

** AGENDA **
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, January 13, 2026.

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

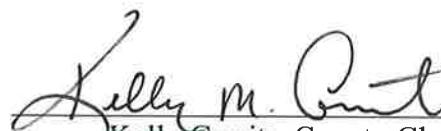
1. ROLL CALL of the Board of Supervisors. Board Chairperson requests the Board's confirmation regarding excused members.
2. PLEDGE OF ALLEGIANCE - Offered by Chairperson Gabrielson.
3. MINUTES OF THE DECEMBER 9, 2025 COUNTY BOARD MEETING
4. SPECIAL ORDER OF BUSINESS
 - A. Kyle Sargent, Corporation Counsel, will give a presentation on the elected office of Coroner vs an appointed Medical Examiner.
5. ESTABLISH ORDER OF THE DAY
6. COMMUNICATIONS
7. PUBLIC PARTICIPATION – Pursuant to Chapter 2, Section 2-49 Rule 6 – Appearance of Non-Board Members, of the Outagamie County Code of Ordinances, “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.”
8. APPOINTMENTS
 - A. County Executive Nelson nomination for reappointment of Jeff Huelsbeck to the Veterans Service Commission; term expires December 8, 2028.
9. REPORT BY THE COUNTY EXECUTIVE - County Executive Thomas Nelson will give an Administrative Update.
10. UNFINISHED BUSINESS
 - A. Resolution No. 86—2025-26 – Legislative/Audit and Human Resources Committee. With the Outagamie County Coroner’s current term ending on January 4th, 2027, approve the request to change the Outagamie County Coroner’s Office to the Outagamie County Medical Examiner’s Office; the Medical Examiner will be statutorily required to perform the same duties as the Coroner but would be an administrative employee, appointed by the board, under the supervision of the County Executive; with no immediate fiscal impact as this will only affect future budgets, as detailed on the resolution.

At the October 28, 2025 and December 9, 2025 County Board Meetings, Resolution No. 86 was being held in Legislative Audit Committee.

11. NEW BUSINESS

- A. Resolution No. Z-11—2025-26 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Todd and Linda Zak, for a portion of parcel 070047900, from the Exclusive Agriculture District to the General Agriculture District, in the Town of Deer Creek, as depicted on the attached review and map.
- B. Resolution No. 139—2025-26 – Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for the WIS 441 mainline improvement project, including the I-41/WIS 441 Interchange, as noted on the attached State/Municipal Financial Agreements for a State-Let Highway Project, and authorize funding for the county share of the project costs to be included in future budgets, as noted on the attached fiscal note.
- C. Resolution No. 140—2025-26 – Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for the associated I-41 mainline improvement 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 noted on the attached fiscal note.
- D. Resolution No. 141—2025-26 – Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Agreement for the CTH S & CTH U intersection project, as noted on the attached State/Municipal Agreement for a State-Let Highway Safety Improvement Program 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.
- E. Resolution No. 142—2025-26 – Property, Airport, Recreation and Economic Development Committee. Approve to increase the Plamann Park line items of Rec Fees Misc and Purchased Services IT Maintenance Contract by \$34,000 each, to purchase a Recreational Management Software program for the Parks Department, as noted on the attached fiscal note.
- F. Resolution No. 143—2025-26 – Property, Airport, Recreation and Economic Development Committee. Approve the request to petition the Secretary of Transportation for Airport Improvement Aid, as noted on the Resolution.
- G. Ordinance No. I—2025-26 – Legislative/Audit and Human Resources Committee. Approve the amendments to Chapter 2 of the Outagamie County Code of Ordinances, pertaining to the Special Meetings of the County Board; Finance Committee Duties; Budgetary and Policy Jurisdiction; and Property, Airport, Recreation and Economic Development Committee Duties, as noted on the Ordinance.
- H. Ordinance No. J—2025-26 – Finance Committee. Approve to amend the Outagamie County Code Ordinances for Sec. 2-164 Tax Incremental District and Sec. 2-165 Committee to Request Vote Regarding Formation of District, as noted on the Ordinance.

12. CLOSED SESSION PURSUANT TO STATE STATUTE 19.85(1)(g) 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 AS IT PERTAINS TO THE JEFF SCOTT OLSON LAW FIRM REPRESENTING MR. NAVTEJ BHANDARI.
13. END CLOSED SESSION AND RESUME REGULAR COMMITTEE BUSINESS
14. NEW BUSINESS Continued:
 - I. Resolution No. 144—2025-26 – Finance Committee. Authorize and approve the claim settlement agreement with The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari, which includes full and final payment from the County's liability insurance coverage of \$400,000 and the County will erect a memorial bench in honor of Mr. Navtej Bhandari's spouse Xee Yang, as noted on the Resolution.
15. REPORTS



Kelly Gerrits
Kelly Gerrits, County Clerk



Dan Gabrielson
Dan Gabrielson, Board Chairperson

Accommodation Notice

Any person requiring special accommodations who wishes to attend this meeting should telephone (920) 832-5077 at least 24 hours in advance.

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

Office of the County Clerk, December 9, 2025.

The Board met pursuant to adjournment, and was called to order by Chairperson Gabrielson 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, Smith, Patience, Gabrielson, Kostelny, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Wegand, Hermes, Zabronsky, Croatt, Spears, Heiser, Mitchell, Hagen, Klemp, Thiede, Janke, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, VanderHeiden, Rettler, and Lautenschlager. Members absent: Supervisors Johnson, MacDonald, Cuff, Thyssen and Koury.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Johnson, MacDonald, Cuff, Thyssen and Koury. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Gabrielson.

MINUTES OF THE NOVEMBER 3, 2025 COUNTY BOARD MEETING –

Supervisor Croatt moved, seconded by Supervisor Smith, to approve the minutes of the November 3, 2025 County Board meeting.

ROLL CALL: 30 yes, 1 abstain (Culbertson), 5 absent. MINUTES OF THE NOVEMBER 3, 2025 COUNTY BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS –

Anne Van, Executive Operations and Public Relations Specialist, will give an update on the Uniquely Wisconsin film series featuring Outagamie County

Clerk's Note: Due to impending inclement weather, this item was postponed and tabled for a future County Board meeting.

ESTABLISH ORDER OF THE DAY –

Chairperson Gabrielson requested unanimous consent to have all of the appointments, ordinances, and all resolutions locked in at the meeting. No objections; so ordered.

COMMUNICATIONS –

Chairperson Gabrielson summarized the following communications:

- Chairperson Gabrielson thanked the Legislative Services team who graciously took the time to festively decorate the County Board Room for the holiday season, and he continued to extend his appreciation to them, as their team supplied the County Board Supervisors with some holiday snacks and treats prior to tonight's meeting.
- There are three (3) Supervisors who still need to complete the October cyber security training titled *A Fistful of Data*, and numerous Supervisors still need to complete the most recently sent out course, titled *Core Concepts: Password / Business E-mail*, which was e-mailed back on November 19, 2025. IT is requesting these trainings to be completed by tomorrow, December 10, 2025.

- A sincere thanks was given to all County Board Supervisors and staff who donated to the Adopt-A-Family Program; a record-breaking \$820 was collected and will be used to help Outagamie County families who are in need this holiday season. A thoughtful letter of thanks was given to Chairperson Gabrielson and he will e-mail it out after the meeting.
- Outagamie County Veterans Service Office was award a Tyler Technologies award for the category of Innovative Community Support. The office developed a mobile outreach system, which is powered by a portable power bank, laptop, scanner and printer so their team is able to access veteran records securely at alternative locations. Should you wish to read more about the advancement, check the Veterans Service Office web page.
- IT is continuing to transfer county e-mails to Microsoft Office 365. If you know you have yet to transition yours, please schedule an appointment with Legislative Services on one of the following upcoming dates: 12/10, 12/11, 12/12, 12/14, 12/15, 12/16, or 12/17, with dates having meeting availability from 11 a.m. to 1 p.m. This is a mandatory year-end requirement.
- A reminder from the County Clerk's office – if you know you wish not to run for the another two (2) year term, please complete the Notification of Non-candidacy and return it to the County Clerk's Office no later than December 26, 2025 at 5:00 p.m. Also, candidates running for the 2026 Spring Election have until Tuesday, January 6, 2026 at 5:00 p.m. to provide their completed paperwork.
- A County Board meeting schedule and a County Board payroll schedule was provided on desks prior to the meeting.
- If you cannot attend a committee meeting or a County Board meeting, please reach out to the Committee Chair or Legislative Services as soon as possible to alleviate a quorum issue.
- Chairperson Gabrielson recognized the following County Board Supervisor birthdays: Supervisor Rettler (1/5) and Supervisor Thiede (1/5).
- This is the final planned County Board Supervisor meeting for this calendar year, but committee meetings may still be scheduled, contingent upon business – please continue to check your e-mails throughout the holiday season. The next scheduled meeting will be held on January 13, 2026.

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 Kevin Englebert to the Appleton Public Library Board of Trustees, term expires April 30, 2026.

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

ROLL CALL: 31 yes, 5 absent. KEVIN ENGLEBERT IS APPOINTED TO THE APPLETON PUBLIC LIBRARY BOARD OF TRUSTEES.

County Executive Nelson nomination for reappointments of Wendy Hartman and Bastia Looker to the Outagamie Waupaca Library System (OWLS) Board of Trustees, terms expire December 31, 2028.

Supervisor Spears moved, seconded by Supervisor Thompson, for confirmation of the above-listed reappointments.

ROLL CALL: 31 yes, 5 absent. WENDY HARTMAN AND BASTIA LOOKER ARE REAPPOINTED TO THE OUTAGAMIE WAUPACA LIBRARY SYSTEM (OWLS) BOARD OF TRUSTEES.

County Executive Nelson nomination for appointment of Curtis Riedy as the Outagamie County Highway Commissioner.

Supervisor Hagen moved, seconded by Supervisor Thiede, for confirmation of the above-listed appointment.

ROLL CALL: 31 yes, 5 absent. CURTIS RIEDY IS APPOINTED AS THE OUTAGAMIE COUNTY HIGHWAY COMMISSIONER.

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

UNFINISHED BUSINESS –

Resolution No. 86—2025-26 – Legislative/Audit and Human Resources Committee.

With the Outagamie County Coroner's current term ending on January 4th, 2027, approve the request to change the Outagamie County Coroner's Office to the Outagamie County Medical Examiner's Office; the Medical Examiner will be statutorily required to perform the same duties as the Coroner but would be an administrative employee, appointed by the board, under the supervision of the County Executive; with no immediate fiscal impact as this will only affect future budgets, as detailed on the resolution.

Clerk's Note: At the October 28, 2025 County Board Meeting, Resolution No. 86—2025-26 was being held in Legislative Audit Committee. Resolution No. 86—2025-26 is continuing to be held in the Legislative Audit Committee.

NEW BUSINESS –

Ordinance No. Z-10—2025-26 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve to recommend adoption of the petition of Keith Doyle, applicant on behalf of MCC Inc., owner, to rezone parcels 040074600 and 040074514 from the Industrial District to the General Agriculture District in the Town of Center, as noted on the Ordinance and attachments.

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

ROLL CALL: 31 yes, 5 absent. ORDINANCE NO. Z-10—2025-26 IS ADOPTED.

Resolution No. 119—2025-26 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization request by adding one full-time Marketing Specialist position effective December 23, 2025 for the Appleton International Airport, with no fiscal impact, as noted on the attachments.

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

ROLL CALL: 30 yes, 1 no (Rettler), 5 absent. RESOLUTION NO. 119—2025-26 IS ADOPTED.

Resolution No. 120—2025-26 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Authorize and approve of increasing the following LC Grants line items: Equipment by \$68,000, Supplies by \$2,000, and Revenue by \$70,000, as noted on the attached fiscal note.

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

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 120—2025-26 IS ADOPTED.

Resolution No. 121—2025-26 – Public Safety Committee. Approve to urge the Federal government to continue funding the Emergency Management Performance Grant for the period of January 1, 2025 through September 30, 2025, as outlined in the current grant award, with no gap in funding, to match the Original Notice of Funding Opportunity, as noted on the Resolution.

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

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 121—2025-26 IS ADOPTED.

Resolution No. 122—2025-26 – Highway, Recycling and Solid Waste Committee. Approve the Highway Department budgetary transfer of excess funds from the CTH F bituminous project totaling \$27,713.86 to the exceeded expenditures total for CTH D \$23,605.50 and CTH PP \$4,108.36, as noted on the Resolution and attached fiscal note.

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

ROLL CALL: 31 yes, 5 absent. RESOLUTION NO. 122—2025-26 IS ADOPTED.

Resolution No. 123—2025-26 – Property, Airport, Recreation and Economic Development Committee. Approve transferring \$55,000 from the County Properties Purchased Services line item to the Justice Center Purchased Services line item, to pay for a portion of the energy recovery wheel replacement, as noted on the Resolution and the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Hermes, for adoption.

Supervisor Koury arrived at 7:14 p.m.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 123—2025-26 IS ADOPTED.

Resolution No. 124—2025-26 – Finance Committee. Approve transferring \$126 from the line items of Elections Purchased Services to the Care of Veterans Graves Purchased Services, to reflect the increase in operational costs related to the care of Veterans graves and tombstones, as noted on the attached fiscal note.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 124—2025-26 IS ADOPTED.

Resolution No. 125—2025-26 – Public Safety Committee. Approve transferring \$2,500 from the line items of Emergency Management Office Supplies to the Emergency Management Travel/Training, to cover unexpected travel/training costs, as noted on the Resolution and attached fiscal note.

