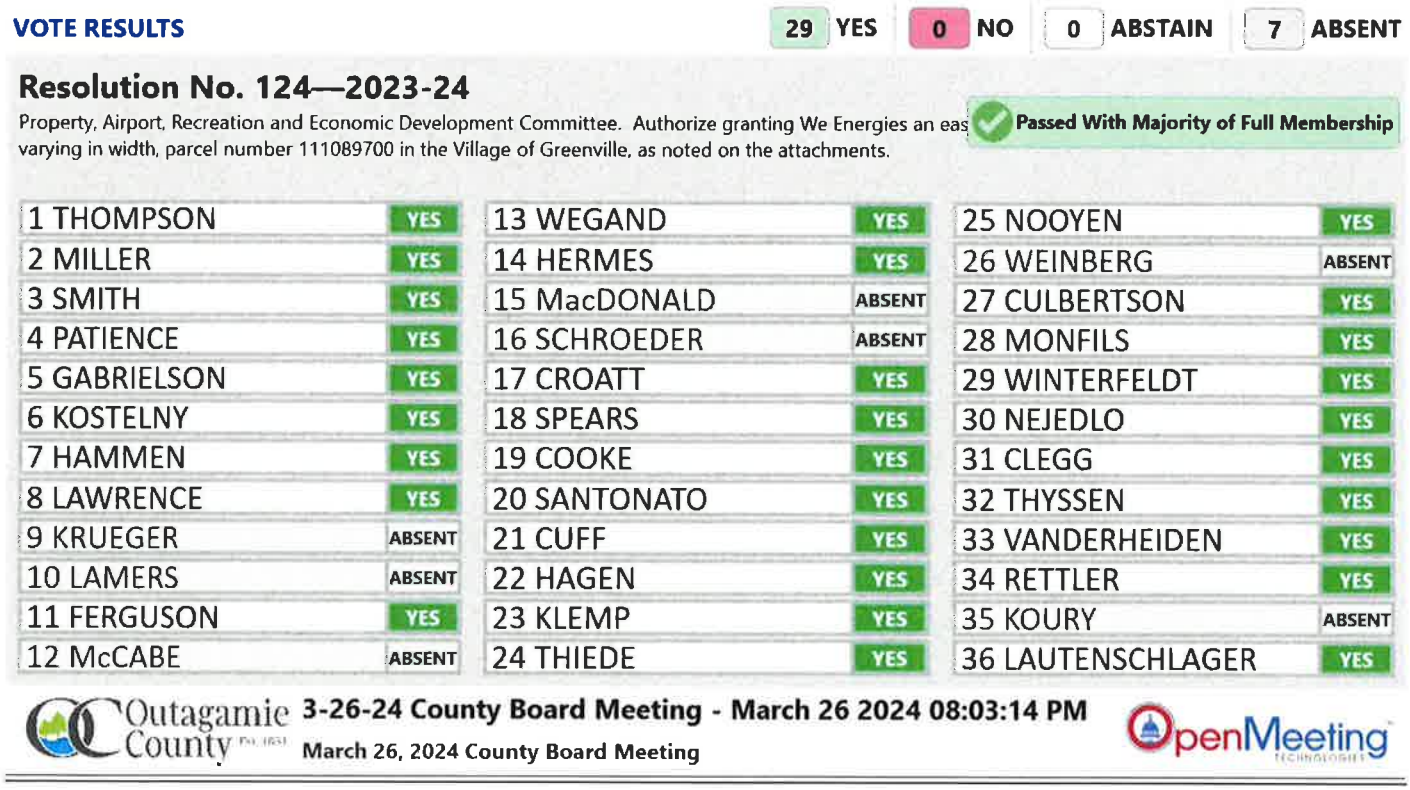
March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 124—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize granting We Energies an easement for the area described as a strip of land varying in width, parcel number 111089700 in the Village of Greenville, as noted on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 124—2023-24 IS ADOPTED.



VOTE RESULTS — 29 YES | 0 NO | 0 ABSTAIN | 7 ABSENT

Resolution No. 124—2023-24

Property, Airport, Recreation and Economic Development Committee. Authorize granting We Energies an eas varying in width, parcel number 111089700 in the Village of Greenville, as noted on the attachments.

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:03:14 PM

March 26, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 124—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wisconsin Electric Power Company, doing business as We Energies (Grantee), is requesting an easement in order to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize granting We Energies an easement for the area described as a strip of land varying in width, in the Northeast ¼ of the Northwest ¼ of Section 25, Township 21 North, Range 16 East, Village of Greenville, Outagamie County, Wisconsin; said land is shown on the attached Distribution Easement Underground and Temporary Exhibit A which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Appleton International Airport Director and We Energies, Property Rights & Information Group, 231 W. Michigan Street, Room P277, P. O. Box 2046, Milwaukee, WI 53201-2046.

Dated this 26th day of March 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3.28.24 Vetoed: _____

Signed: _____
County Executive

DISTRIBUTION EASEMENT UNDERGROUND

Document Number

WR NO. **4899389 & 4899392** IO NO. **53147**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **OUTAGAMIE COUNTY, a municipal corporation,** hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies,** hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as **strips of land varying in width,** being part of Grantor's land located in the **Northeast 1/4 of the Northwest 1/4 of Section 25, Township 21 North, Range 16 East,** Village of Greenville, Outagamie County, Wisconsin; said land being more particularly described in that certain **Warranty Deed** as recorded in the office of the Register of Deeds for Outagamie County, in Volume 676, Page 156, as **Document No. 574242.**

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM P277
PO BOX 2046
MILWAUKEE, WI 53201-2046

111089700
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.

3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.

4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.

7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

8. **Easement Review**: Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

Grantor:

OUTAGAMIE COUNTY, a municipal corporation

By _____

(Print name and title): _____

By _____

(Print name and title): _____

Personally came before me in _____ County, Wisconsin on _____, _____,

the above named _____, the _____

and _____, the _____

of the OUTAGAMIE COUNTY, a municipal corporation, for the municipal corporation, by its authority, and pursuant to Resolution File

No. _____ adopted by its _____ on _____, _____.

