

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

Office of the County Clerk, May 12, 2020.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. by teleconference.

ROLL CALL (by Video/Audio): 34 present, 2 absent. Members present: Thompson, Miller, Patience, Gabrielson, Konetzke, Hammen, N. Thyssen, Krueger, Lamers, Fallona, McCabe, J. Thyssen, Peterson, Schroeder, Croatt, Spears, Marcks, Thomas, T. Thyssen, Hagen, Klemp, Iverson, Nooyen, Davidson, Culbertson, Monfils, Buchman, Woodzicka, Clegg, VanderHeiden, O'Connor-Schevers, Rettler, Melchert, and Suprise. Member absent: Renteria and Wegand.

MINUTES OF THE APRIL 21, 2020 COUNTY BOARD MEETING

Supervisor Culbertson moved, seconded by Supervisor Hagen, to approve the minutes of the April 21, 2020, County Board meeting.

VOICE VOTE CARRIED UNANIMOUSLY. MINUTES OF THE APRIL 21, 2020, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

COVID-19 update – Public Health (PH) Director Mary Dorn.

PH Director Dorn reported the following:

- Statistics - Each day at 2 p.m., the [WI Department of Health Services](#) updates the current case counts of COVID-19 by county and within the State. The following are statistics for Outagamie County and its neighbors.
 - Outagamie County - 117 positive cases, 2 deaths. There are three public health jurisdiction within Outagamie including jurisdictions: City of Appleton, Oneida Tribe, and remainder of the county (69 cases). Of the deaths, one occurred in the City of Appleton and one occurred in remainder of county. The rate of cases in Outagamie is 63.3 cases per 100,000. Following are neighbor statistics:
 - Calumet has 43 positive cases, 1 death. Rate is 86.3 rate per 100,000.
 - Winnebago has 101 positive cases, 1 death. Rate is 59.4 per 100,000.
 - Brown County has 1,958 positive cases, 20 deaths. Rate is 753.7 per 100,000 (highest rate in Wisconsin).
- Public Health – COVID-19 has shifted all the work within the division to respond to COVID-19. Health & Human Services (HHS) has allocated 3 of the 4 divisions to work as well as reallocated other HHS support staff and a few additional social workers from other divisions. Much of time is spent completing contact tracing. Management is working with HR to bring on additional registered nurse (RN) staff to assist the nurses and other Public Health team to respond to the incident.
- Testing –
 - This week PH has worked cooperatively with Lisa Van Schyndel and Emergency Management staff, and multiple community partners to operationalize a drive-through testing site at Fox Valley Technical College.
 - Yesterday and today, the testing was focused on the tri-county area of Calumet, Outagamie, and Winnebago Counties working together on suspect or confirmed cases.

- Other testing occurred within the skilled nursing facilities and other employers within the tri-county area.
- Tomorrow through Friday this week, there will be community-based testing. PH has verbalized interest to the State Emergency Operations Center and the WI National Guard that if the community response meets or exceeds the 300 test daily capacity, that an extension be granted to go into next week.
- Testing is provided free of charge to individuals.
- Lisa Van Schyndel is serving as incident commander on site working with the WI National Guard. Anyone who lives/works within Wisconsin with the focus of those who are within the tri-county area. There is a capacity of approximately 300 daily tests. Staffing is provided by the National Guard (approximately 30 members), Outagamie County staff, Outagamie County response team, Wisconsin Red Cross, Winnebago County PH, regional health care systems, partnership community health center, and Grand Chute Police. Bilingual staff speaking Spanish and Hmong is assisting and the Language Line is available for additional languages.
- Community based testing is symptom based at this time. PH Director Dorn reported COVID 19 symptoms include fever, cough, shortness of breath, difficulty breathing, sore throat, headache, chills or repetitive shaking, muscle aches, or new abnormalities of loss of taste or smell.
- Continuation of testing will be evaluated through the remainder of the week. Coordination will occur with the State Emergency Management Operation Center and the National Guard if an extension is needed.
- Yesterday, 165 tests were completed and today 252 tests were completed. Therefore, PH Director Dorn anticipates that tomorrow capacity will be met. If meeting or exceeding that level, staff will request an extension into next week.
- Future –
 - Safer at Home is beginning to lift, but staff is looking at this as a new normal that everyone will be experiencing. The world will not be the same for some time.
 - Practices of social distancing and wearing a mask in case you are asymptomatic to protect others will be essential.
 - PH Director Dorn reminded members that she spoke to the County Board regarding COVID-19 in March and the flu season was ongoing. She had encouraged county board members and other to get the flu shot. Symptoms for COVID-19 are very similar to flu. Members were encouraged to get vaccination against flu as it will be easier for medical providers to distinguish between influenza and COVID-19 going forward.