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

ROLL CALL: 31 yes, 1 no (Rettler), 4 absent. RESOLUTION NO. 125—2025-26 IS ADOPTED.

Resolution No. 126—2025-26 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Authorize and approve of the Land Conservation Department to accept and expend the Great Lakes Restoration Initiative grant of \$45,780.38, to provide a portion of the Wrightstown Streambank and Agriculture Runoff Treatment System project, and authorize and approve of increasing the following TMDL Lower Fox-P&K line items: Salaries by \$21,092.36; Fringe Benefits by \$7,912.40; Purchased Services by \$16,775.62; and Misc. Revenue by \$45,780.38, as noted on the attached fiscal note.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 126—2025-26 IS ADOPTED.

Resolution No. 127—2025-26 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve the attached Outagamie County, Wisconsin Appleton International Airport Airline Operating Agreement with Sun Country Inc., dba Sun Country Airlines, with no fiscal impact to the 2026 budget, as noted on the attached fiscal note.

Supervisor Culbertson moved, seconded by Supervisor Kostelny, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 127—2025-26 IS ADOPTED.

Resolution No. 128—2025-26 – Health and Human Services Committee. Authorize and approve of various budget transfers and alterations to the 2025 Health and Human Services budget, where changes in activity occurred during 2025, as noted on the attached fiscal note and worksheet.

Supervisor Zabronsky moved, seconded by Supervisor Koury, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 128—2025-26 IS ADOPTED.

Resolution No. 129—2025-26 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Authorize and approve of increasing the following TMDL Lower Fox (P&K) line items: Salaries by \$20,100; Fringe Benefits by \$14,900; and decreasing Purchased Services by \$35,000, for the County Land Conservation Department, Great Lakes Restoration Initiative grant for the Wrightstown Streambank project, with no county funding required, as noted on the attached fiscal note.

Supervisor Janke moved, seconded by Supervisor Mitchell, for adoption.

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 129—2025-26 IS ADOPTED.

Resolution No. 130—2025-26 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Authorize and approve of decreasing the following County Wide Grants line items: Revenue by \$461,521.00; Salary by \$94,029.00; Fringe by \$50,623.00; Travel/Train by \$600.00; Supplies by \$5,951.00; Purchased Services by \$358,318.00, and increasing the Capital Outlay line item by \$48,000.00, to reflect the loss of federal grants that occurred in April, 2025, as well as additional funds that were received in the moveable equipment category prior to the loss of funds, as noted on the attached fiscal note and worksheet.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 130—2025-26 IS ADOPTED.

Resolution No. 131—2025-26 – Property, Airport, Recreation and Economic Development Committee. Authorize and approve of various budget transfers and alterations to the 2025 Appleton International Airport capital improvements and operations budget, to account for actual financial activity, as noted on the attached fiscal note and worksheet.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 131—2025-26 IS ADOPTED.

Resolution No. 132—2025-26 – Finance Committee. Approve to authorize writing off the 2025 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 resolution and attachments.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 132—2025-26 IS ADOPTED.

Resolution No. 133—2025-26 – Health and Human Services Committee. Authorize and approve of various budget transfers and alterations to the 2025 Brewster Village budget, as noted on the attached fiscal note and worksheet.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 133—2025-26 IS ADOPTED.

Resolution No. 134—2025-26 – Legislative/Audit and Human Resources Committee. Approve the Human Resources Department 2025 budget adjustment by transferring \$68,000 from the Purchased Services line item to the line items of Salaries by \$25,000 and Fringe Benefits by \$43,000, with no additional county funding requested, as noted on the attached fiscal note.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 134—2025-26 IS ADOPTED.

Resolution No. 135—2025-26 – Public Safety Committee. Authorize and approve of various budget transfers and alterations to the 2025 Sheriff's Office budget, as noted on the attached fiscal note and worksheet.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 135—2025-26 IS ADOPTED.

Resolution No. 136—2025-26 – Finance Committee. Authorize and approve increasing the 2025 Capital Project (ERP) Capital Outlay line item and the 2025 Capital Projects Transfer In line item by \$2,112,000 each, to be used to implement an Enterprise Resource Planning (ERP) system, as noted on the attached fiscal note.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 136—2025-26 IS ADOPTED.

Resolution No. 137—2025-26 – Legislative/Audit and Human Resources Committee. Approve the attached Agreement between Outagamie County and Outagamie County Deputy Sheriff's Association 2026-2027 and Proposed Contract Changes – DSA Contract 2026-2027 document, with no budget adjustment, as noted on the Resolution and attachments.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 137—2025-26 IS ADOPTED.

Resolution No. 138—2025-26 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization request to reclassify one (1) Office Specialist position from full-time to part-time and reclassify one (1) Account Technician position from part-time to full-time in the Clerk of Courts Office effective December 28, 2025, with no fiscal impact, as noted on the attachments.

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

ROLL CALL: 32 yes, 4 absent. RESOLUTION NO. 138—2025-26 IS ADOPTED.

Ordinance No. H—2025-26 – Highway, Recycling and Solid Waste Committee. Approve to amend Sec. 36-166, Highways designated as Class B, of the Outagamie County Code of Ordinances; as noted on the Ordinance.

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

ROLL CALL: 32 yes, 4 absent. ORDINANCE NO. H—2025-26 IS ADOPTED.

RECONSIDERATION OF ALL APPOINTMENTS, ORDINANCE NOS. Z-10 & H—2025-26, & RESOLUTION NOS. 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137 & 138—2025-26.

Supervisor Patience moved, seconded by Supervisor Wegand, to reconsider all above listed appointments, ordinances, and resolutions.

Vote for reconsideration. ROLL CALL: 31 yes, 1 no (Thiede), 4 absent. ALL LISTED APPOINTMENTS, ORDINANCE NOS. Z-10 & H—2025-26, & RESOLUTION NOS. 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137 & 138—2025-26 ARE RECONSIDERED.

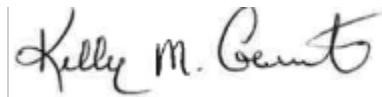
Vote for lock in. ROLL CALL: 32 yes, 4 absent. ALL APPOINTMENTS, ORDINANCE NOS. Z-10 & H—2025-26, & RESOLUTION NOS. 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137 & 138—2025-26 ARE ADOPTED & LOCKED IN.

REPORTS – None.

ADJOURNMENT –

Supervisor McCabe moved, seconded by Supervisor Patience to adjourn until January 13, 2026 at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:33 p.m.

A handwritten signature in black ink that reads "Kelly M. Gerrits". The signature is fluid and cursive, with "Kelly" on the first line and "M. Gerrits" on the second line.

Kelly Gerrits, County Clerk

ROLL CALL SUMMARY DECEMBER 9, 2025 COUNTY BOARD MEETING

DIST./NAME	NO. OF ROLL CALLS TAKEN THIS MEETING	NO. VOTES CAST THIS MEETING	CUMULATIVE CALLS TAKEN THIS TERM	NO. VOTES CAST THIS TERM
1. Thompson	28	28	242	188
2. Johnson	28	0	242	163
3. Smith	28	28	242	214
4. Patience	28	28	242	242
5. Gabrielson	28	28	242	242
6. Kostelný	28	28	242	242
7. Hammen	28	28	242	215
8. Lawrence	28	28	242	173
9. Krueger	28	28	242	185
10. Lamers	28	28	242	206
11. Ferguson	28	28	242	242
12. McCabe	28	28	242	208
13. Wegand	28	28	242	145
14. Hermes	28	28	242	204
15. MacDonald	28	0	242	117
16. Zabronsky	28	28	145	134
17. Croatt	28	28	242	215
18. Spears	28	28	242	242
19. Heiser	28	28	242	242
20. Mitchell	28	28	242	238
21. Cuff	28	0	242	187
22. Hagen	28	28	242	242
23. Klemp	28	28	242	219
24. Thiede	28	28	242	242
25. Janke	28	28	242	200
26. Weinberg	28	28	242	218
27. Culbertson	28	28	242	198
28. Monfils	28	28	242	202
29. Winterfeldt	28	28	242	197
30. Nejedlo	28	28	242	242
31. Clegg	28	28	242	242
32. Thyssen	28	0	242	137
33. VanderHeiden	28	28	242	242
34. Rettler	28	28	242	175
35. Koury	28	19	242	141
36. Lautenschlager	28	28	242	242

Member(s) absent: Johnson, MacDonald, Cuff, Thyssen and Koury (Late)



OUTAGAMIE COUNTY EXECUTIVE
Thomas M. Nelson
320 South Walnut St.
Appleton, WI 54911
920.832.1684

January 13, 2026

**TO THE HONORABLE OUTAGAMIE COUNTY BOARD OF SUPERVISORS
LADIES AND GENTLEMEN:**

Please be advised of expired terms on Outagamie County Veterans Service Commission. As such, the following individual has requested to continue serving on the commission:

- Jeff Huelsbeck: term to expire December 8, 2028

Please find supporting documents enclosed for your reference. Your support in confirming this reappointment is appreciated. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Thomas Nelson".

Thomas Nelson
Outagamie County Executive

TN/av

Outagamie County Application for Executive Appointment

Name: JEFFREY R HUELSBECK

Address: REDACTED

Home Phone: () Work Phone: () Cell Phone: REDACTED

E-Mail Address: REDACTED

Would you like agendas and minutes emailed to you? Yes No ✓

Do you want your email address given to the general public? Yes No ✓

Present Employer/Position:

COMMISSIONER, COUNTY VETERANS SERVICE OFFICE

Previous Employer/Position:

RETIRED 8 yrs.

Educational Background:

HIGH SCHOOL DIPLOMA, SOME COLLEGE CREDITS (16)

Present and Previous Public Service Involvement: (other commissions, committees and years of involvement)

PRESIDENT / VICE PRESIDENT 5 yrs VETS & FRIENDS OF WI
CURRENTLY GOOD WILL AMBASSADOR.

Comments:

Signature:

Jeffrey R. Huelsbeck

Date Submitted: 82-25-2025

OUTAGAMIE COUNTY DISCLOSURE
IN COMPLIANCE WITH RESOLUTION 46—1974 AND ORDINANCE C-2010-11
AND CHAPTER 2, SECTION 2-424 – 2-426 OF THE OUTAGAMIE COUNTY
CODE OF ORDINANCES

The purpose of this Disclosure Statement is to make full disclosure of all potential or actual conflicts of interest. Conflicts of interest occur when the personal interests, financial or otherwise, of a person actually or potentially interfere with the person's professional obligations to and/or the best interests of Outagamie County.

NAME (LAST)	(FIRST)	(MIDDLE)	DAYTIME TELEPHONE NUMBER
HUELSBECK	JEFFREY	R	[REDACTED]
MAILING ADDRESS	STREET	CITY	STATE ZIP CODE
[REDACTED]			

POSITION OR CAPACITY WITH OUTAGAMIE COUNTY (now held or seeking):

COMMISSIONER: COUNTY VETERANS SERVICE OFFICE

PRINCIPAL EMPLOYER(S) NAME

OUTAGAMIE COUNTY

ADDRESS

320 S WALNUT ST. APPLETON 54911

SOURCE OF INCOME IN EXCESS OF \$1,200 PER YEAR (List all sources or anticipated in excess of \$1,200/year). List any interest in any business, contract, lease or item of value, the nature and extent of such interest, holding or employment which may involve a conflict of interest or potential conflict or ethics problem in conducting county business.

ARMY PENSION, SOCIAL SECURITY

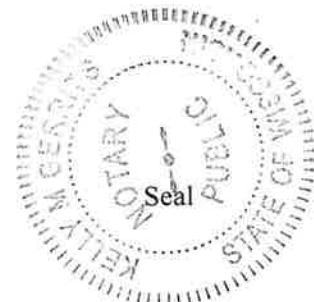
I, JEFFREY R. HUELSBECK currently serving or will be serving Outagamie County in the capacity of VETERANS SERVICE COMMISSIONER certify that I anticipate no income from any other source to be in conflict with the county ethics code nor do I have any holdings not disclosed which would be in conflict or a potential conflict of interest or violation of the Outagamie County Code of Ordinances, Chapter 2, Section 2-424 – Section 2-426, Resolution 46—1974 and Ordinance C-2010-11.

Signature

Subscribed and sworn to before me this 26 day of FEB, 2025.

Notary Public

Commission Expires: 12/18/2027



RESOLUTION NO.: 86—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Outagamie County Coroner is a required elected official under Article VI §1 of the
2 Wisconsin Constitution and whose duties are governed primarily by Wis. Stat. §59.38.
3 However, Article VI § 2 gives Wisconsin counties the authority to choose to remove the elected
4 office of Coroner and implement a Medical Examiner system in its place to be effective as of
5 the end of the Coroner's term. *61 Atty. Gen. 355*. The Outagamie County Coroner's current
6 term ends on January 4th, 2027. A request has been made to change the Outagamie County
7 Coroner's Office to the Outagamie County Medical Examiner's Office. The Medical Examiner
8 will be statutorily required to perform the same duties as the Coroner but would be an
9 administrative employee, appointed by the board, under the supervision of the County
10 Executive. There is no immediate fiscal impact as this will only affect future budgets and
11 therefore no fiscal note is attached.