_____

Notary Public Signature, State of Wisconsin

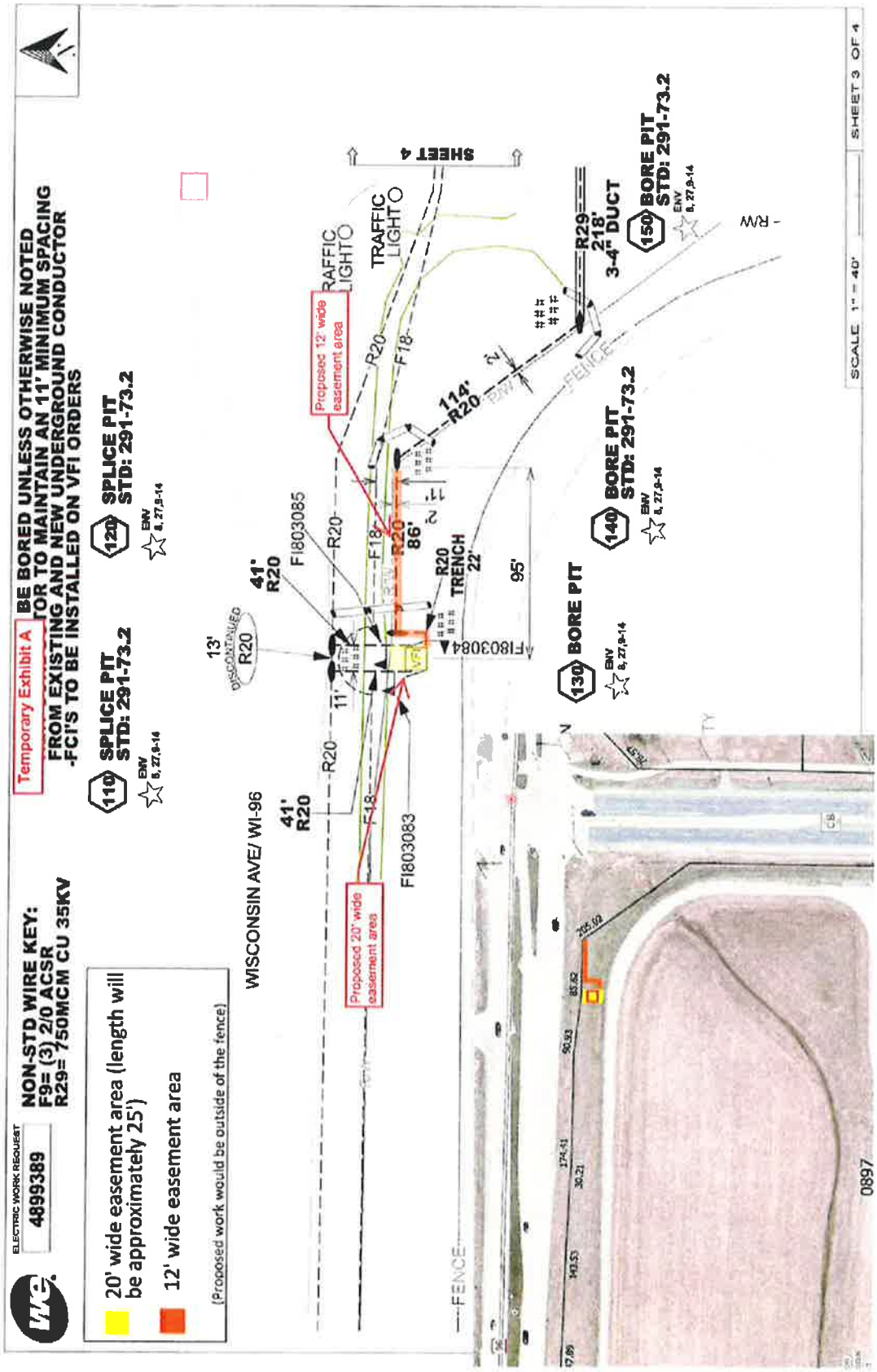
_____

Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires _____

This instrument was drafted by Christopher Anderson on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.


Temporary Exhibit A
BE BORED UNLESS OTHERWISE NOTED
FOR TO MAINTAIN AN 11' MINIMUM SPACING
FROM EXISTING AND NEW UNDERGROUND CONDUCTOR
-FCI'S TO BE INSTALLED ON VFI ORDERS
ELECTRIC WORK REQUEST
4899389
NON-STD WIRE KEY:
F9= (3) 2/0 ACSR
R29= 750MCM CU 35KV
20' wide easement area (length will be approximately 25')
12' wide easement area
(Proposed work would be outside of the fence)
110 SPLICE PIT STD: 291-73.2
120 SPLICE PIT STD: 291-73.2
130 BORE PIT
140 BORE PIT STD: 291-73.2
150 BORE PIT STD: 291-73.2
R29 218' 3-4" DUCT
WISCONSIN AVE/ WI-96
SHEET 4
SHEET 3 OF 4
SCALE 1" = 40'
Proposed 12' wide easement area
Proposed 20' wide easement area
TRAFFIC LIGHT
FI803085
FI803084
FI803083
41' R20
114' R20
86' R20
95'
R20 TRENCH 22'
13' DISCONTINUED R20
FENCE
RW
0897

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County WISCONSIN 3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

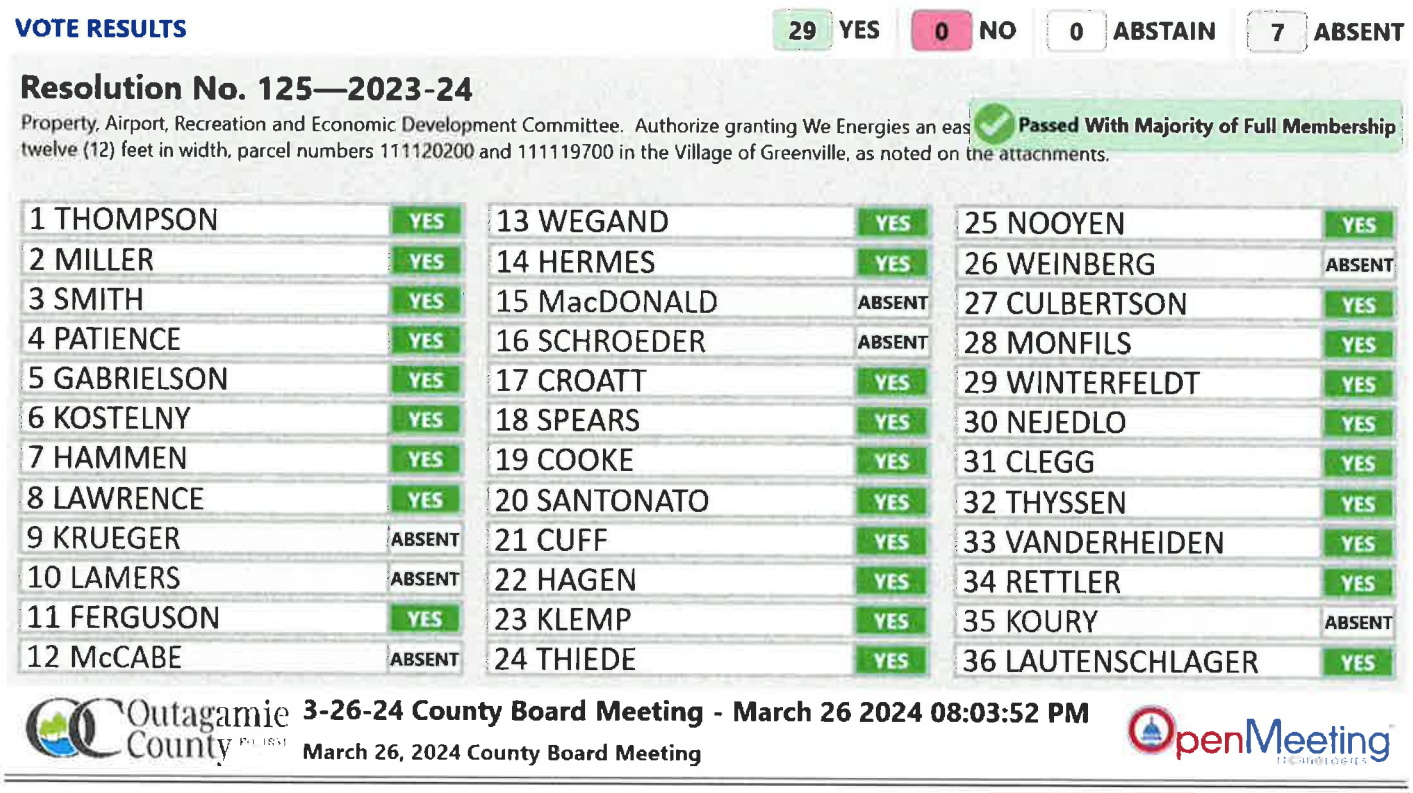
March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 125—2023-24 – Property, Airport, Recreation and Economic Development Committee. Authorize granting We Energies an easement for the area described as strips of land twelve (12) feet in width, parcel numbers 111120200 and 111119700 in the Village of Greenville, as noted on the attachments.