During Q&A, discussion took place on testing by appointment (presents a barrier to individuals with language barriers/access and was not chosen for this site testing); HHS work on contact tracing and how that work was made easier during the Safer at Home order (contact tracing requires interviews with the individual who tested positive and any individuals who were closer than 6 ft. for prolonged time are requested to quarantine for 14 days. Prior to Safer at Home, 30-40 contacts were necessary with each positive case, during the initial Safer at Home order, contacts went down to 3-5 individuals per each confirmed cases, and contacts will increase with loosening restrictions); reallocation of staff to PH/turnover of management staff; temporary RN staffing (Manpower) utilization; opening up testing to individuals who are asymptomatic (may come later); labor intensity of testing; testing costs (no cost to individuals – State pays test costs/National Guard, county incurs some operational costs for portable facilities; access to testing for all (stopping community spread requires complete access including individuals who may be illegal immigrants); and positive case individuals who are homeless and their isolation (PH works with community organizations including Pillars).

Supervisor Renteria reported that he joined the meeting during Mary's presentation.

Chairperson Nooyen thanked Mary Dorn for her report and the hard work she, the HHS staff, and others have put into with responding to COVID-19.

Chairperson Nooyen noted that if any supervisor leaves the meeting, they are to interrupt and report their absence for recording by the County Clerk.

Supervisor Buchman reported he was present (confirmation – he was present from the beginning of the meeting).

APPOINTMENT OF PARLIAMENTARIAN

Supervisor Gabrielson moved, seconded by Supervisor Hagen, to confirm corporation counsel Joe Guidote as Parliamentarian.

VOICE VOTE CARRIED UNANIMOUSLY. JOE GUIDOTE CONFIRMED AS PARLIAMENTARIAN.

DESIGNATION OF OFFICIAL COUNTY NEWSPAPER FOR LEGAL AND ELECTION NOTICES

Supervisor T. Thyssen moved, seconded by Supervisor Spears, to designate the Appleton Post-Crescent as the official county newspaper for legal and election notices.

VOICE VOTE CARRIED UNANIMOUSLY. APPLETON POST-CRESCENT IS APPROVED AS THE OFFICIAL COUNTY NEWSPAPER FOR LEGAL AND ELECTION NOTICES.

ESTABLISH ORDER OF THE DAY - No changes.

COMMUNICATIONS - Communication Referral List (included in the packet).

Chairperson Nooyen reported:

- 2019 Sheriff's Report – the report was added to DropBox in the Public Safety folder and is available on the County's website under Sheriff Dept. No paper copies of the report will be provided supervisors unless requested. Contact Legislative Services to request a paper copy.
- Census Update – At the request of Chairperson Nooyen, Supervisor Iverson gave a brief report. The Outagamie County response rate as of today is 77.4%, which is very high (12th in the country and 5th within WI). Initiatives to encourage participation are ongoing including messaging, "You Matter, Be Counted". Self-response (mail, phone, and internet) was extended from August 31 to October 31, which provides additional time to get the message out to the community. He encouraged Supervisors to respond and for Supervisors to encourage others to respond. Updates will be forthcoming. Supervisor O'Connor-Schevers questioned the impact of the delayed response with redistricting. Supervisor Iverson reported that even though the self-response period has been extended, other deadlines have not changed. U.S. Congress may approve extensions beyond the response deadline extension (an additional 60 days), but legislation at this time is uncertain. There still is a March 31 deadline for information to be provided the State of Wisconsin.
- Condolences were extended to Supervisor Gabrielson, whose father passed on May 1
- May 26 – The County Board will meet by teleconference. Plans are moving forward to meet in person on June 9 to conduct the Reorganization Meeting with proper PH protocols.

APPOINTMENTS

County Executive Nelson nomination of appointments of Jeff Tetzlaff, Greg Parins and Craig Moser to the Resource Recovery Center Upgrade and Expansion Project Oversight Committee.

Supervisor T. Thyssen moved, seconded by Supervisor Spears, for confirmation of the above-listed appointments.

VOICE VOTE CARRIED UNANIMOUSLY. APPOINTMENTS OF TEZLAFF, PARINS AND MOSER TO THE RESOURCE RECOVERY CENTER UPGRADE AND EXPANSION PROJECT OVERSIGHT COMMITTEE ARE CONFIRMED.