12 NOW THEREFORE, the undersigned members of the Outagamie County Legislative/Audit and

13 Human Resources Committee recommend adoption of the following resolution.

15 BE IT RESOLVED, Article VI of the Wisconsin Constitution, establishes a four-year term for the
16 elected position of Office of Coroner, and the current term of the Outagamie County Coroner expires on
17 January 4th, 2027, and

18 BE IT FURTHER RESOLVED, §§59.34 and 59.38 Wis. Stats., and Article VI §2 of the Wisconsin
19 Constitution, stipulate that a county board may implement a Medical Examiner system in place of the
20 elected Office of Coroner, with the Medical Examiner carrying out the same legal responsibilities, and

21 BE IT STILL FURTHER RESOLVED, to guarantee that the role is filled by a capable person, the
22 county board may establish minimum professional qualifications for a Medical Examiner to ensure that
23 the position is held by a competent and qualified individual, and

24 BE IT STILL FURTHER RESOLVED, the funding, organizational structure, and operational
25 protocols for the Medical Examiner system can be established in compliance with §59.38, Wis. Stats., and

1 BE IT STILL FURTHER RESOLVED, by the Outagamie County Board of Supervisors that
2 Outagamie County hereby eliminates the elected Office of the Coroner and implements a Medical
3 Examiner system effective Monday January 4th, 2027, and

4 BE IT FURTHER RESOLVED, that in accordance with §59.17(2)(br), Wis. Stats., the Medical
5 Examiner will be a department head selected and supervised by the Outagamie County Executive and
6 confirmed by the Outagamie County Board of Supervisors, and

7 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of
8 this resolution to the Outagamie County Executive, the Outagamie County Human Resources Director,
9 the Outagamie County Finance Director, and the Outagamie County Coroner.

10 Dated this _____ day of October, 2025

Respectfully Submitted,
LEGISLATIVE/AUDIT & HUMAN RESOURCES
COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

John Kostelny

Sarah Weinberg

John Kostelny

Duly and officially adopted by the County Board on:

Signed:

Board Chairperson

County Clerk

Approved: _____

Vetoed: _____

Signed: _____
County Executive

RESOLUTION NO.: Z-11—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Town of Deer Creek has adopted a comprehensive Zoning Ordinance separate from
2 that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that
3 all zoning amendments made by the Town of Deer Creek be approved by Outagamie
4 County before they are effective. The Outagamie County Development and Land Services
5 Staff and Zoning Committee both recommend approval.

6
7 NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning
8 and Land Conservation Committee recommend adoption of the following resolution.

9 BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the
10 proposed rezoning request for Todd and Linda Zak. The proposed rezoning is for a portion of parcel
11 070047900, from the Exclusive Agriculture District to the General Agriculture District. The parcel is
12 located West of County Highway F, on River Road, in the Town of Deer Creek, Outagamie County, WI,
13 as depicted on the attached review and map, which by reference are made a part hereof, and

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

17 Dated this ____ day of January 2026
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12 Respectfully Submitted,

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18 AGRICULTURE, EXTENSION
19 EDUCATION, ZONING & LAND
20 CONSERVATION COMMITTEE
21
22
23
24
25

26 Debra Vander Heiden

27 Mike Janke

28 Jayme Heiser

29 Daniel Rettler

30 Mark Mitchell

31 Duly and officially adopted by the County Board on: _____

32 Signed: _____
33 Board Chairperson

34 County Clerk

35 Approved: _____
36 Vetoed: _____

37 Signed: _____
38 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: Austin Dyb, Land Use Specialist
DATE: December 15, 2025
RE: PL202500533- County Rezoning - County Staff Review & Recommendation

Application Details:

Applicant and Owner: TODD J & LINDA S ZAK

Request: Rezoning - County

Parcel: A portion of 070047900 (2 Acres)

Location: West of County Highway F, on River Rd
TOWN OF DEER CREEK

Public Hearing: December 23, 2025 at 9:00 AM – County Board Room

Background & Analysis:

Todd Zak, Applicant and Owner has requested a County Rezoning. The attached rezoning map depicts the request. (Exhibit A) The request is to rezone a portion of parcel 070047900 (two-acres) from the Exclusive Agriculture District (AED) to the General Agriculture District (AGD) to accommodate a future Barndominium-Style dwelling. The parcel has a pending Certified Survey Map. Staff anticipates this map will be approved and recorded prior to the rezone adoption. (Exhibit B).

Table 1 presents the existing land use and zoning district patterns surrounding the subject area.

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	Exclusive Agriculture/General Agriculture	Agriculture/Residential
South	General Agriculture	Agriculture
East	Exclusive Agriculture	Agriculture
West	General Agriculture	Agriculture

The Applicant has been advised that, in addition to an approved rezoning, a dwelling in this location may require Shoreland Zoning, POWTS and Stormwater/Erosion Control permitting.

Staff notes that there are hydric soils, Zone A Floodplain, and mapped wetlands present on the subject parcel. Any development will need to comply with the applicable criteria in the Outagamie County Code of Ordinances. The area to be rezoned has been positioned to avoid any substantial impacts to the environmental features present.

The site is located in a certified farmland preservation zoning district (i.e., it is zoned Exclusive Agriculture). According to Sec. 54-105 of the County's Code of Ordinances, a rezoning out of Exclusive Agriculture is not permitted unless four findings (as outlined below in Table 2) are met. Based on the analysis for each finding, County staff finds that all required findings are met.

Table 2. Required Findings to Rezone Parcels out of Exclusive Agriculture

Required Findings	Summary of County Staff Analysis
The rezoned land is better suited for a use not allowed in the AED exclusive agricultural district.	The subject parcel is in proximity to other non-agricultural uses (Single Family Homes) and lands zoned AGD; however, due to the environmental conditions present, the proposed rezone area could not be placed directly adjacent to other AGD lands while still taking advantage of the building area.
The rezoning is consistent with any applicable comprehensive plan.	The proposed rezone is consistent with the County's Future Land Use Map within its Comprehensive Plan. The County typically considers rezones into AGD to be consistent with the "Agriculture and Open Lands" future land use designation.
The rezoning is substantially consistent with the county farmland preservation plan, which is in effect at the time of the rezoning.	State laws require 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 proposed rezone will not interfere with this consistency requirement for the Town of Deer Creek
The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.	The proposed rezoned parcel, including any planned driveway or access route, is located adjacent to road frontage and is compact (i.e., square in shape/not overly elongated.) These characteristics ensure the rezoned area will not substantially impair current/future agricultural use of other protected farmland adjacent to the proposed rezoned parcel.

The Town of Deer Creek reviewed this proposal and recommended approval on November, 11th 2025 (Exhibit C).

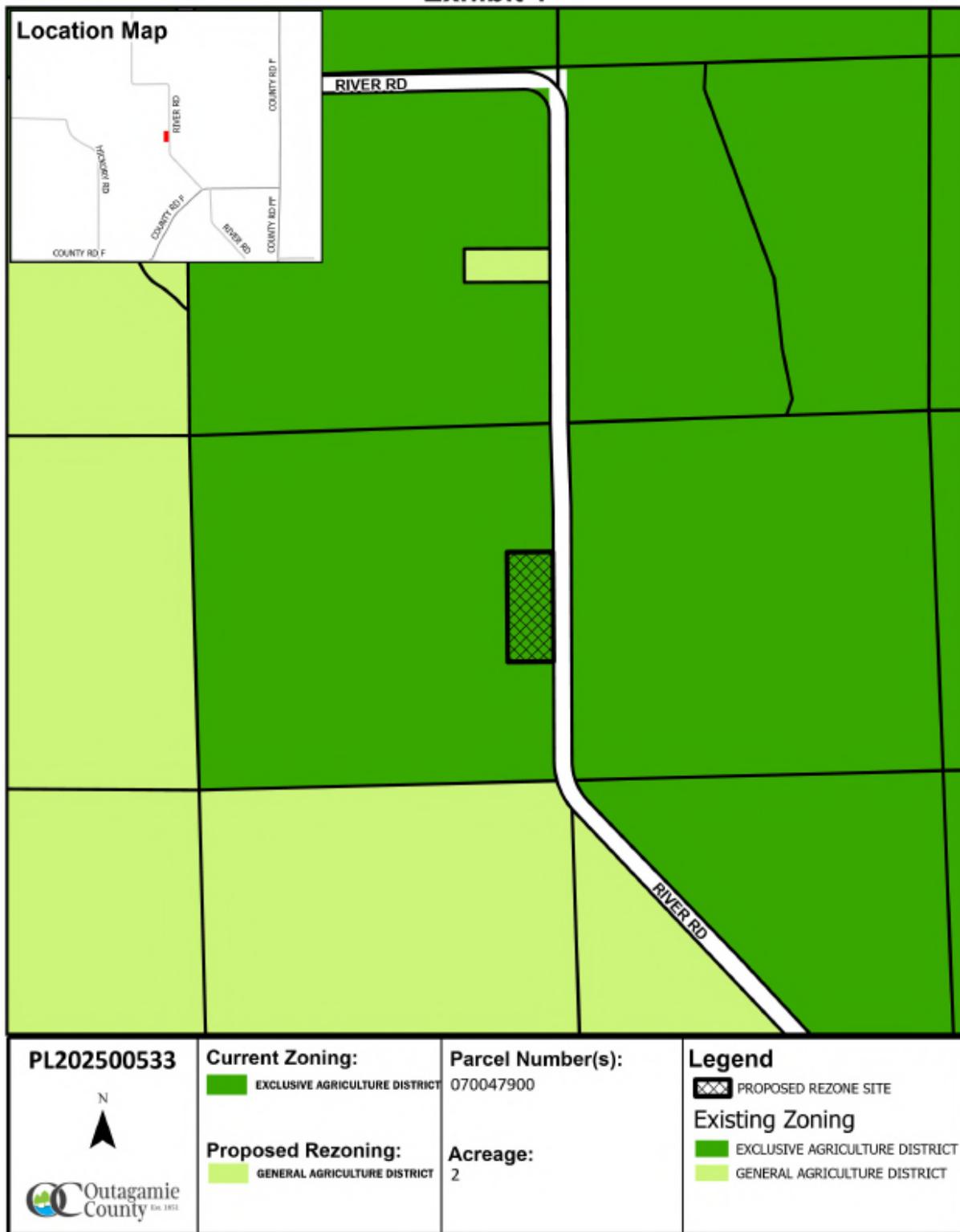
General Zoning in the Town of Deer Creek is administered by the County and the County is statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3) Wis. Stats. The Outagamie County Comprehensive Plan designates this area as "Agricultural and Open Lands" within the Comprehensive Plan's future land use map. The County typically considers rezones into General Agriculture to be consistent with the "Agricultural and Open Lands" future land use designation. The County also finds this rezone to be substantially consistent with the County's Farmland

Preservation Plan (Addendum 2 of the County's Comprehensive Plan) Therefore, County staff has identified the proposed rezone to be consistent with the County Comprehensive Plan.

Staff Recommendation:

Based on our review and the above analysis of this proposed Rezoning – County, Staff recommends to: approve the proposed rezoning of a portion of parcel 070047900 (2 acres) from the Exclusive Agriculture District to the General Agriculture District.

Exhibit 1



CERTIFIED SURVEY MAP NO.

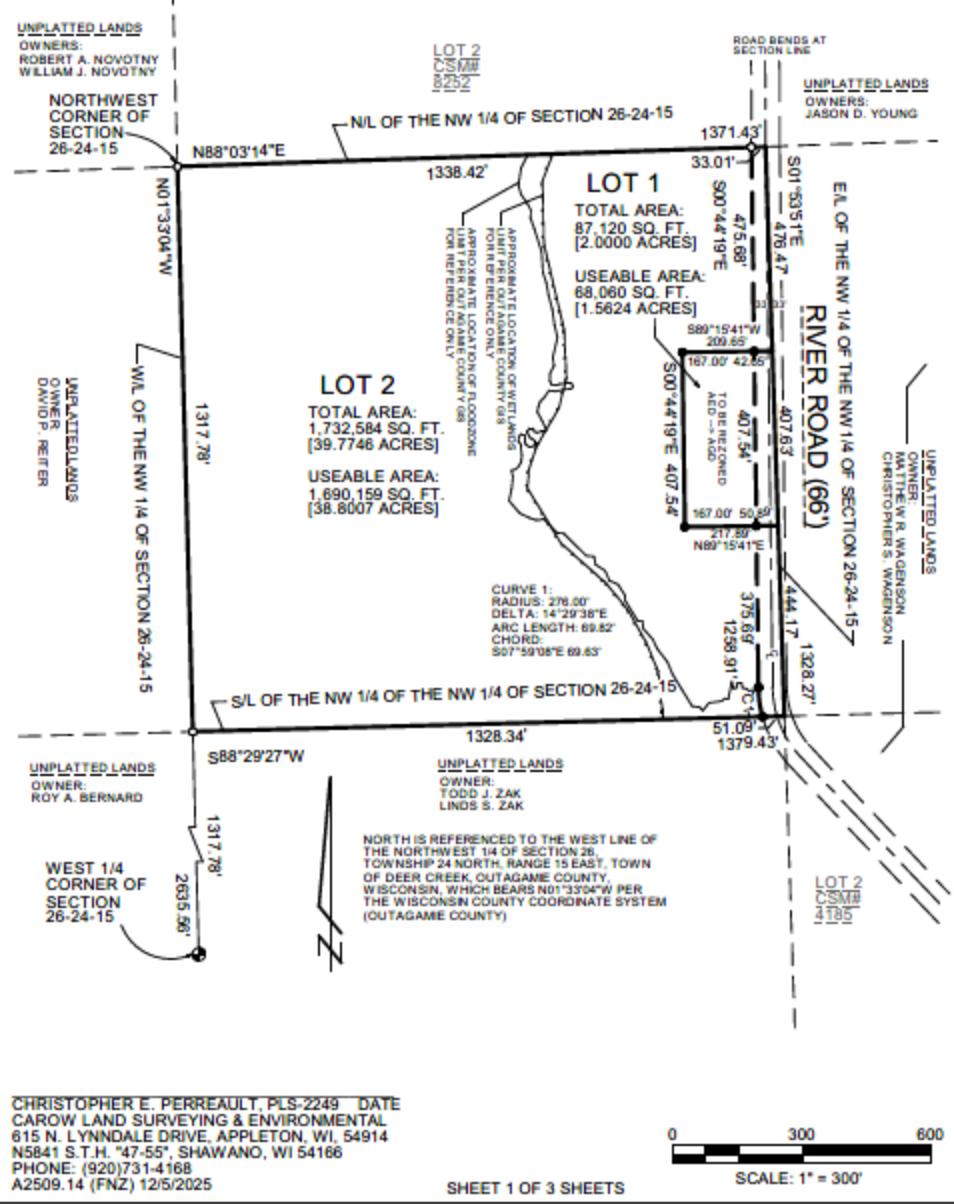
ALL OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26,
TOWNSHIP 24 NORTH, RANGE 15 EAST, TOWN OF DEER CREEK, OUTAGAMIE
COUNTY, WISCONSIN.