Supervisor Culbertson moved, seconded by Supervisor Klemp, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 125—2023-24 IS ADOPTED.



RESOLUTION NO.: 125—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Wisconsin Electric Power Company, doing business as We Energies (Grantee), is requesting an easement in order to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground, as well as pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of electric energy, signals, television and telecommunications services; natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize granting We Energies an easement for the area described as strips of land twelve (12) feet in width, being a portion of the Grantor's land, being a part of the East ½ of the Northeast ¼ of the Southeast ¼ and the East ½ of the Southeast ¼ of the Southeast ¼ of Section 35, Township 21 North, Range 16 East, Village of Greenville, Outagamie County, Wisconsin; said land is shown on the attached Distribution Easement Electric and Gas and Temporary Exhibit A – Gas and Temporary Exhibit A – Electric which by reference are made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Appleton International Airport Director and We Energies, Property Rights & Information Group, 231 W. Michigan Street, Room P277, P. O. Box 2046, Milwaukee, WI 53201-2046.

Dated this 26th day of March 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____ _____
Board Chairperson County Clerk

Approved: 3 28 24 Vetoed: _____

Signed: _____
County Executive

DISTRIBUTION EASEMENT
ELECTRIC AND GAS

Document Number

WR NO. **4882821, 4882819** IO NO. **5469, ES21800355**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **OUTAGAMIE COUNTY,** hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies,** hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as strips of land **Twelve (12) feet in width,** being a portion of the Grantor's land, being a part of **the East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 35, Township 21 North, Range 16 East,** Village of Greenville, Outagamie County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM P277
PO BOX 2046
MILWAUKEE, WI 53201-2046

111120200, 111119700
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground, as well as pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of electric energy, signals, television and telecommunications services; natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.

3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.

4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.

7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

8. **Easement Review**: Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

Grantor:

OUTAGAMIE COUNTY

By: _____

(Print name and title): _____

By _____

(Print name and title): _____

Personally came before me in _____ County, Wisconsin on _____, _____,

the above named _____, the _____

and _____, the _____

of OUTAGAMIE COUNTY pursuant to a Resolution adopted by the County Board on _____

as Resolution No. _____.

_____

Notary Public Signature, State of Wisconsin

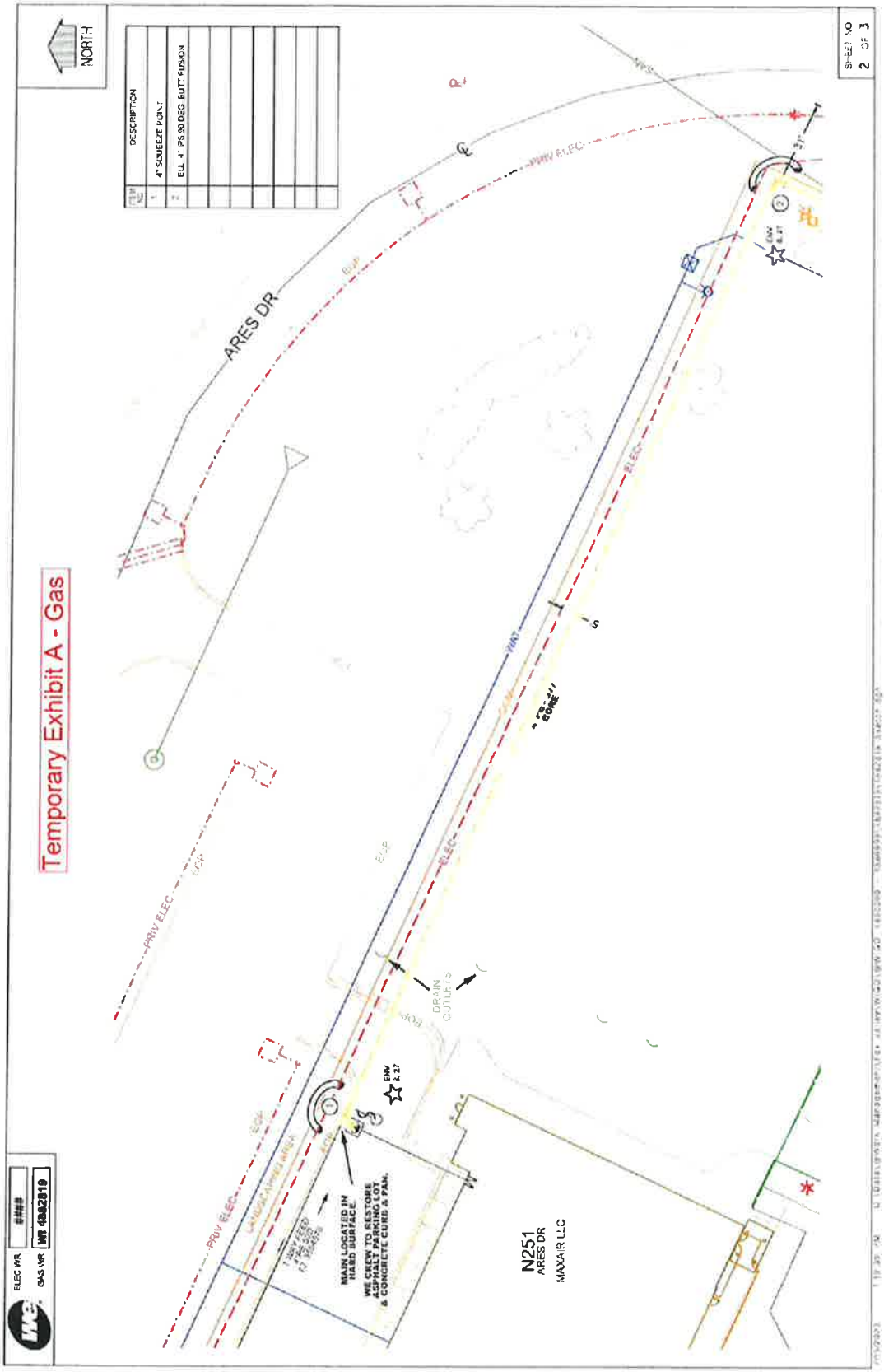
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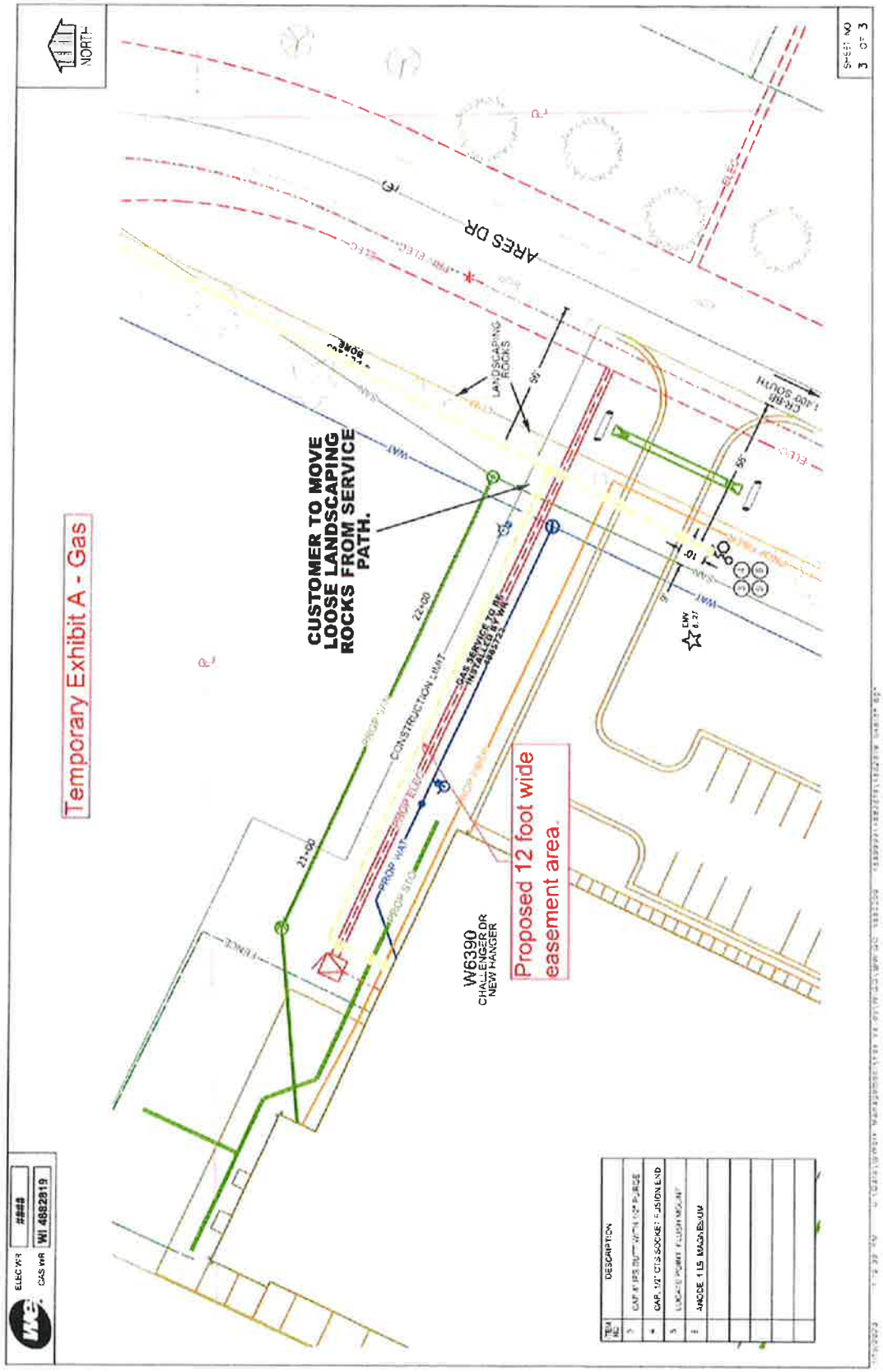
Notary Public Name (Typed or Printed)