LEGEND

- = 1 1/4" X 18" O.D. IRON PIPE SET, WEIGHING 1.68 LBS PER LIN. FT. WITH CAROW LAND SURVEYING CAP
- = EXISTING 3/4" IRON REBAR
- = EXISTING BERNTSEN MONUMENT

NOTES:

- PRIOR TO ANY CONSTRUCTION OR OTHER LAND USE ACTIVITY, ALL BUILDING SETBACKS AND OTHER LAND USE REQUIREMENTS SHOULD BE VERIFIED WITH THE TOWN OF DEER CREEK AND OUTAGAMIE COUNTY.
- FIELD WORK COMPLETED: 11-12-2024
- THIS MAP DOES NOT CONVEY OWNERSHIP OF THE LOT'S HEREOF. THE TRANSFER OF OWNERSHIP REQUIRES A DEED.
- PRIOR TO CONSTRUCTION, A WETLAND DELINEATION MAY BE REQUIRED ON LOT 2 OUTAGAMIE COUNTY CODE OF ORDINANCES, SECTION 48-7(c)(4) WHICH REQUIRES A WETLAND SET BACK OF 10 FT. TO 30 FT., 50 FT., OR 75 FT., DEPENDING ON THE SUSCEPTIBILITY OF THE WETLAND.



CERTIFIED SURVEY MAP NO. _____

ALL OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 15 EAST, TOWN OF DEER CREEK, OUTAGAMIE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, CHRISTOPHER E. PERREAU, PROFESSIONAL WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED ALL OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 15 EAST, TOWN OF DEER CREEK, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 26; THENCE N88°03'14"E, 1371.43 FEET ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 26 TO THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26; THENCE S01°53'51"E, 1328.27 ALONG SAID EAST LINE TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26; THENCE S88°29'27"W, 1379.43 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 26; THENCE N01°33'04"W, 1317.78 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION TODD ZAK, 2261 INDIAN POINT RD., OSHKOSH, WI 54901.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED AND THE DIVISION OF THAT LAND.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCE OF OUTAGAMIE COUNTY.

CHRISTOPHER E. PERREAU, PLS-2249 DATE
CAROW LAND SURVEYING & ENVIRONMENTAL
615 N. LYNNDALE DRIVE, APPLETON, WI, 54914
N5841 S.T.H. "47-55", SHAWANO, WI 54166
PHONE: (920)731-4168
A2509.14 (FNZ) 12/5/2025

NOTES:

- 1) THIS CSM IS ALL OF TAX PARCEL NO.(S): 070047900
- 2) THE PROPERTY OWNER(S) OF RECORD (IS) ARE: TODD J. & LINDA S. ZAK
- 3) THE CSM IS WHOLLY CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENTS: DOCUMENT NO. 1379983

**OUTAGAMIE COUNTY DEPARTMENT OF DEVELOPMENT AND LAND SERVICES
APPROVAL:**

THIS CERTIFIED SURVEY MAP WAS REVIEWED BY THE DEPARTMENT OF DEVELOPMENT AND LAND SERVICES.

SIGNED

DATED

TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LAND INCLUDED ON THIS CERTIFIED SURVEY MAP.

COUNTY TREASURER

DATED

CERTIFIED SURVEY MAP NO.

ALL OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 24 NORTH,
RANGE 15 EAST, TOWN OF DEER CREEK, OUTAGAMIE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE:

AS OWNER (S), I (WE) HEREBY CERTIFY THAT I (WE) CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. I (WE) ALSO CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR 236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: OUTAGAMIE COUNTY.

WITNESS THE HAND AND SEAL OF SAID OWNER (S):

TODD J. ZAK

LINDA S. ZAK

STATE OF _____)
)
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20_____, THE
ABOVE NAMED PERSON (S) TO ME KNOWN TO BE THE PERSON (S) WHO EXECUTED THE
FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES

CHRISTOPHER E. PERREAU, PLS-2249 DATE
CAROW LAND SURVEYING & ENVIRONMENTAL
615 N. LYNNDALE DRIVE, APPLETON, WI, 54914
N5841 S.T.H. "47-55", SHAWANO, WI 54166
PHONE: (920)731-4168
A2509.14 (FNZ) 12/5/2025



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):	
Request:	Rezoning
Applicant or Petitioner Name:	Todd Zak
Applicant Contact Information (Preferred):	(920) 234 7086 or tzak@new.rr.com
Site Parcel Number(s):	070047900
Site Address (if applicable):	River Road
Pre-Application Meeting Number (if applicable):	
Description of the Request: <i>(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)</i>	

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of Deer Creek
 Board held on 11/11/2025, voted to Approve

Craig Lunn
 Clerk Signature

, at a legally convened meeting of the
 the Rezoning request:

11/11/2025
 Date

Motion Outcome by a Vote of:	3	For	0	Against
General Comments/Reasons for the Decision: <i>(See next page for instructions. If needed, you may include additional pages.)</i>	No concerns			

RESOLUTION NO.: 139—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of
2 the I-41 corridor which includes interchanges and overpasses with local roadways. In
3 addition, WisDOT recently revised their cost share policy to allow for federal
4 participation to offset a portion of costs related to the incorporation of Community
5 Sensitive Design (CSD) elements which were formerly required to be entirely funded by
6 the Municipality. This work also includes reconstruction of a portion of WIS 441
7 mainline (ID 1130-65-74) and the I-41/WIS 441 system interchange (ID 1130-65-78).
8 The subject segment of WIS 441 mainline will be reconstructed from CTH OO
9 (Northland Avenue) to I-41, including portions of the CTH OO interchange ramps. The
10 I-41/WIS 441 interchange will be reconstructed which will include the replacement of
11 several bridges. Both projects will include the construction of several new sign structures
12 and retaining walls. Construction is currently scheduled to begin in late 2026.
13 Outagamie County's share is currently estimated to be \$45,730 (\$4,015 ID 1130-65-74,
14 \$41,715 for ID 1130-65-78), for CSD elements and non-participating items and has been
15 funded in previous budgets.

16
17 As shown in the supporting State/Municipal Financial Agreements (SMFAs), Outagamie
18 County will share the total cost of non-participating items with the City of Appleton. This
19 resolution authorizes the Outagamie County Highway Commissioner to enter into a
20 SMFA for this state-let improvement project and to support future funding for the I-41
21 reconstruction project.

22
23 NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste

24 Committee recommend adoption of the following resolution.

25
26 BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the
27 Highway Commissioner to enter into a State/Municipal Financial Agreement for the WIS 441 mainline
28 improvement project, including the I-41/WIS 441 Interchange, as noted on the attached State/Municipal
Financial Agreements for a State-Let Highway Project, which by reference are made a part hereof, and

1 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize
2 funding for the county share of the project costs to be included in future budgets as noted on the attached
3 fiscal note which by reference is made a part hereof, and

4 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
5 of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance
6 Director.

7 Dated this ____ day of January 2026.

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Steve Thiede

Duly and officially adopted by the County Board on:

Signed:

Board Chairperson

County Clerk

Approved: _____

Vetoed: _____

Signed: _____
County Executive

 <p>ORIGINAL STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE – LET HIGHWAY PROJECT</p>	<p>Date: 11/17/2025 ID: 1130-65-74 (Design: 1130-63-01) Road Name: IH 41 Title: Appleton – De Pere Limits: STH 441 Mainline, Northland – IH 41 County: Outagamie Roadway Length: 0.748 Miles</p>
<p>The signatories City of Appleton and 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.</p> <p>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.</p>	
<p>NEEDS AND ESTIMATE SUMMARY:</p> <p>Existing Facility - Describe and give reason for request:</p> <p>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.</p> <p>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.</p> <p>Proposed Improvement – Nature of work:</p> <p><u>1130-65-74 STH 441 Mainline, Northland – IH 41</u> The 1130-65-74 project ID will address the section of STH 441 between Northland Avenue (CTH OO) and IH 41. The Northland Ave. interchange ramps north of Northland Ave. will be reconstructed. New storm sewer will be installed with reconstruction of the travel lanes. Bridge B-44-0128 will be widened. Sign Structures S-44-0405, S-44-0406, and S-44-0408 will be constructed. MUTCD compliant signing and pavement markings will be installed with the project. Street lighting will be added along STH 441.</p> <p>Decorative staining will be applied to the STH 441 bridges over Northland Ave. with CSD funding.</p> <p>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</p>	

SUMMARY OF COSTS									
¹ Phase	Total Est. Cost	Federal/State Funds	%	City of Appleton	%	Outagamie County	%		
Design Engineering	N/A	N/A	100%	\$0.00	0%	\$0.00	0%		
Real Estate Acquisition	N/A	N/A	100%	\$0.00	0%	\$0.00	0%		
Municipal Utility Coordination	N/A	N/A	100%	\$0.00	0%	\$0.00	0%		
²Construction: 1130-65-74									
Category	Description								
1000	Roadway Items	\$11,512,000	\$11,512,000	100%	\$0	0%	\$0	0%	
1130	Lighting	\$489,000	\$489,000	100%	\$0	0%	\$0	0%	
1230	FTMS/ ITS	\$328,000	\$328,000	100%	\$0	0%	\$0	0%	
1420	STH 441, Northland - IH 41 CSD Items ³	\$40,000	\$32,000	80% Max	\$4,000	10%	+BAL	\$4,000	10% +BAL
1630	Local/ Non-Participating Outagamie County	\$15	\$0	0%	\$0	0%	\$15	100%	
1640	Local/ Non-Participating City of Appleton	\$15	\$0	0%	\$15	100%	\$0	0%	
1830	100% State Funded	\$22,000	\$22,000	100%	\$0	0%	\$0	0%	
2000	Structure B-44-0128	\$2,291,000	\$2,291,000	100%	\$0	0%	\$0	0%	
6100	Structure S-44-0405	\$264,000	\$264,000	100%	\$0	0%	\$0	0%	
6110	Structure S-44-0406	\$240,000	\$240,000	100%	\$0	0%	\$0	0%	
6120	Structure S-44-0408	\$251,000	\$251,000	100%	\$0	0%	\$0	0%	
Construction Subtotal		\$15,437,030	\$15,429,000		\$4,015		\$4,015		
Total Est. Cost Distribution		\$15,437,030	\$15,429,000		\$4,015		\$4,015		

¹ Costs shown are estimates only and may be updated as design progresses
² Estimates include construction engineering.
³Community Sensitive Design (CSD) amenities considered to be the preference of the community are funded with 80% federal funding up to a maximum of:
- \$40,900 for STH 441, Northland - IH 41 CSD Items
No state funding is permitted for CSD amenities.
See Item 8 for terms and conditions.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages [3] – [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 either 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 on behalf of the City of Appleton	
Name <small>(print)</small>	Title
Signature	Date
Signed for and on behalf of Outagamie County	
Name <small>(print)</small>	Title
Signature	Date
Signed for and on behalf of the State	
Name <small>(print)</small>	Title
Signature	Date

(please sign in blue ink)

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.
- (k) Eligible Community Sensitive Design (CSD) amenities considered to be the preference of the community, not to exceed CSD funding limit for 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.
- (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 with state and federal regulations.
- (h) 20% of costs of eligible Community Sensitive Design (CSD) amenities considered to be the preference of the community up to the CSD funding limit for the project, plus 100% of costs of eligible CSD amenities in excess of the CSD funding limit for the project.

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:

Design Engineering, Real Estate Acquisition, Utility Coordination:

The State will pay 100% of the cost for design engineering, real estate acquisition, and utility coordination.

Costs for design engineering, real estate acquisition, and utility coordination are shown as not applicable (N/A) in the summary of costs table due to the complexities of isolating individual Let Project costs from the Appleton-Green Bay corridor wide design ID (1130-63-01) and this information is not relevant to the municipal construction cost share.

Construction ID: 1130-65-74

The Project Agreement will be revised, if necessary, as the project progresses. All costs shown are approximate and subject to final audit. All costs include construction engineering.

Category 1000 – Roadway Items

The State will pay 100% of the construction costs under Category 1000 – Roadway Items unless otherwise noted.

Category 1130 – Lighting

The State will pay 100% of the construction costs under Category 1130 – Lighting (standard WisDOT Lighting) unless otherwise noted.

Category 1230 – FTMS / ITS

The State will pay 100% of the construction costs under Category 1230 – FTMS / ITS unless otherwise noted.

Category 1420 – STH 441, Northland – IH 41 CSD Items

CSD amenities are funded with 80% Federal funding up to a maximum of \$40,900 when the Municipality agrees to provide the remaining 20% and any funds in excess of the CSD funding limit.

STH 441, Northland – IH 41 CSD Items requested by the municipality and included in this project:

- Staining Structure B-44-0127 (STH 441 NB Overpass)- \$18,000
- Staining Structure B-44-0128 (STH 441 SB Overpass) - \$22,000

Category 1420 – STH 441, Northland – IH 41 CSD Items costs are estimated to be \$40,000

Category 1420 – STH 441, Northland – IH 41 CSD Items category funding limit = \$51,125

Cost in excess of CSD amenities funding limit shall be the responsibility of the Municipality.

The State will pay 80% of the construction cost up to the federal CSD funding limit. The city of Appleton will pay 10% of the construction cost, and Outagamie County will pay 10% of the construction cost of Category 1420 – STH 441, Northland – IH 41 CSD Items and split any cost in excess of the federal CSD funding limit at 50% each.

CSD funding is governed by Wis. Stat. 85.0205. The department will regularly review the total CSD funding on this and any associated improvement projects to ensure total CSD funding does not exceed statutory limits. If at any point CSD funding exceeds statutory limits, the department will notify the Municipality of any adjustments to CSD funding that may be required to remain in compliance with state statutes.

Category 1630 – Local/ Non-Participating 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.

Local/ Non-Participating Outagamie County costs are estimated to be \$15

Items requested by the municipality and included in this project:

- 1 ton of Base Aggregate Dense

Outagamie County will pay 100% of the construction cost under Category 1630 – Local/ Non-Participating Outagamie County unless otherwise noted.

Category 1640 – Local/ Non-Participating City of Appleton

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.

Local/ Non-Participating City of Appleton costs are estimated to be \$15

Items requested by the municipality and included in this project:

- 1 ton of Base Aggregate Dense

The City of Appleton will pay 100% of the construction cost under Category 1640 – Local/ Non-Participating City of Appleton.

Category 1830 – 100% State Funded

The State will pay 100% of the construction costs under Category 1830 – 100% State Funded Items unless otherwise noted.

Category 2000 – Structure B-44-0128

The State will pay 100% of the construction costs under Category 2000 – Structure B-44-0128 unless otherwise noted

Category 6100 – Structure S-44-0405

The State will pay 100% of the construction costs under Category 6100 – Structure S-44-0405 unless otherwise noted.

Category 6110 – Structure S-44-0406

The State will pay 100% of the construction costs under Category 6110 – Structure S-44-0406 unless otherwise noted.

Category 6120 – Structure S-44-0408

The State will pay 100% of the construction costs under Category 6120 – Structure S-44-0408 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 to enter into a State Municipal Financial Agreement for I-41 reconstruction 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 Wisconsin Department of Transportation is reconstructing STH 441 mainline from Northland Avenue (CTH OO) to I-41 and has revised their cost share policy to allow for federal participation to offset a portion of costs related to the incorporation of Community Sensitive Design elements, which were required to be funded fully by the municipality. Outagamie County will share the total cost of non-participating items with the City of Appleton. Outagamie County's share is currently estimated to be \$4,000 for CSD and non-participating items.

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 () 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 ()

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 Included in budget	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: Richard Hammen

For Financial Services purposes only		
Reviewed By: <i>Michelle Uitenbroek</i>	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:	
	<u>Detail Expenditure Account Number</u> _____	
DATE: 12/19/25	<u>Amount</u> _____	
Comments:		

 <p>ORIGINAL STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE – LET HIGHWAY PROJECT</p>	<p>Date: 11/17/2025 ID: 1130-65-78 (Design: 1130-63-01) Road Name: IH 41 Title: Appleton – De Pere Limits: STH 441 Intchg Fill & Structures County: Outagamie Roadway Length: .894 Miles</p>
<p>The signatories City of Appleton and 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.</p> <p>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.</p>	
<p>NEEDS AND ESTIMATE SUMMARY:</p> <p>Existing Facility - Describe and give reason for request:</p> <p>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.</p> <p>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.</p> <p>Proposed Improvement – Nature of work:</p> <p><u>1130-65-78 STH 441 Interchange Fill & Structures</u> The 1130-65-78 project ID will address the 0.894 miles of the 23-mile IH 41 project. The IH 41 and STH 441 Interchange will be reconstructed. New storm sewer will be installed with reconstruction of the travel lanes. Bridges B-44-0326 and B-44-0327 will be constructed. Retaining Walls R-44-0042, R-44-0045, and R-44-0047 will be constructed. Sign Structures S-44-0375, S-44-0377, and S-44-0409 will be constructed. MUTCD compliant signing and pavement markings will be installed with the project. Street lighting will be added at the IH 41 and STH 441 interchange. Decorative staining will be applied to the structures B-44-0326, B-44-0327, S-44-0375, S-44-0377, and S-44-0409 with CSD funding.</p> <p>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</p>	

SUMMARY OF COSTS								
Phase	Total Est. Cost	Federal/State Funds	%	City of Appleton	%	Outagamie County	%	
Design Engineering	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
Real Estate Acquisition	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
Municipal Utility Coordination	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
² Construction: 1130-65-78								
Category	Description							
1000	Roadway Items	\$13,741,000	\$13,741,000	100%	\$0	0%	\$0	0%
1140	Lighting	\$385,000	\$385,000	100%	\$0	0%	\$0	0%
1430	STH 441 Intchg CSD Items ³	\$417,000	\$333,600	80% Max	\$41,700	10% +BAL	\$41,700	10% +BAL
1650	Local/ Non Participating, Outagamie County	\$15	\$0	0%	\$0	0%	\$15	100%
1660	Local/ Non Participating, City of Appleton	\$15	\$0	0%	\$15	100%	\$0	0%
1840	100% State Funded	\$22,000	\$22,000	100%	\$0	0%	\$0	0%
2010	Structure B-44-0326	\$13,282,000	\$13,282,000	100%	\$0	0%	\$0	0%
2020	Structure B-44-0327	\$30,245,000	\$30,245,000	100%	\$0	0%	\$0	0%
4020	Structure R-44-0042	\$2,913,000	\$2,913,000	100%	\$0	0%	\$0	0%
4030	Structure R-44-0045	\$2,703,000	\$2,703,000	100%	\$0	0%	\$0	0%
4040	Structure R-44-0047	\$583,000	\$583,000	100%	\$0	0%	\$0	0%
6130	Structure S-44-0375	\$43,000	\$43,000	100%	\$0	0%	\$0	0%
6140	Structure S-44-0377	\$275,000	\$275,000	100%	\$0	0%	\$0	0%
6150	Structure S-44-0409	\$91,000	\$91,000	100%	\$0	0%	\$0	0%
Construction Subtotal	\$64,700,030	\$64,616,600		\$41,715		\$41,715		
Total Est. Cost Distribution	\$64,700,030	\$64,616,600		\$41,715		\$41,715		

¹ Costs shown are estimates only and may be updated as design progresses
² Estimates include construction engineering.
³ Community Sensitive Design (CSD) amenities considered to be the preference of the community are funded with 80% federal funding up to a maximum of:
- \$426,730 for STH 441 Intchg CSD Items
No state funding is permitted for CSD amenities.
See Item 8 for terms and conditions.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages [3] – [7]); 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 either 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 on behalf of the City of Appleton

Name <small>(print)</small>	Title
Signature	Date
Signed for and on behalf of Outagamie County	
Name <small>(print)</small>	Title
Signature	Date
Signed for and on behalf of the State	
Name <small>(print)</small>	Title
Signature	Date

(please sign in blue ink)

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.
- (k) Eligible Community Sensitive Design (CSD) amenities considered to be the preference of the community, not to exceed CSD funding limit for 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.
- (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 with state and federal regulations.
- (h) 20% of costs of eligible Community Sensitive Design (CSD) amenities considered to be the preference of the community up to the CSD funding limit for the project, plus 100% of costs of eligible CSD amenities in excess of the CSD funding limit for the project.

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:

Design Engineering, Real Estate Acquisition, Utility Coordination:

The State will pay 100% of the cost for design engineering, real estate acquisition, and utility coordination.

Costs for design engineering, real estate acquisition, and utility coordination are shown as not applicable (N/A) in the summary of costs table due to the complexities of isolating individual Let Project costs from the Appleton-Green Bay corridor wide design ID (1130-63-01) and this information is not relevant to the municipal construction cost share.

Construction ID: 1130-65-78

The Project Agreement will be revised, if necessary, as the project progresses. All costs shown are approximate and subject to final audit. All costs include construction engineering.

Category 1000 – Roadway Items

The State will pay 100% of the construction costs under Category 1000 – Roadway Items unless otherwise noted.

Category 1140 – Lighting

The State will pay 100% of the construction costs under Category 1140 – Lighting (standard WisDOT Lighting) unless otherwise noted.

Category 1430 – STH 441 Intchg CSD Items

CSD amenities are funded with 80% Federal funding up to a maximum of \$426,730 when the Municipality agrees to provide the remaining 20% and any funds in excess of the CSD funding limit.

STH 441 Intchg CSD Items requested by the municipality and included in this project:

- Staining Structure B-44-0326 (NB 441 to SB 41 Overpass)- \$83,000
- Staining Structure B-44-0327 (SB 41 to SB 441 Overpass) - \$256,000
- Staining Structure R-44-0042 - \$51,000
- Staining Structure R-44-0045 - \$24,000
- Staining Structure R-44-0047 - \$2,000

Category 1430 – STH 441 Intchg CSD Items costs are estimated to be \$417,000

Category 1430 – STH 441 Intchg CSD Items category funding limit = \$533,413

Cost in excess of CSD amenities funding limit shall be the responsibility of the Municipality.

The State will pay 80% of the construction cost up to the federal CSD funding limit. The city of Appleton will pay 10% of the construction cost, and Outagamie County will pay 10% of the construction cost of Category 1430 – STH 441 Intchg CSD Items and split any cost in excess of the federal CSD funding limit at 50% each.

CSD funding is governed by Wis. Stat. 85.0205. The department will regularly review the total CSD funding on this and any associated improvement projects to ensure total CSD funding does not exceed statutory limits. If at any point CSD funding exceeds statutory limits, the department will notify the Municipality of any adjustments to CSD funding that may be required to remain in compliance with state statutes.

Category 1650 – Local/ Non-Participating 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.

Local/ Non-Participating Outagamie County costs are estimated to be \$15

Items requested by the municipality and included in this project:

- 1 ton of Base Aggregate Dense

Outagamie County will pay 100% of the construction cost under Category 1650 – Local/ Non-Participating Outagamie County unless otherwise noted.

Category 1660 – Local/ Non-Participating City of Appleton

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.

Local/ Non-Participating Outagamie City of Appleton costs are estimated to be \$15

Items requested by the municipality and included in this project:

- 1 ton of Base Aggregate Dense

The city of Appleton will pay 100% of the construction cost under Category 1660 – Local/ Non-Participating City of Appleton **unless** otherwise noted.

Category 1840 – 100% State Funded

The State will pay 100% of the construction costs under Category 1840 – 100% State Funded Items unless otherwise noted.

Category 2010 – Structure B-44-0326

The State will pay 100% of the construction costs under Category 2010 – Structure B-44-0326 unless otherwise noted

Category 2020 – Structure B-44-0327

The State will pay 100% of the construction costs under Category 2020 – Structure B-44-0327 unless otherwise noted

Category 4020 – Structure R-44-0042

The State will pay 100% of the construction costs under Category 4020 – Structure R-44-0042 unless otherwise noted

Category 4030 – Structure R-44-0045

The State will pay 100% of the construction costs under Category 4030 – Structure R-44-0045 unless otherwise noted

Category 4040 – Structure R-44-0047

The State will pay 100% of the construction costs under Category 4040 – Structure R-44-0047 unless otherwise noted

Category 6130 – Structure S-44-0375

The State will pay 100% of the construction costs under Category 6130 – Structure S-44-0375 unless otherwise noted.

Category 6140 – Structure S-44-0377

The State will pay 100% of the construction costs under Category 6140 – Structure S-44-0377 unless otherwise noted.

Category 6150 – Structure S-44-0409

The State will pay 100% of the construction costs under Category 6150 – Structure S-44-0409 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 to enter into a State Municipal Financial Agreement for I-41 reconstruction 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 Wisconsin Department of Transportation is reconstructing the I-41 and STH 441 Interchange and has revised their cost share policy to allow for federal participation to offset a portion of costs related to the incorporation of Community Sensitive Design elements, which were required to be funded fully by the municipality. Outagamie County will share the total cost of non-participating items with the City of Appleton. Outagamie County's share is currently estimated to be \$41,700 for CSD and non-participating items.

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 () 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 ()

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
Included in budget			

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: Richard Hammen

For Financial Services purposes only	
Reviewed By: <i>Michelle Uitenbroek</i>	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: <u>Detail Expenditure Account Number</u> <u>Amount</u>
DATE: 12/19/25	
Comments:	

RESOLUTION NO.: 140—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of
2 the I-41 corridor which includes interchanges and overpasses with local roadways. In
3 addition, WisDOT recently revised their cost share policy to allow for federal
4 participation to offset a portion of costs related to the incorporation of Community
5 Sensitive Design (CSD) elements which were formerly required to be entirely funded by
6 the Municipality. The subject segment of I-41 mainline will be reconstructed from
7 Meade Street to CTH E (Ballard Road). I-41 will be reconstructed to a six-lane facility
8 with auxiliary lanes constructed between WIS 47 and County E. Several bridges will be
9 replaced along with the construction of several sign structures, retaining walls, and noise
10 walls. Construction is currently scheduled to begin in late 2026. Outagamie County's
11 share is currently estimated to be \$3,015 for CSD elements and non-participating items
12 and has been funded in previous budgets.