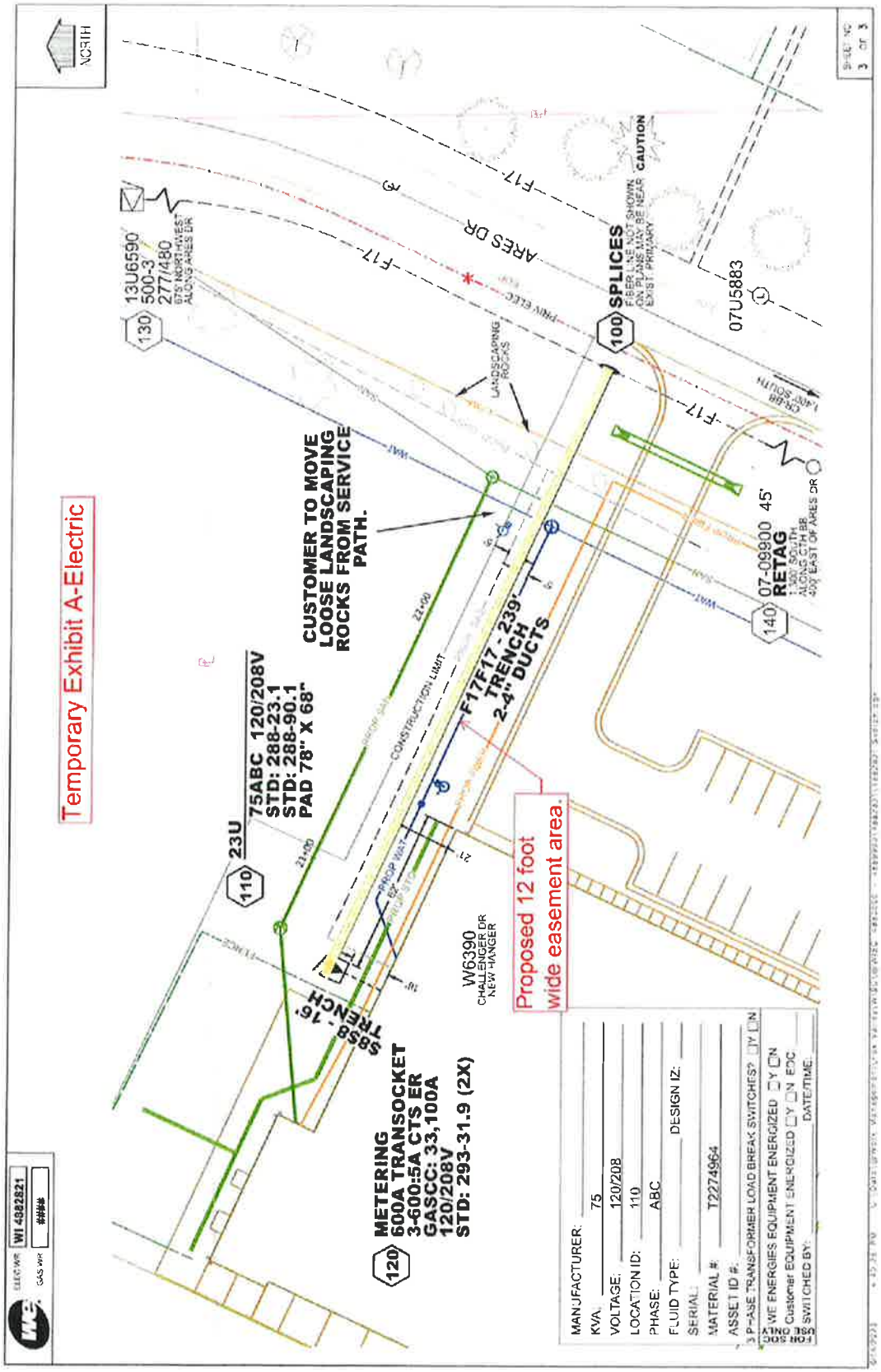
(NOTARY STAMP/SEAL)

My commission expires _____

This instrument was drafted by Steve Betz on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.