13
14 As shown in the supporting State/Municipal Financial Agreement (SMFA), Outagamie
15 County will share the total cost of non-participating items with the City of Appleton.
16 This resolution authorizes the Outagamie County Highway Commissioner to enter into a
17 SMFA for this state-let improvement project and to support future funding for the I-41
18 reconstruction project.

19
20 NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste

21 Committee recommend adoption of the following resolution.

22 BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the
23 Highway Commissioner to enter into a State/Municipal Financial Agreement for the associated I-41
24 mainline improvement project as noted on the attached State/Municipal Financial Agreement for a State-
25 Let Highway Project, which by reference is made a part hereof, and

26 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize
27 funding for the county share of the project costs to be included in future budgets as noted on the attached
28 fiscal note which by reference is made a part hereof, and

Resolution No. 140—2025-26

Page 2

1 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
2 of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance
3 Director.

4 Dated this ____ day of January 2026.

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Steve Thiede

Duly and officially adopted by the County Board on: _____

Signed:

Board Chairperson

County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive

 <p>ORIGINAL STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE – LET HIGHWAY PROJECT</p>	<p>Date: 11/14/2025 ID: 1130-65-71 (Design: 1130-63-01) Road Name: IH 41 Title: Appleton – De Pere Limits: IH 41 Mainline, Meade St – Ballard Rd County: Outagamie Roadway Length: 1.136 Miles</p>
<p>The signatories City of Appleton and 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.</p> <p>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.</p>	
<p>NEEDS AND ESTIMATE SUMMARY:</p> <p>Existing Facility - Describe and give reason for request:</p> <p>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.</p> <p>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.</p> <p>Proposed Improvement – Nature of work:</p> <p><u>1130-65-71 IH 41 Mainline, Meade Street to Ballard Road</u> The 1130-65-71 project ID will address the 1.136 miles of the 23-mile IH 41 project between Meade Street and Ballard Road (CTH E). IH 41 will be reconstructed with three northbound and three southbound travel lanes. Auxiliary lanes will be constructed between STH 47 and Ballard Road (CTH E). The Ballard Road (CTH E) interchange is be reconstructed under project ID 1130-65-76. New storm sewer will be installed with reconstruction of the travel lanes. Sign Structures S-44-0365, S-44-0366, and S-44-0368 will be constructed. Retaining walls R-44-0070 and R-44-0071 will be constructed. Noise wall N-44-0017 will be constructed. MUTCD compliant signing and pavement markings will be installed with the project. Street lighting will be added along IH 41. Decorative staining will be applied to the retaining wall built with project ID 1130-65-71 with CSD funding.</p> <p>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 to add City of Appleton Intelligent Transportation Systems (ITS) elements near the Meade Street overpass and address any unanticipated non-participating needs during construction.</p>	

SUMMARY OF COSTS								
Phase	Total Est. Cost	Federal/State Funds	%	City of Appleton	%	Outagamie County	%	
Design Engineering	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
Real Estate Acquisition	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
Municipal Utility Coordination	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
Construction: 1130-65-71								
Category	Description							
1000	Roadway Items	\$27,744,000	\$27,744,000	100%	\$0	0%	\$0	0%
1100	Lighting	\$483,000	\$483,000	100%	\$0	0%	\$0	0%
1200	FTMS/ ITS	\$213,000	\$213,000	100%	\$0	0%	\$0	0%
1410	IH 41, Meade to Ballard CSD Items ³	\$30,000	\$24,000	80% Max	\$3,000	10% +BAL	\$3,000	10% +BAL
1600	Local/ Non Participating, Outagamie County	\$15	\$0	0%	\$0	0%	\$15	100%
1610	Local/ Non Participating, City of Appleton	\$35,000	\$0	0%	\$35,000	100%	\$0	0%
1800	100% State Funded	\$22,000	\$22,000	100%	\$0	0%	\$0	0%
3000	Structure C-44-0148	\$972,000	\$972,000	100%	\$0	0%	\$0	0%
4000	Structure R-44-0070	\$1,035,000	\$1,035,000	100%	\$0	0%	\$0	0%
4010	Structure R-44-0071	\$103,000	\$103,000	100%	\$0	0%	\$0	0%
5000	Structure N-44-0017	\$7,590,000	\$7,590,000	100%	\$0	0%	\$0	0%
6000	Structure S-44-0365	\$262,000	\$262,000	100%	\$0	0%	\$0	0%
6010	Structure S-44-0366	\$331,000	\$331,000	100%	\$0	0%	\$0	0%
6020	Structure S-44-0368	\$260,000	\$260,000	100%	\$0	0%	\$0	0%
Construction Subtotal		\$39,080,015	\$39,039,000		\$36,000		\$3,015	
Total Est. Cost Distribution		\$39,080,015	\$39,039,000		\$36,000		\$3,015	

¹ Costs shown are estimates only and may be updated as design progresses
² Estimates include construction engineering.
³ Community Sensitive Design (CSD) amenities considered to be the preference of the community are funded with 80% federal funding up to a maximum of:
- \$30,700 for IH 41, Meade to Ballard CSD Items
No state funding is permitted for CSD amenities.
See Item 8 for terms and conditions.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages [3] – [7]); 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 on behalf of the City of Appleton	
Name <small>(print)</small>	Title
Signature	Date
Signed for and on behalf of Outagamie County	
Name <small>(print)</small>	Title
Signature	Date
Signed for and on behalf of the State	
Name <small>(print)</small>	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.
- (k) Eligible Community Sensitive Design (CSD) amenities considered to be the preference of the community, not to exceed CSD funding limit for 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.
- (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 with state and federal regulations.
- (h) 20% of costs of eligible Community Sensitive Design (CSD) amenities considered to be the preference of the community up to the CSD funding limit for the project, plus 100% of costs of eligible CSD amenities in excess of the CSD funding limit for the project.

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:

Design Engineering, Real Estate Acquisition, Utility Coordination:

The State will pay 100% of the cost for design engineering, real estate acquisition, and utility coordination.

Costs for design engineering, real estate acquisition, and utility coordination are shown as not applicable (N/A) in the summary of costs table due to the complexities of isolating individual Let Project costs from the Appleton-Green Bay corridor wide design ID (1130-63-01) and this information is not relevant to the municipal construction cost share.

Construction ID: 1130-65-71

The Project Agreement will be revised, if necessary, as the project progresses. All costs shown are approximate and subject to final audit. All costs include construction engineering.

Category 1000 – Roadway Items

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 (standard WisDOT Lighting) unless otherwise noted.

Category 1200 – FTMS / ITS

The State will pay 100% of the construction costs under Category 1200 – FTMS / ITS unless otherwise noted.

Category 1410 – IH 41, Meade to Ballard CSD Items

CSD amenities are funded with 80% Federal funding up to a maximum of \$30,700 when the Municipality agrees to provide the remaining 20% and any funds in excess of the CSD funding limit.

IH 41, Meade to Ballard CSD Items requested by the municipality and included in this project:

- Staining Structure R-44-0070 (Meade Street Overpass)- \$15,000
- Staining Structure R-44-0071 (Meade Street Overpass) - \$15,000

Category 1410 – IH 41, Meade to Ballard CSD Items costs are estimated to be \$30,000

Category 1410 – IH 41, Meade to Ballard CSD Items category funding limit = \$38,375

Cost in excess of CSD amenities funding limit shall be the responsibility of the Municipality.

The State will pay 80% of the construction cost up to the federal CSD funding limit. The city of Appleton will pay 10% of the construction cost, and Outagamie County will pay 10% of the construction cost of Category 1410 – IH 41, Meade to Ballard Items and split any cost in excess of the federal CSD funding limit at 50% each.

CSD funding is governed by Wis. Stat. 85.0205. The department will regularly review the total CSD funding on this and any associated improvement projects to ensure total CSD funding does not exceed statutory limits. If at any point CSD funding exceeds statutory limits, the department will notify the Municipality of any adjustments to CSD funding that may be required to remain in compliance with state statutes.

Category 1600 – Local/ Non-Participating 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.

Local/ Non-Participating Outagamie County costs are estimated to be \$15

Items requested by the municipality and included in this project:

- 1 ton of Base Aggregate Dense

Outagamie County will pay 100% of the construction cost under Category 1600 – Local/ Non-Participating Outagamie County unless otherwise noted.

Category 1610 – Local/ Non-Participating City of Appleton

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.

Estimated City of Appleton costs are \$35,000 for ITS items placed at Meade Street.

The City of Appleton will pay 100% of the construction cost under Category 1610 – Local/ Non-Participating City of Appleton.

Category 1800 – 100% State Funded

The State will pay 100% of the construction costs under Category 1800 – 100% State Funded Items unless otherwise noted.

Category 3000 – Structure C-44-0146

The State will pay 100% of the construction costs under Category 3000 – Structure C-44-0146 unless otherwise noted.

Category 4000 – Structure R-44-0070

The State will pay 100% of the construction costs under Category 4000 – Structure R-44-0070 unless otherwise noted.

Category 4010 – Structure R-44-0071

The State will pay 100% of the construction costs under Category 4010 – Structure R-44-0071 unless otherwise noted.

Category 5000 – Structure N-44-0017

The State will pay 100% of the construction costs under Category 5000 – Structure N-44-0017 unless otherwise noted.

Category 6000 – Structure S-44-0365

The State will pay 100% of the construction costs under Category 6000 – Structure S-44-0365 unless otherwise noted.

Category 6010 – Structure S-44-0366

The State will pay 100% of the construction costs under Category 6010 – Structure S-44-0366 unless otherwise noted.

Category 6020 – Structure S-44-0368

The State will pay 100% of the construction costs under Category 6020 – Structure S-44-0368 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 to enter into a State Municipal Financial Agreement for I-41 reconstruction 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 Wisconsin Department of Transportation is reconstructing I-41 mainline from Meade Street to Ballard Road and has revised their cost share policy to allow for federal participation to offset a portion of costs related to the incorporation of Community Sensitive Design elements, which were required to be funded fully by the municipality. Outagamie County will share the total cost of non-participating items with the City of Appleton. Outagamie County's share is currently estimated to be \$3,000 for CSD and non-participating items.

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 () 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 ()

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 Included in budget	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: Richard Hammen

For Financial Services purposes only		
Reviewed By: <i>Michelle Uitenbroek</i>	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: <u>Detail Expenditure Account Number</u> <u>Amount</u>	
DATE: 12/19/25		
Comments:		

RESOLUTION NO.: 141—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Highway Department submitted an application for Highway Safety Improvement
2 Program (HSIP) funds and was approved for 90% federal funding for the CTH S & CTH
3 U intersection improvement project. The project includes replacing the existing two-way
4 stop-controlled intersection with a single lane roundabout. The proposed project cost is
5 currently estimated to be \$3,540,747, of which \$3,186,673 in federal funds have been
6 approved. Outagamie County's share is estimated to be \$354,074. Estimated costs cover
7 design, construction, and state review with construction currently scheduled for State
8 Fiscal Year 2031. The county share of the project costs are anticipated to be funded in
9 future budgets.

10 This resolution authorizes the Outagamie County Highway Commissioner to enter into a
11 State/Municipal Agreement for the project and to support future funding of the CTH S &
12 CTH U intersection improvement project.

13 **NOW THEREFORE**, the undersigned members of the Highway, Recycling and Solid Waste

14 Committee recommend adoption of the following resolution.

15 **BE IT RESOLVED**, that the Outagamie County Board of Supervisors does authorize the
16 Highway Commissioner to enter into a State/Municipal Agreement for the CTH S & CTH U intersection
17 project, as noted on the attached State/Municipal Agreement for a State-Let Highway Safety
18 Improvement Program (HSIP) Project document which by reference is made a part hereof, and

19 **BE IT FURTHER RESOLVED**, that the Outagamie County Board of Supervisors does authorize
20 funding for the county share of the project costs to be included in future budgets as noted on the attached
21 fiscal note which by reference is made a part hereof, and

22 **BE IT FINALLY RESOLVED**, that the Outagamie County Clerk be directed to forward a copy
23 of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance
24 Director.

25 Dated this ____ day of January 2026.

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6 Respectfully Submitted,
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 Joy Hagen

 Daniel Nejedlo
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19 Jason Wegand

 Dennis Clegg
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24 Steve Thiede

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27 Duly and officially adopted by the County Board on: _____
28
29
30 Signed: _____

 Board Chairperson _____

 County Clerk
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34 Approved: _____ Vetoed: _____
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37 Signed: _____

 County Executive

Docusign Envelope ID: 562658B7-9261-4AB5-B959-72B6890746C9

STATE/MUNICIPAL AGREEMENT FOR A STATE- LET HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) PROJECT	Date: 11/18/2025 I.D.: 6037-05-00/70 Road Name: CTH S Limits: CTH U Intersection County: Outagamie Roadway Length: 0.107 miles Functional Classification: Major Collector Project Sponsor: Outagamie County
Program Name: HSIP PROGRAM Sub-program #: 206 Cycle: 2026-2029	

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 – The existing intersection of CTH S and CTH U is a two-way stop-controlled intersection with free flow traffic moving east and west along CTH S. CTH U is stop controlled with both northbound and southbound having stop sides on both sides of the road, one of which is a flashing red stop sign. Over the five-year period from 2020-2024, a total of nineteen crashes occurred at this intersection, resulting in seven injuries. Fourteen of these crashes were angle crashes and seventeen were caused by failure to yield or failure to stop on CTH U.