Temporary Exhibit A - Gas
NORTH
ARES DR
PROV ELEC
ELEC
DRAIN OUTLETS
MAIN LOCATED IN HARD SURFACE
WE CREW TO RESTORE ASPHALT PARKING LOT & CONCRETE CURB & PAN.
N251
ARES DR
MAXAIR LLC
DESCRIPTION
4" SQUEEZE POINT
ELL 4" IPS 90 DEG BUTT FUSION
ELEC WR
GAS WR
WR 4862819


Temporary Exhibit A - Gas
CUSTOMER TO MOVE LOOSE LANDSCAPING ROCKS FROM SERVICE PATH.
Proposed 12 foot wide easement area.
ARES DR
W6390
CHALLENGER DR
NEW HANGER
NORTH
SHEET NO 3 OF 3
CONSTRUCTION LIMIT
PROP GAS
PROP ELEC
PROP WAT
GAS SERVICE TO BE INSTALLED BY WE
LANDSCAPING ROCKS
55'
10'
21+00
22+00
DESCRIPTION
ANODE 1.15 MAGNESIUM
ELEC WR
GAS WR
WI 4882819


Temporary Exhibit A-Electric
NORTH
13U6590
500-3
277/480
675' NORTHWEST ALONG ARIES DR
130
ARES DR
F17
PRIV ELEC
LANDSCAPING ROCKS
100 SPLICES
FIBER LINE NOT SHOWN ON PLANS MAY BE NEAR EXIST. PRIMARY
CAUTION
07U5883
CUSTOMER TO MOVE LOOSE LANDSCAPING ROCKS FROM SERVICE PATH.
23U
110
75ABC 120/208V
STD: 288-23.1
STD: 288-90.1
PAD 78" X 68"
CONSTRUCTION LIMIT
F17F17 - 239'
TRENCH
2-4" DUCTS
07-08900 45'
RETAG
1,300' SOUTH ALONG CTH BB
400' EAST OF ARES DR
140
W6390
CHALLENGER DR
NEW HANGER
Proposed 12 foot wide easement area.
SBSB - 16'
TRENCH
120
METERING
600A TRANSOCKET
3-600:5A CTS ER
GASCC: 33,100A
120/208V
STD: 293-31.9 (2X)
MANUFACTURER: 75
KVA:
VOLTAGE: 120/208
LOCATION ID: 110
PHASE: ABC
FLUID TYPE:
DESIGN IZ:
SERIAL:
MATERIAL #: T2274964
ASSET ID #:
3 PHASE TRANSFORMER LOAD BREAK SWITCHES? BY EN
WE ENERGIES EQUIPMENT ENERGIZED BY EN
Customer EQUIPMENT ENERGIZED BY EN EDC
SWITCHED BY:
DATE/TIME:
WI 4982821
####

LOCK IN & ADOPTION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for lock in. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE ADOPTED & LOCKED IN.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—20

Lock In of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County 3-26-24 County Board Meeting - March 26 2024 08:06:21 PM

March 26, 2024 County Board Meeting

OpenMeeting

RECONSIDERATION OF HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Supervisor Spears moved, seconded by Supervisor Gabrielson, to reconsider Human Resources Director appointment, Ordinance No. Z-6—2023-24, and Resolution Nos. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24.

Vote for reconsideration. ROLL CALL: 29 yes, 7 absent. HUMAN RESOURCES DIRECTOR APPOINTMENT, ORDINANCE NO. Z-6—2023-24, AND RESOLUTION NOS. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126—2023-24 ARE RECONSIDERED.

VOTE RESULTS 29 YES 0 NO 0 ABSTAIN 7 ABSENT

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No.

Reconsideration of Human Resources Director Appointment Res. Nos. 115-126 & Ord. No. Z-6—2023-24

Passed With Majority of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County

3-26-24 County Board Meeting - March 26 2024 08:06:08 PM

March 26, 2024 County Board Meeting

OpenMeeting

Resolution No. 126—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve the Lease Agreement between Outagamie County and the Wisconsin Department of Health Services for county owned property located at W7419 Trappers Lane, Shiocton for a monthly lease rate of $2,000 and approve of increasing the County Property Rent – Miscellaneous line item and the County Property Purchased Services line item by $18,000 each, as noted in the attached lease and fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hammen, for adoption.

ROLL CALL: 29 yes, 7 absent. RESOLUTION NO. 126—2023-24 IS ADOPTED.

VOTE RESULTS 29 YES | 0 NO | 0 ABSTAIN | 7 ABSENT

Resolution No. 126—2023-24

Property, Airport, Recreation and Economic Development Committee. Approve the Lease Agreement between Department of Health Services for county owned property located at W7419 Trappers Lane, Shiocton for a monthly lease rate of $2,000 and approve of increasing the County Property Rent – Miscellaneous line item and the County Property Purchased Services line item by $18,000 each, as noted in the attach...

Passed With 2/3 of Full Membership

1 THOMPSON	YES	13 WEGAND	YES	25 NOOYEN	YES
2 MILLER	YES	14 HERMES	YES	26 WEINBERG	ABSENT
3 SMITH	YES	15 MacDONALD	ABSENT	27 CULBERTSON	YES
4 PATIENCE	YES	16 SCHROEDER	ABSENT	28 MONFILS	YES
5 GABRIELSON	YES	17 CROATT	YES	29 WINTERFELDT	YES
6 KOSTELNY	YES	18 SPEARS	YES	30 NEJEDLO	YES
7 HAMMEN	YES	19 COOKE	YES	31 CLEGG	YES
8 LAWRENCE	YES	20 SANTONATO	YES	32 THYSSEN	YES
9 KRUEGER	ABSENT	21 CUFF	YES	33 VANDERHEIDEN	YES
10 LAMERS	ABSENT	22 HAGEN	YES	34 RETTLER	YES
11 FERGUSON	YES	23 KLEMP	YES	35 KOURY	ABSENT
12 McCABE	ABSENT	24 THIEDE	YES	36 LAUTENSCHLAGER	YES

Outagamie County **3-26-24 County Board Meeting - March 26 2024 08:05:45 PM**

March 26, 2024 County Board Meeting

OpenMeeting

RESOLUTION NO.: 126—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***2/3 MAJORITY – 24 VOTES***

Outagamie County currently owns property located at W7419 Trappers Lane, Shiocton. Per Chapter 980 of the Wisconsin State Statutes, the County will use the property to satisfy the lease requirement for an offender. This resolution approves the lease agreement with the Wisconsin Department of Health Services and adjusts the budget for related expenses of remodeling and maintenance of the property.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Lease Agreement between Outagamie County and the Wisconsin Department of Health Services for county owned property located at W7419 Trappers Lane, Shiocton for a monthly lease rate of $2,000 as noted on the attached Lease Agreement which by reference is made a part hereof, and

BE IT FURTHER RESOLED, that the Outagamie County Board of Supervisors does approve of increasing the County Property Rent – Miscellaneous line item and the County Property Purchased Services line item by $18,000 each as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Corporation Counsel.

Dated this 26th day of March 2024

Respectfully submitted,
PROPERTY, AIRPORT, RECREATION &
ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jayson Winterfeldt

Duly and officially adopted by the County Board on: March 26, 2024

Signed: _____
Board Chairperson

_____
County Clerk

Approved: 3.28.24

Vetoed: _____

Signed: _____
County Executive

LEASE AGREEMENT

1. THE PARTIES AND PURPOSE: This Residential Lease Agreement ("Agreement") made this _____ is between: **Landlord**: OUTAGAMIE COUNTY with a mailing address of 320 S. WALNUT ST. APPLETON WI, 54911 ("Landlord"), AND **Tenant(s)**: Wisconsin Department of Health Services ("Tenant"), with a mailing address of [TENANT(S) ADDRESS]. Landlord and Tenant are each referred to herein as a "Party" and, collectively, as the "Parties."

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual promises and agreements contained herein, the Tenant agrees to lease the Premises from the Landlord under the following terms and conditions:

2. LEASE TYPE. This Agreement shall be considered a fixed residential lease. The Tenant shall be allowed to occupy the Premises starting on April 15th, 2024 and end on April 1st, 2025 ("Lease Term"). At the end of the Lease Term the Tenant shall vacate the premises or if requested not less than 60 days prior to the end of the lease may request to extend the lease. In the event that tenant does not vacate residence at the end of the lease term, Landlord may continue to allow Tenant to use and possess the Premises under the same terms of this Agreement under a month-to-month arrangement.

3. OCCUPANT(S). The Premises is to be utilized by DHS as a residence to house a serious sex offender, currently identified as Ronald Zanelli, along with any supportive staff or contractors necessary to provide care and supervision for the serious sex offender. Should Mr. Zanelli not be in residence, Tenant may use the property for another resident during the pendency of the initial lease upon notification to Landlord.

4. THE PROPERTY. The Landlord agrees to lease the described property below to the Tenant: (enter the property information)

a.) Mailing Address: W7419 TRAPPERS LANE SHIOCTON WI 54170.
b.) Residence Type: ☐ Apartment ☒ House ☐ Condo ☐ Other:
c.) Bedroom(s): 1 BEDROOM
d.) Bathroom(s): 1 BATHROOM

The aforementioned property shall be leased wholly by the Tenant ("Premises").

5. PURPOSE. The Purpose of this lease, whereby all terms set forth below shall be read to support, is to provide a residential option to house a Serious Sex Offender as defined by Wisconsin Statutes Chapter 980.

6. FURNISHINGS. The Premises will not be furnished unless otherwise specified herein and TENANT shall be responsible for provision of all furniture, furnishings and décor. In addition, Tenant shall be responsible for provision of all equipment necessary to provide for the care and supervision of the offender.

7. APPLIANCES. The Landlord shall provide the following appliances: Refrigerator, stove top, oven, and air conditioning unit.

8. RENT. The Tenant shall pay the Landlord, in equal monthly installments, $2000.00 ("Rent"). The Rent shall be due on the 1st of every month ("Due Date") and paid by check, direct deposit, or electronic bank transfer to the Outagamie County Treasurer, 320 S. Walnut St. Appleton, WI 54911.

9. LATE FEE. If Rent is not paid on the Due Date: There shall be a penalty of $25.00 due every day rent is late. Rent is considered late when it has not been paid within 15 day(s) after the Due Date.

10. FIRST (1ST) MONTH'S RENT. The Tenant is required to pay the first (1st) month's rent, upon the execution of this Agreement, and on the first of each month thereafter as set forth in paragraph 8.

11. SECURITY DEPOSIT. As part of this Agreement: The Landlord requires a payment in an amount equal to one month's rent as "Security Deposit" for the faithful performance of the Tenant under the terms and conditions of this Agreement. Payment of the Security Deposit is required by the Tenant upon the execution of this Agreement. The Security Deposit shall be returned to the Tenant within 21 days after the end of the Lease Term less any itemized deductions. This Security Deposit shall not be credited towards any Rent unless the Landlord gives their written consent.

12. MOVE-IN INSPECTION. Before, at the time of the Tenant accepting possession, or shortly thereafter, the Landlord and Tenant shall inspect the premises together and identify any damage that the tenant desires to identify as pre existing damage. Any damage which is not identified by the Tenant during this inspection shall be presumed to be caused by the Tenant during the course of the Tenancy.

13. SALE OF PROPERTY. Landlord agrees not to sell the property during the term of the initial lease. If the Premises is sold after the term of the initial lease, the Tenant is to be notified of the new Owner, and if there is a new Manager, their contact details for repairs and maintenance shall be forwarded.

14. PARTIES' RESPONSIBILITIES:

A. Duty of Landlord

(a) Except for repairs made necessary by the negligence of, or improper use of the premises by, the tenant, the landlord has a duty to do all of the following:

1. Replacement or repair of any portion of the structure of the building or its mechanical systems if required to maintain the habitability of the premises including the roof, exterior walls, foundation, heat plumbing and electrical.

2. For a residential tenancy, comply with any local housing code applicable to the premises with the exception of any ordinance which conflicts with Wis. Stat. § 980.135.

(b) A landlord shall disclose to a prospective tenant, before entering into a rental agreement with or accepting any earnest money or security deposit from the prospective tenant, any building code or housing code violation to which all of the following apply:

1. The landlord has actual knowledge of the violation.

2. The violation affects the dwelling unit that is the subject of the prospective rental agreement or a common area of the premises.

3. The violation presents a significant threat to the prospective tenant's health or safety.

4. The violation has not been corrected.

(c) Landlord will be responsible for pest control not related to Tenant action contemplated in B.(b), snow removal, and lawn maintenance, and Tenant will be responsible to pay for all services provided by the Landlord or contractor.

B. Duties of Tenant

(a) Maintain the premises and preclude waste from occurring. This includes daily maintenance and cleaning, upkeep of fixtures and consumables, servicing mechanical systems within the residence as required by the manufacturers, and replacing any item damaged by the Tenant. Tenant will be responsible to pay for necessary repairs performed by the Landlord or contractor.

(b) If the premises are damaged by any act or inaction of the Tenant including but not limited to an infestation of insects or other pests, the landlord may elect to allow the tenant to remediate or repair the damage and restore the premises. However, the landlord may elect to undertake the remediation, repair, or redecoration, and in such case the tenant must reimburse the landlord for the reasonable cost thereof; the cost to the landlord is presumed reasonable unless proved otherwise by the tenant. Reasonable costs include but are not limited to any of the following:

1. Materials provided or labor performed by the landlord or a third party contractor.

2. At a reasonable hourly rate, time the landlord spends doing any of the following:

a. Purchasing or providing materials.

b. Supervising an agent of the landlord.

c. Hiring a 3rd-party contractor.

(c) A tenant in a residential tenancy shall comply with a local housing code applicable to the premises with the exception of any ordinance which conflicts with Wis. Stat. § 980.135.

(d) Should an emergency or exigent circumstances necessitate a repair after landlord's business hours or during the weekend, tenant can make necessary repairs on it's own. Tenant will notify landlord of any such repair the next business day.

15. UTILITIES; Tenant agrees that they are responsible for payment of all utilities including but not limited to water/sewer, electrical, , natural gas, oil, septic system pumping and maintenance, trash or recyclable materials removal, telephone, internet, cable or antenna based television, or any other service directly benefitting the tenant, and within 30 days of occupancy will arrange for all accounts and billing to be placed in Tenant's name. Tenant is aware that the property at issue has a forced air furnace which is fueled by a propane take. Tenant is further aware that said tank has been filled by the Landlord and agrees to reimburse the County for the expense. Tenant will advise the County if the tank is empty. Tenant will reimburse landlord for any county snowplowing or lawn maintenance provided.

16. TERMINATION. The Tenant shall not have the right to terminate this Agreement before the end of the initial term of the lease under any circumstance other than material breach of the agreement by the landlord. In the event Tenant quits possession of the property prior to the end of the term, the Tenant does so with the understanding that the remaining rent due for each remaining month is due and payable to the Landlord for the full term of the tenancy.

17. WASTE. The Tenant agrees not to commit waste on the premises, maintain, or permit to be maintained, a nuisance thereon, or use, or permit the premises to be used, in an unlawful manner. The Tenant further agrees to abide by any and all local, county, and State laws, ordinances, and regulations. Smoking or vaping of any substance is not permitted inside the residence.