Proposed Improvement - Nature of work: The proposed improvement includes constructing a single lane roundabout at the intersection.

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 2026-2029 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 2031. In accordance with the State's sunset policy for HSIP projects, the subject 2026-2029 HSIP improvement must be completed by June 30, 2035. Extensions may be available upon approval of a written request by or on behalf of the Municipality to State.

Docusign Envelope ID: 562658B7-9261-4AB5-B959-72B6890746C9

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 **\$3,186,673** 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 6037-05-00					
Design	\$412,300	\$371,070	90%	\$41,230	10%+BAL
State Review	\$10,000	\$9,000	90%	\$1,000	10%+BAL
<i>Subtotal 6037-05-00:</i>	\$422,300	\$380,070	CAP	\$42,230	BAL
ID 6037-05-70					
Participating Construction	\$2,860,447	\$2,574,403	90%	\$286,044	10%+BAL
State Review	\$15,000	\$13,500	90%	\$1,500	10%+BAL
Construction Engineering	\$243,000	\$218,700	90%	\$24,300	10%+BAL
Non-Participating Construction	\$0	\$0	0%	\$0	100%
<i>Subtotal 6037-05-70:</i>	\$3,118,447	\$2,806,603	CAP	\$311,844	BAL
Total Est. Cost Distribution	\$3,540,747	\$3,186,673	MAX*	\$354,074	N/A

*Design ID# **6037-05-00** federal funding is limited to **\$380,070**.

*Construction ID# **6037-05-70** federal funding is limited to **\$2,806,603**.

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 either 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**

Name	Title	Date
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Signed for and on behalf of the State:

Name	Title	Date
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Docusign Envelope ID: 562658B7-9261-4AB5-B959-72B6890746C9

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 2026-2029 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).

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- 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 2026-2029 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,

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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 2026-2029 HSIP improvement must be let by June 30, 2035.** 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, 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

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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 be 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.

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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 2026-2029 HSIP project funding conditions:
 - a. ID 6037-05-00: Design is funded with 90% federal funding up to a funding limit of **\$380,070** when the Municipality agrees to provide the remaining 10% and any funds in excess of the **\$380,070** 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 6037-05-70: Construction:
 - i. Costs for roadway reconstruction are funded with 90% federal funding up to a funding limit of **\$2,806,603** when the Municipality agrees to provide the remaining 10%, and any funds in excess of the **\$2,806,603** 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.


Certificate Of Completion

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 Document Pages: 7 Signatures: 0 Envelope Originator:
 Certificate Pages: 6 Initials: 0 KELSEY LORENZ
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Security Level: Email, Account Authentication (None)		

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Accepted: 11/4/2025 8:16:02 AM
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Scott Nelson
 Scott.nelson@dot.wi.gov
 Security Level: Email, Account Authentication
(None)

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Joe Zellmer
 joseph.zellmer@outagamie.org
 Highway Engineer
 Security Level: Email, Account Authentication
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Bri Bohrtz
 bri.bohrtz@dot.wi.gov
 Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:

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Curtis Riedy curtis.riedy@outagamie.org Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Accepted: 11/4/2025 8:16:02 AM ID: 52d3fa76-2cbd-4a64-a6ef-24688ed215c6		
Jeanette Nelson jeanette.nelson@dot.wi.gov Security Level: Email, Account Authentication (None)		
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Joe Zellmer joseph.zellmer@outagamie.org Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Accepted: 11/28/2023 10:49:58 AM ID: 8df3c7ca-c596-416d-b560-7c0550343c0d		
Kathryn Scharping kathryn.scharping@dot.wi.gov Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
KELSEY LORENZ kelsey.lorenz@dot.wi.gov Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Mike Cohen michael.cohen@dot.wi.gov Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Accepted: 10/30/2025 8:40:55 AM ID: 70d71e86-422b-4e2f-bdf1-bf493b853101		
Scott Nelson scott.nelson@dot.wi.gov Security Level: Email, Account Authentication (None)		
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Parties agreed to: Curtis Riedy, Joe Zellmer, Curtis Riedy, Jeanette Nelson, Joe Zellmer, Mike Cohen

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Wisconsin Department of Transportation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: david.esse@dot.wi.gov

To advise Wisconsin Department of Transportation of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at david.esse@dot.wi.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

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To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to david.esse@dot.wi.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Wisconsin Department of Transportation

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to david.esse@dot.wi.gov and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERs):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
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- Until or unless I notify Wisconsin Department of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Wisconsin Department of Transportation during the course of my relationship with you.

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 enter into a State/Municipal Agreement for the CTH S and CTH U intersection improvement project and future funding support.

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 Program (HSIP) funds and was approved for 90% federal funding for the CTH S & CTH U intersection improvement project. The project includes replacing the existing two-way stop-controlled intersection with a single lane roundabout. Outagamie County's share is estimated to be \$354,074. Estimated costs cover design, construction, and state review.

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 () 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 ()

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
Future Budget			

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: Richard Hammern

For Financial Services purposes only	
Reviewed By: <i>Michelle Uitenbroek</i>	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: <u>Detail Expenditure Account Number</u> <u>Amount</u>
DATE: 12/19/25	
Comments:	

RESOLUTION NO.: 142—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

2/3 MAJORITY – 24 VOTES

1 The Parks Department is focused on improving operational efficiency by working both
2 independently and with partners to activate the capital investments through expanded and
3 enhanced programming. Currently, the department uses a variety of software systems that
4 include rental management, fleet management, payment processing, and public
5 engagement. To streamline operations and better position the department for future needs,
6 the department is evaluating an integrated software platform that would combine all these
7 processes into a single platform. This platform would also support additional future needs
8 including league management, campground management (CIP item), and usage tracking.
9 Consolidation to a unified system is expected to reduce fees, improve operational
10 efficiency, and deliver a more seamless and user-friendly experience for the public.
11

12 This resolution approves increasing the Parks Department Fees line item and Purchased
13 Services line item by \$34,000 each for the purchase of a Recreational Management
14 Software program for the Parks Department.
15

16 NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and
17 Economic Development Committee recommend adoption of the following resolution.
18

19 BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve increasing the
20 Plamann Park Rec Fees Misc line item and the Plamann Park Purchased Services IT Maintenance Contract
21 line item by \$34,000 each, said monies to be used for the purchase of a Recreational Management Software
22 program for the Parks Department as noted on the attached fiscal note, which by reference is made a part
23 hereof, and
24

25 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of
26 this resolution to the Outagamie County Parks Director and the Outagamie County Finance Director.
27
28
29
30
31

Dated this _____ day of January 2026.

Respectfully Submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jason Winterfeldt

Duly and officially adopted by the County Board on: _____

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 (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: Parks Department is requesting approval to adjust their budget acquire recreation management software

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 Parks Department is working to operate more efficiently and is working both independently and with partners to activate the capital investments made through programming. We currently operate a variety of software systems that include rental management, fleet management, payment processing, public engagement, etc. We are looking at a software suite that will combine all of these processes into a single platform and also achieve future needs such as league management, campground management (CIP item), use tracking, etc. In conjunction with consolidating to a single platform, we will cut fees and be able to offer a better user experience.

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 (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 () 2026 Budget
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
Plamann Park	Rec Fees Misc	1006200.4310.02	34,000
Plamann Park	Purchased services IT Maintenance Contract	1006200.5575.13	34,000

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 0

Fiscal Note Prepared by: Justin Schumacher

For Financial Services purposes only	
Reviewed By: <i>Michelle Uitenbroek</i>	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: 12/23/25
Comments: _____	

RESOLUTION NO.: 143—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Outagamie County, Wisconsin hereinafter referred to as the sponsor, being a municipal
2 body corporate of the State of Wisconsin, is authorized by Wisconsin State Statute §114.11,
3 to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate
4 an airport. The sponsor desires to develop or improve the Appleton International Airport.
5

6 The foregoing proposal for airport improvements has been referred to the County Property,
7 Airport, Recreation and Economic Development Committee for its consideration and
8 report prior to county board action as required by Wisconsin State Statute §62.23(5).
9

10 Appleton International Airport users have been consulted in formulation of the
11 improvements included in this resolution. A public hearing was held prior to the adoption
12 of this petition in accordance with Wisconsin State Statute §114.33(2) as amended, and a
13 transcript of the hearing is transmitted with the petition.
14

15 NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and
16 Economic Development Committee recommend adoption of the following resolution.
17

18 BE IT RESOLVED, that the Outagamie County Board of Supervisors requests that a petition for
19 federal and (or) state aid in the following form is approved:
20

21 The petitioner, desiring to sponsor an airport development project with federal and state aid or
22 state aid only, in accordance with the applicable state and federal laws, respectfully represents and states:
23

24 • That the Appleton International Airport, which it is desired to develop, should generally conform
25 to the requirements for a primary commercial service type airport as defined by the Federal
26 Aviation Administration
27

1 • The character, extent, and kind of improvements desired under the project are as follows:

2 construct, reconstruct, rehabilitate, modification to airfield pavements, landside pavements,

3 general infrastructure which may include land acquisition, utilities and associated work; Construct,

4 reconstruct runway and taxiway systems; Construct, reconstruct, modify transient and terminal

5 apron to support airport growth and development, correct non-standard taxiway geometric

6 configurations, including drainage and utility relocation/expansion; Construct, reconstruct, rehab

7 airport infrastructure including Airport Improvement Program (AIP) eligible and ineligible

8 projects such as parking lots, parking structures, perimeter/service roads, airport access ways, and

9 navigation equipment access ways; Construct, reconstruct, modify and expand airport buildings,

10 hangars and structures, expand airside and landside AIP eligible and ineligible buildings, hangars

11 and structures; construct, reconstruct, modify and expand airport terminal and associated

12 infrastructure for both AIP eligible and ineligible portion, construct, modify airport sustainability

13 program including initiatives that may include solar panels, HVAC equipment, lighting, lighting

14 controls, electric car chargers, evaluating green technology, and microgrids; upgrade, expand,

15 modify, remediate airport fuel system, this may include expanding capacity of airport fuel system,

16 remediating and closing down older fuel system and/or modifying or upgrading fuel revenue

17 control system.

18 • That the airport project, which petitioner desires to sponsor, is necessary for the following reasons:

19 to meet the existing and future needs of the airport.

1 BE IT FURTHER RESOLVED, that it is recognized that the improvements petitioned for as listed
2 will be funded individually or collectively as funds are available, with specific project costs to be approved
3 as work is authorized, the proportionate cost of the airport development projects described above which
4 are to be paid by the sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter
5 referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent
6 balance after the project is completed is to be returned to the sponsor by the Secretary; the sponsor will
7 make available any additional monies that may be found necessary, upon request of the Secretary, to
8 complete the project as described above; the Secretary shall have the right to suspend or discontinue the
9 project at any time additional monies are found to be necessary by the Secretary, and the sponsor does not
10 provide the same; in the event the sponsor unilaterally terminates the project, all reasonable federal and
11 state expenditures related to the project shall be paid by the sponsor, and

12 BE IT STILL FURTHER RESOLVED, that the sponsor is required by Wisconsin State Statute
13 §114.32(5) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds
14 granted by the United States under the Federal Airport and Airway Improvement Act, and is authorized
15 by law to designate the Secretary as its agent for other purposes, and

16

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1 BE IT STILL FURTHER RESOLVED, by the sponsor that the Secretary is hereby designated as
2 its agent and is requested to agree to act as such, in matters relating to the airport development project
3 described above, and is hereby authorized as its agent to make all arrangements for the development and
4 final acceptance of the completed project whether by contract, agreement, force account or otherwise; and
5 particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or
6 private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to
7 acquire property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. §32
8 .02; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed
9 by the Secretary; and, to execute any assurances or other documents required or requested by any agency
10 of the federal government and to comply with all federal and state laws, rules, and regulations relating to
11 airport development projects, and

12 BE IT STILL FURTHER RESOLVED that the sponsor requests that the Secretary provide, per
13 Wis. Stat. §114.33(8)(a), that the sponsor may acquire certain parts of the required land or interests in land
14 that the Secretary shall find necessary to complete the aforesaid project, and

15 BE IT STILL FURTHER RESOLVED, that the sponsor agrees to maintain and operate the airport
16 in accordance with certain conditions established in Wis. Admin. Code Trans §55, or in accordance with
17 sponsor assurances enumerated in a federal grant agreement, and

18 BE IT SILL FURTHER RESOLVED that the Outagamie County Executive, Board Chairperson
19 and County Clerk be authorized to sign and execute the agency agreement and federal block grant owner
20 assurances authorized by this resolution, and

21 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of
22 this resolution to the Appleton International Airport Director.

23 Dated this _____ day of January 2026.
24
25
26
27

Respectfully Submitted,

PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE

Dean Culbertson

Lee W. Hammen

Ronald Klemp

Yvonne Monfils

Jason Winterfeldt

Duly and officially adopted by the County Board on: _____

Signed: _____
Board Chairperson

County Clerk

Approved:

Vetoed:

Signed: _____
County Executive

ORDINANCE NO.: I—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Legislative/Audit and Human Resources Committee is requesting to amend the
2 Outagamie County Board Rules. The amendments pertain to Special County Board
3 meetings, Finance Committee duties and budgetary and policy jurisdiction, and Property,
4 Airport, Recreation and Economic Development Committee duties.