18. UNTENANTABILITY. If the premises become untenantable because of damage by fire, water, or other casualty or because of any condition which materially affects the health or safety of the tenant, the tenant may remove from the premises unless the landlord proceeds promptly to repair or rebuild or eliminate the health hazard or the substantial violation of sub. If the tenant remains in possession and the condition materially affects the health or safety of the tenant or substantially affects the use and occupancy of the premises, rent abates to the extent the tenant is deprived of the full normal use of the premises. This section does not authorize rent to be withheld in full, if the tenant remains in possession. If the tenant justifiably moves out under this subsection, the tenant is not liable for rent after the premises become untenantable. This subsection is inapplicable if the damage or condition is caused by negligence or improper use by the tenant.

19. PETS. The Tenant: Shall not have the right to have pets on the Premises or in the common areas.

20. NOTICES. Any notice to be sent by the Landlord or the Tenant to each other shall use the following addresses:

Landlord's / Agent's Address: Outagamie County; Attn: Corporation Counsel. 320 S. Walnut St., Appleton, WI 54911.

Tenant's Mailing Address:

ACC Community Connections
Attn: SR Program
4321 West College Ave, Suite 380
Appleton, WI 54914

Department of Health Services
Supervised Release Program
1 W. Wilson St.
Madison, WI 53703

21. AGENT/MANAGER.

The Landlord does not have a manager on the Premises although the Landlord can be contacted at:

Telephone: 9208321522
E-Mail: kyle.sargent@outagamie.org

The Tennant has a case manager who should receive all notices, is given authority to act on Tennant's behalf, and should be contacted for maintenance and repair issues. That organization is:

ACC Community Connections
Sara Hohenstein, Director of Case Management
Phone: 920-750-8800
Fax: 920-215-6365

22. POSSESSION. Tenant has examined the condition of the Premises and by taking possession acknowledges that they have accepted the Premises in good order and in its current condition except as herein otherwise stated. Failure of the Landlord to deliver possession of the Premises at the start of the Lease Term to the Tenant shall terminate this Agreement at the option of the Tenant. Furthermore, under such failure to deliver possession by the Landlord, and if the Tenant cancels this Agreement, the Security Deposit (if any) shall be returned to the Tenant along with any other pre-paid rent, fees, including if the Tenant paid a fee during the application process before the execution of this Agreement.

23. ACCESS. Upon the beginning of the Proration Period or the start of the Lease Term, whichever is earlier, the Landlord agrees to give access to the Tenant in the form of keys, fobs, cards, or any type of keyless security entry as needed to enter the common areas and the Premises. Duplicate copies of the access provided may only be authorized under the consent of the Landlord and, if any replacements are needed, the

Landlord may provide them for a fee. At the end of this Agreement all access provided to the Tenant shall be returned to the Landlord or a fee will be charged to the Tenant or the fee will be subtracted from the Security Deposit.

24. SUBLETTING/ASSIGNMENT. The Tenant shall not be able to sublet the Premises without the written consent from the Landlord. The consent by the Landlord to one subtenant shall not be deemed to be consent to any subsequent subtenant.

25. RIGHT OF ENTRY. Absent emergent circumstances, the Landlord shall have the right to enter the Premises during normal working hours by providing at least twenty-four (24) hours notice in order for inspection, make necessary repairs, alterations or improvements, to supply services as agreed or for any reasonable purpose. The Landlord may exhibit the Premises to prospective purchasers, mortgagees, or lessees upon reasonable notice.

26. MAINTENANCE, REPAIRS, OR ALTERATIONS. The Tenant shall, at their own expense and at all times, maintain premises in a clean and sanitary manner, and shall surrender the same at termination hereof, in as good condition as received, normal wear and tear excepted. The Tenant may not make any alterations to the leased premises without the consent in writing of the Landlord. If the Premises includes a washer, dryer, freezer, dehumidifier unit and/or air conditioning unit, the Landlord makes no warranty as to the repair or replacement of units if one or all shall fail to operate. It is the responsibility of the Tenant to replace batteries in all smoke detectors when needed. A monthly "cursory" inspection may be required for all fire extinguishers to make sure they are fully charged.

27. COMPLIANCE WITH LAW. The Tenant agrees that during the term of the Agreement, to promptly comply with any present and future laws, ordinances, orders, rules, regulations, and requirements of the Federal, State, County, City, and Municipal government or any of their departments, bureaus, boards, commissions and officials thereof with respect to the premises, or the use or occupancy thereof, whether said compliance shall be ordered or directed to or against the Tenant, the Landlord, or both.

28. DEFAULT. If the Tenant fails to comply with any of the financial or material provisions of this Agreement, or of any present rules and regulations or any that may be hereafter prescribed by the Landlord, or materially fails to comply with any duties imposed on the Tenant by statute or State laws, within the time period after delivery of written notice by the Landlord specifying the non-compliance and indicating the intention of the Landlord to terminate the Agreement by reason thereof, the Landlord may terminate this Agreement. If the Tenant fails to pay rent when due and the default continues for the time-period specified in the written notice thereafter, the Landlord may, at their option, declare the entire balance (compiling all months applicable to this Agreement) of rent payable hereunder to be immediately due and payable and may exercise any and all rights and remedies available to the Landlord at law or in equity and may immediately terminate this Agreement.

The Tenant will be in default if: (a) Tenant does not pay rent or other amounts that are owed; (b) Tenant, their guests, or the Occupant(s) violate this Agreement, rules, or fire, safety, health, or criminal laws, regardless of whether arrest or conviction occurs; (c)

Tenant abandons the Premises; (d) Tenant gives incorrect or false information in the rental application; (e) Tenant, or any Occupant(s) is arrested, convicted, or given deferred adjudication for a criminal offense involving actual or potential physical harm to a person, or involving possession, manufacture, or delivery of a controlled substance, marijuana, or drug paraphernalia under state statute; (f) any illegal drugs or paraphernalia are found in the Premises or on the person of the Tenant, guests, or Occupant(s) while on the Premises and/or; (g) as otherwise allowed by law.

29. MULTIPLE TENANT OR OCCUPANT(S). Each individual that is considered a Tenant is jointly and individually liable for all of this Agreement's obligations, including but not limited to rent monies. If any Tenant, guest, or Occupant(s) violates this Agreement, the Tenant is considered to have violated this Agreement. Landlord's requests and notices to the Tenant or any of the Occupant(s) of legal age constitutes notice to the Tenant. Notices and requests from the Tenant or any one of the Occupant(s) (including repair requests and entry permissions) constitutes notice from the Tenant. In eviction suits, the Tenant is considered the agent of the Premise for the service of process.

30. CHOICE OF LAW AND VENUE – In the event that either party seeks to enforce the terms of this agreement, the parties expressly agree that all disputes are governed by the laws of the State of Wisconsin and the exclusive venue for such disputes shall be the Circuit Courts of Outagamie County.

31. SEVERABILITY. If any provision of this Agreement or the application thereof shall, for any reason and to any extent, be invalid or unenforceable, neither the remainder of this Agreement nor the application of the provision to other persons, entities or circumstances shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law.

32. SURRENDER OF PREMISES. The Tenant has surrendered the Premises when (a) the move-out date has passed and no one is living in the Premise within the Landlord's reasonable judgment; or (b) Access to the Premise have been turned in to Landlord – whichever comes first. Upon the expiration of the term hereof, the Tenant shall surrender the Premise in better or equal condition as it were at the commencement of this Agreement, reasonable use, wear and tear thereof, and damages by the elements excepted. In the event Tenant leaves any property behind, the Landlord may dispose of the property at the Landlord's discretion. Any fixtures added to the premises by Tenant shall not be removed, if removal will cause damage to the Premises.

33. WAIVER. A Waiver by the Landlord for a breach of any covenant or duty by the Tenant, under this Agreement is not a waiver for a breach of any other covenant or duty by the Tenant, or of any subsequent breach of the same covenant or duty. No provision of this Agreement shall be considered waived unless such a waiver shall be expressed in writing as a formal amendment to this Agreement and executed by the Tenant and Landlord.

34. HAZARDOUS MATERIALS. The Tenant agrees to not possess any type of personal property that could be considered a fire hazard such as a substance having flammable or explosive characteristics on the Premises. Items that are prohibited to be brought into the Premises, other than for everyday cooking or the need of an appliance, includes but is not limited to gas (compressed), gasoline, fuel, propane, kerosene, motor oil, fireworks, or any other related content in the form of a liquid, solid, or gas.

35. INDEMNIFICATION. The Landlord shall not be liable for any damage or injury to the Tenant, or any other person, or to any property, occurring on the Premises, or any part thereof, or in common areas thereof, and the Tenant agrees to hold harmless, indemnify, and defend the Landlord from any claims or damages unless caused solely by the Landlord's gross negligence. Tenant shall maintain adequate insurance as required and in the sole discretion of the landlord for the residence during the tenancy or provide reimbursement to the Landlord for costs related to insuring the residence.

36. COVENANTS. The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this Agreement.

37. PREMISES DEEMED UNINHABITABLE. If the Premises is deemed uninhabitable due to damage beyond reasonable repair the Tenant will be able to terminate this Agreement by written notice to the Landlord. If said damage was due to the negligence, reckless, or intentional acts of the Tenant, the Tenant shall be liable to the Landlord for all repairs and for the loss of income due to restoring the Premises back to a livable condition in addition to any other losses that can be proved by the Landlord.

38. LEAD PAINT. (check one)

☒ - The Premises was built prior to 1978 and there is an attachment titled the 'Lead-Based Paint Disclosure' that must be initialed and signed by the Landlord and Tenant.

39. IMPROVEMENTS:

A. Landlord is responsible for the cost to bring the property into habitable condition including the cost for the following items:

1. Repair of the well and pump to restore potable water to the residence.
2. Lease of Liquid Propane Tank
3. Initial pumping of septic system
4. Initial electrical and plumbing repair for exterior water connection.
5. Furnace, Stove, Refrigerator and Air Conditioning Unit.

B. Tenant is responsible for the following costs to provide for the housing of Mr. Zanelli:

1) Bathroom remodeling and plumbing for bathroom.
2) Construction costs for widening doors.
3) Construction costs for entry way ramp
4) All costs related to the care of Mr. Zanelli
5) Purchase and installation of non-essential items including washer and dryer.

6) Installation of any equipment including but not limited to Hoyer lifts, stability bars, or other specialized medical equipment.

40. ENTIRE AGREEMENT. This Agreement contains all the terms agreed to by the parties relating to its subject matter including any attachments or addendums. This Agreement replaces all previous discussions, understandings, and oral agreements. The Landlord and Tenant agree to the terms and conditions and shall be bound until the end of the Lease Term.

Landlord's Signature _____ Date: _____

Print Name: _____

Tenant's Signature _____ Date: _____

Print Name: _____

Tenant's Signature _____ Date: _____

Print Name: _____

Agent's Signature _____ Date: _____

Print Name: _____

AMOUNT ($) DUE AT SIGNING

Security Deposit:$2,000.

First (1st) Month's Rent: $2000

Total Amount: $4000

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

1. **Lead Warning Statement**
Housing build before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, landlords must disclose the presence of known lead-based paint and /or lead-based paint hazards in the dwelling. Tenants must also receive a federally approved pamphlet on lead poisoning prevention.
2. **Lessor's Disclosure**
   (a) Presence of lead-based paint and/or lead-based paint hazards (check one below):
   ☐ - Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):
   ☐ - Landlord has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
   (b) Records and reports available to the landlord (check one below)
   ☐ - Landlord has provided the tenant with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).
   ☐ - Landlord has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.
3. **Tenant's Acknowledgement**
   ☐ - Tenant has received copies of all information listed above.
   ☐ - Tenant has received the pamphlet "Protect Your Family From Lead in Your Home".
4. **Broker's Acknowledgement**
   ☐ - Broker has informed the tenant of the tenant's obligations under 42 USC 4852(d) and is aware of his/her responsibility to ensure compliance.
5. **Certification of Accuracy**
The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Landlord's Signature _____ Date: _____

Print Name: _____

Tenant's Signature _____ Date: _____

/Print Name: _____

Tenant's Signature _____ Date: _____

Print Name: _____

Agent's Signature _____ Date: _____

Print Name: _____

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Chapter 980 lease to Wisconsin Department of Health Services

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

Per Chapter 980 the County will use the property owned at W7419 Trappers Lane, Shiocton to satisfy the lease requirement. This fiscal note is to accept rental income for Chapter 980 from the WI Department of Health Services and adjust the budget for related expenses of remodeling and maintenance of the property.

Current Year Budget Impact (Check one or more of the following boxes)

[x] Revenues [x] Expenses (Cost) [ ] None

3. Is the specific cost or revenue included in the current year's budget? yes ( ) no (x) partially ( )

4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes ( ) no (x) n/a ( )

5. Is the proposal to accept additional revenues only? yes ( ) no (x)

6. Does this request modify/adjust the current year budget? If no, skip to question 8 below. yes (X) no ( )

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
County Property	Rent - Miscellaneous	1002413.4500	$18,000
County Property	Purchased Services	1002413.5500	$18,000

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes ( ) no ( ) n/a (x)

9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost _____ Annual Revenue _____

Fiscal Note Prepared by: Michelle Uitenbroek

For Financial Services purposes only	
Reviewed By: *Michelle Uitenbroek 3/22/2024*	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditure Account Number — Amount

S:\FINANCE\9 Fiscal Notes & Intrabudget Adjustments\FISCAL NOTES - 9000\Maintenance and Facilities\Chapter 980 rental income.doc

	1002413.5535.02	
Date:		
Comments:		

RESOLUTION NO.: 126—2023-24

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN: ***MAJORITY***

Outagamie County currently owns property located at W7419 Trappers Lane, Shiocton. Per Chapter 980 of the Wisconsin State Statutes, the County will use the property to satisfy the lease requirement for an offender. This resolution approves the lease agreement with the Wisconsin Department of Health Services and adjusts the budget for related expenses of remodeling and maintenance of the property.

NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and Economic Development Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve the Lease Agreement between Outagamie County and the Wisconsin Department of Health Services for county owned property located at W7419 Trappers Lane, Shiocton for a monthly lease rate of $2,000 as noted on the attached Lease Agreement which by reference is made a part hereof, and

BE IT FURTHER RESOLED, that the Outagamie County Board of Supervisors does approve of increasing the County Property Rent – Miscellaneous line item and the County Property Purchased Services line item by $18,000 each as noted on the attached fiscal note which by reference is made a part hereof, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Finance Director and the Outagamie County Corporation Counsel.

Dated this 26th day of March 2024

I, Jeffrey L. King, County Clerk for the County of Outagamie Wisconsin do hereby certify that the foregoing is a true and correct copy of the March 26, 2024 County Board Minutes approved by a majority vote at a meeting of the County Board on March 26, 2024 and recorded in the minutes of said meeting a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Outagamie, Wisconsin, this 26th Day of March, 2024

/s/ Jeffrey L. King
County Clerk

Please call the Outagamie County Clerkš Office (832-5077) if you would like further elaboration of these minutes.

RUN: April 26, 2024