5 NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources

6 Committee recommend adoption of the following ordinance.

7 BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve the
8 following amendments to Chapter 2 of the Outagamie County Code of Ordinances (deletions are struck
9 through and in red; additions are underlined and in red):

10 **ARTICLE II. – GOVERNING BODY**
11 **DIVISION 1. – GENERALLY**

12 **Sec. 2-20. – Meetings of the County Board.**

13 (a) *Annual.* The annual meeting of the County Board shall commence on the first Monday in
14 November at 5:30 p.m. in the evening and shall continue on following days until an annual budget is
15 adopted. The Board shall establish the order of the day to include meeting times for consecutive
16 days.

17 (b) *Organizational.* The organizational meeting of the County Board shall be held on the third
18 Tuesday in April, commencing at 4:00 p.m.

19 (c) *Regular.* Meetings other than the November annual meeting and the April organizational
20 meeting shall be semimonthly and shall be held on the second and fourth Tuesday beginning at 7:00
21 p.m. Unless declared by the Board Chair, there will be one meeting per month in the months of
22 June, July, and August which shall be held on the fourth Tuesday of the month. If needed, there
23 shall be a second November meeting on Tuesday one week after the annual meeting. At regular
24 County Board meetings, a recess, length to be determined by the Chair, will be taken by the entire
25 Board after being in session 1½ hours and every 1½ hours thereafter as declared by the Chair. One
26 meeting of the month may be canceled for lack of sufficient business at the call of the board Chair.

27 (d) *Special.* Special meetings may be called by the County Board in accordance with the Wis.
28 Stats. § 59.11(2) or at the call of the Board Chairperson.

1 **DIVISION 3. – STANDING COMMITTEES**

2 **Subdivision IV. – Finance Committee**

3 **Sec. 2-163. – Duties.**

4 The duties of the Finance Committee shall be to:

5 (1) Annually review the county budget prepared by the County Executive for submission to the
6 County Board and make its recommendations at the annual meeting in November.

7 (2) Advise the County Executive and his staff on policy and legislation regarding financial and
8 purchasing matters.

9 (3) Prepare schedule of fees and charges for instruments, services, blanks and forms as are carried
10 by the county for the convenience of the public.

11 (4) Make a contract for emergency expenditures that may be incurred by any office or department
12 of the county not exceeding \$5,000.00.

13 (5) Review all financial reports submitted by the County Executive, County Officials and
14 Auditors. Recommend to the County Board Auditors for the audit of financial records, reports and
15 internal controls as required by law, state statute or as deemed necessary.

16 (6) Recommend to the County Board necessary insurance protection for the county.

17 (7) Act as the county's in Rem Committee and members of the Finance Committee shall serve on
18 the Bond Review Committee along with the County Board Chair.

19 (8) Meet with the State Department of Taxation, Equalization Committee to keep the county
20 informed on all equalization matters.

21 ~~(9) Recommend to the executive for appointment one committee member and one alternate to
22 serve as liaison to the University of Wisconsin Oshkosh, Fox Cities Campus Board of Trustees.~~

23 ~~(10) (9)~~ Evaluate the qualification of candidates for the position of county fiscal auditor as
24 may be established under Wis. Stats. § 59.47.

25 ~~(11) (10)~~ Recommend to the County Board such financial programs designed to improve the
26 economic status of the community.

27 ~~(12) (11)~~ Have advisory responsibilities for and over the conduct of performance audits done
28 by the county or for the county and may:

29 a. Study and review the post audit or other reports submitted by any firm providing audit services
30 for the County, including conferring with any firm providing audit services and with other standing
31 committees in regard to such reports and, if necessary, confer with any audit in order to obtain full
32 and complete information in regard to any fiscal transactions and governmental operations within
33 the county.

34 b. Refer to the County Board or to an appropriate standing committee information that warrants
35 action by the County Board or by a committee of the Board. Seek the advice of the appropriate
36 standing committee with respect to the program/performance portion of an audit relating to a county
37 department, board, committee, commission, division or agency which is within the
38 budgetary/policy purview of such committee.

39 c. Annually determine within the resources provided by the County Board which county
40 departments, programs, operations, activities or functions should be subjected to fiscal and
41 performance evaluations or audits and ensuring any such audit be conducted in accordance with
42 government auditing standards.

43 ~~(13) (12)~~ Claims with an actual value of less than \$10,000.00 may be denied by the County
44 Finance Committee with no County Board approval required; claims with an actual value of
45 \$10,000.00 or more will require County Board denial after review by the Finance Committee.

1 ~~(14)~~ ~~(13)~~ Approve all county imposed rates or fee changes proposed in the annual budget and
2 recommend adoption of these rates/fees to the County Board as part of the budget process.
3 Rates/fees not approved during the annual budget process shall be brought before the Finance
4 Committee for approval and the Finance Committee shall draft a resolution for County Board
5 approval.

6 **Sec. 2-166. – Budgetary and policy jurisdiction.**

7 The budgetary and policy jurisdictions of the Finance Committee shall be as follows:

8 (1) County Executive.
9 (2) County Clerk.
10 (3) Election.
11 (4) County Treasurer.
12 (5) Tax listing.
13 (6) Tax deed expense.
14 (7) Real estate tax on property.
15 (8) Financial services.
16 (9) Insurance property and liability.
17 (10) Special audit and accounting.
18 (11) Information Technology (IT).
19 (12) Reprographics and mail.
20 (13) Imaging and Records Center.
21 (14) Dental insurance fund.

22 ~~(15) University of Wisconsin Oshkosh, Fox Cities Campus.~~

23 ~~(16) Care of veteran's graves.~~

24 ~~(17) Interest income.~~

25 ~~(18) Tax revenues.~~

26 ~~(19) Reserve for contingencies.~~

27 ~~(20) General fund applied.~~

28 ~~(21) General fund, capital projects fund.~~

29 ~~(22) Debt service.~~

30 ~~(23) Department maintenance and three-year plan items.~~

31 ~~(24) Historical Society.~~

32 ~~(25) Outagamie Waupaca Library System.~~

33 ~~(26) Thousand Islands Environmental System.~~

34 ~~(27) East Central Wisconsin Regional Planning Commission.~~

35 ~~(28) Workers compensation.~~

36 ~~(29) Wisconsin Municipal Mutual Insurance Company (WMMIC) Insurance Pool.~~

37 ~~(30) Vehicle damage insurance.~~

38 ~~(31) Other insurance.~~

39 ~~(32) Community grants.~~

40 **Subdivision IX. Property, Airport, Recreation and Economic Development Committee**

41 **Sec. 2-291. – Duties.**

42 The duties of the Property, Airport, Recreation and Economic Development Committee shall be to:

43 (1) Ratify petitions for state and federal aid with the final allocation of financing due to awards,
44 to be made by the Board.

1 (2) Receive from the County Executive the inventories of all personal properties owned by the
2 County, not later than January 30 of each year.

3 (3) Make an annual inspection of inventories and buildings, at the discretion of the committee, so
4 they can establish policies related thereto.

5 (4) Cause to be prepared by the Office of County Executive a perpetual inventory of the real
6 estate and buildings owned by the County.

7 (5) Recommend utilization of all public land, buildings, recreation sites, access sites inclusive of
8 all short-term public holdings of the County with the exception of the highway buildings and land.

9 (6) Recommend to the County Board such programs for the improvement and development of
10 park and recreational sites for the good of the County.

11 ~~(7) Recommend to the executive for appointment one committee member and one alternate to
12 represent the County on the University of Wisconsin Oshkosh, Fox Cities Campus Board of
13 Trustees.~~

14 ~~(8)~~ (7) Support and promote such programs designed to improve the economic status of the
15 community.

16 ~~(9)~~ (8) Provide policy guidance and support jointly with the County Executive to the Airport
17 Manager/Director or airport senior staff regarding County policies and procedures, and regarding
18 the broader Fox Valley Community.

19 ~~(10)~~ (9) Review, approve and submit to the County Board for approval:

20 a. Airport improvement programs;
21 b. Airport construction projects that exceed \$25,000.00;
22 c. Passenger facility charges;
23 d. Fees or charges levied by the airport as they appear in the standard rates and charges table;
24 e. Concession agreements, standard lease agreements, and any other monetary agreements or
25 contracts where the airport is a signatory.

26 ~~(11)~~ (10) Review, approve, and submit to the Finance Committee for approval expenses
27 regarding County property not approved in the annual budget and not exceeding \$10,000.00 of a
28 budgeted line item. Unbudgeted expenses exceeding \$10,000.00 of a budgeted line item shall be
29 submitted to the Finance Committee and the County Board for approval.

30 ~~(12)~~ (11) Review, approve, and submit to the County Board requests for community
31 development block grant funding.

32 BE IT FURTHER ORDAINED, that this ordinance shall be in effect upon approval by the

33 County Board of Supervisors and publication per Wisconsin State Statute §§59.14 and 66.0103, and

35 BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy

36 of this ordinance to the Outagamie County Finance Director, the Outagamie County Executive, and

37 Municipal Code Corporation for inclusion in the Outagamie County Code of Ordinances.

38 Dated this ____ day of January 2026

Respectfully Submitted,

LEGISLATIVE/AUDIT & HUMAN RESOURCES
COMMITTEE

Cathy Spears

Sara MacDonald

Ryan Ferguson

John Kostelny

Sarah Weinberg

Duly and officially adopted by the County Board on: _____

Signed: _____
Board Chairperson

County Clerk

Approved: _____

Vetoed: _____

Signed: _____
County Executive

ORDINANCE NO.: J—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Outagamie County Code of Ordinance Sec. 2-164 and Sec. 2-165 governs Tax
2 Incremental District (TID) procedures. This ordinance streamlines decision-making
3 processes and shortens timelines by allowing the Joint Review Board (JRB) to vote
4 without requiring a county board resolution. Additionally, this ordinance provides that
5 the JRB representative shall notify the Finance Committee each time a new tax
6 incremental district is created and/or amended.

7
8 NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption
9 of the following ordinance.

10 BE IT ORDAINED, that the Outagamie County Board of Supervisors does amend Sec. 2-164,
11 Tax Incremental District and Sec. 2-165, Committee to Request Vote Regarding Formation of District,
12 of the Outagamie County Code of Ordinances to read as follows (deletions are struck through; additions
13 are underlined and in red):

14 **Sec. 2-164. – Joint Review Board - Tax incremental districts.**

15 The Finance Committee shall recommend to the County Executive that the County Finance
16 Director be appointed to any Tax Incremental District Review Board created in the county. Upon
17 attendance at the initial review Board meeting, it is requested that the Finance Director present
18 the tax incremental district plan for the Finance Committee review. The County Executive shall
19 appoint representatives to any Joint Review Board created in the county. Joint Review Board
20 representatives shall notify the Finance Committee each time a new tax incremental district is
21 created and/or amended.

22 **Sec. 2-165. - Committee to request vote regarding formation of district.**

23 After review and prior to the second Tax Incremental District Review Board meeting, the Finance
24 Committee shall develop an advisory resolution for presentation to the County Board which shall
25 request that the county representative to the Tax Incremental District Review Board vote either in
26 favor or against the formation of the tax incremental district.

1 BE IT FURTHER ORDAINED, that this ordinance shall be in effect upon approval by the
2 County Board of Supervisors and publication per Wisconsin State Statute §§59.14 and 66.0103, and

3 BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy
4 of this ordinance to the Outagamie County Finance Director, the Outagamie County Development and
5 Land Services Director, the Outagamie County Executive, and Municipal Code Corporation for
6 inclusion in the Outagamie County Code of Ordinances.

7 Dated this ____ day of January 2026

Respectfully Submitted,

FINANCE COMMITTEE

Chris Croatt

John Cuff

Karen Lawrence

Dana Johnson

Rick Lautenschlager

Duly and officially adopted by the County Board on:

Signed:

Board Chairperson

County Clerk

Approved:

Vetoed: _____

Signed:

County Executive

RESOLUTION NO.: 144—2025-26

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 On May 30, 2022, Mr. Navtej Bhandari's spouse, Xee Yang, died while being transported by
2 the Outagamie County Sheriff's Department. On September 26, 2022, the county received
3 notice of a claim from The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari. On
4 February 21, 2023, the county received an itemized claim for relief from The Jeff Scott Olson
5 Law Firm. On May 23, 2023, the Outagamie County Board adopted Resolution 24-2023-24,
6 which formally disallowed the claim submitted.

7
8 A settlement agreement has been reached between Outagamie County and The Jeff Scott Olson
9 Law Firm representing Mr. Navtej Bhandari. This resolution approves the claim settlement
10 agreement.

11 NOW THEREFORE, the undersigned members of the Outagamie County Finance Committee

12 recommend adoption of the following resolution.

14 BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize and approve
15 the claim settlement agreement with The Jeff Scott Olson Law Firm representing Mr. Navtej Bhandari,
16 which includes full and final payment from the County's liability insurance coverage of \$400,000 and
17 Outagamie County will erect a memorial bench in honor of Mr. Navtej Bhandari's spouse Xee Yang, and

18 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of
19 this resolution to the The Jeff Scott Olson Law Firm, 1025 Quinn Dr., #500, Waunakee, WI 53597 by
20 certified mail, return receipt requested, Wisconsin Municipal Mutual Insurance Company, 4781 Hayes
21 Road, Suite 201, Madison, WI 53704, Outagamie County Corporation Counsel and the Outagamie
22 County Risk Administrator.

23 Dated this _____ day of January 2026

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13 Chris Croatt

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18 Karen Lawrence

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23 Rick Lautenschlager

24

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26 Duly and officially adopted by the County Board on: _____

27

28

29 Signed: _____

30

31

32

Board Chairperson

33

34

35

36

37

Respectfully Submitted,

FINANCE COMMITTEE

John Cuff

Dana Johnson

Signed: _____

County Clerk

Approved: _____

Vetoed: _____

Signed: _____

County Executive