REPORT BY THE COUNTY EXECUTIVE

Executive Nelson reported the following:

- Newly Elected County Board – Executive Nelson welcomed the newly elected County Board supervisors.
- COVID-19 Briefing – County Operations -
 - March 13 Initial Closure – Executive Nelson authorized the partial closure of county operations. Within the first week/end of March, the workforce footprint of the downtown campus (minus essential workforce) was reduced by 80%.
 - Finance and HR Efforts/Workforce – These departments worked and developed a compensation plan for those who there is no work or cannot work due to the need to stay in a safe environment. 99% of workforce is working, both on and off campus, with many in a safe environment in their home.
 - No COVID-19 County Worker Cases – The County's 1,300 workforce have had no confirmed positive cases. The excellent results of no county workforce cases is due to the efforts of Mary Dorn/HHS Staff, Emergency Management, Brian-Finance, Lisa-HR and others. Kudos were extended to all the departments and their staff for their efforts in maintaining workforce safety.
 - Reopening – Staff is putting into place contingencies for re-opening whenever that occurs, but reopening may not be eminent. Currently, operationally things are going well with the safety measures enacted.
- MRF Upgrade – Technology upgrades, new optical sorter and Eddy current, and improvements to the baler have been completed. Director Van Straten reported operations for the past weekend was one of the greatest weekends in the MRF ever.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported:

- CARES Act Funding –
 - The State of Wisconsin is receiving \$1.99 billion.
 - Governor Evers is reviewing how the funds will be distributed legally. A conference call with state agencies secretaries reported uncertainty of fund distribution.
 - Costs have been extensive between public health testing and National Guard costs alone.
 - A concern is that if funds are not distributed properly for specific purposes, the federal government, after their audit, could request that money be provided back.
 - WCA is asking for 30% of the money to be distributed on per capita method.
 - Treasury – They have done updates last week and more are expected.

- NACo is working on changes to CARES Act rules legislatively. The major change requested is to allow CARES Act funding to replace lost revenue. Lobbyist has shared the need for this with Senator Johnson's office and the remainder of the Wisconsin federal delegation.
- COVID Testing in WI – Lobbyist listened to a webinar with Congressman Pocan (House Appropriations Committee), who noted that Wisconsin is way ahead of testing due to companies, such as Exact Science, that switched much of their capacity to COVID.
- WCA Webinar 5/5 – Lobbyist attended and Matt McGovern, speaker, discussed the complexity of FEMA funding for COVID-19. FEMA has specific areas that they will fund, but normally funding is of last resort. Local governments are encouraged to look elsewhere for funds first. Generally, only fund 75% of costs are covered by FEMA, but the State covers half of the remaining amount.
- WI Legislative Fiscal Bureau – A memo examined the impact of COVID-19 and noted that the State collected \$870 million less for April than was collected last year in April. A copy of the memo is in DropBox under today's date.
- Governor Announcement – A 5% cut to State GPR operations/agency budgets was issued, which will save approximately \$70 million, but there is no imminent discussion of a budget repair bill. The State's rainy day fund is \$655 million end of 19-20 fiscal year; appropriation of that money requires legislative action to access. Under current law, CARES Act funding cannot be used for lost revenue, it must be used for actual cash expenditures and any monies not used by the end of the year are returned to the federal government.
- State Unemployment Fund - DWD states the Unemployment Trust Fund could run out of money October 11, but if the economy reopens, that date will be pushed back. If DWD does run out, they can borrow from federal government.
- Other items in DropBox include:
 - Letter Addressed to Speaker Pelosi (4/13) – Addresses concerns for funding needed for local governments with populations of less than 500,000. Currently, funding was distributed to the State, Milwaukee, Milwaukee County, and Dane County. The bi-partisan letter is signed by Congressman Mike Gallagher, Wisconsin 8th Congressional District. The Lobbyist had contacted the Congressman's staff requesting support for county funding and found out that he had already signed such a letter.
 - Q&A from WCA (4/22) – CARES Act funding.
 - Editorial from Wall Street Journal – "Get Ready for Return of Inflation."
- Federal Funding Issue – A question from Legislative/Audit was brought up that the State missed out on \$25 million of federal funding as the State didn't make a change soon enough repealing the one week wait for the unemployed to file for unemployment. Lobbyist checked on that issue with a Sr. Senate staffer and that was a one-time loss, there was no impact on any citizen, and the UI Trust Fund backfilled it.

During Q&A, discussion took place on CARES Act funding that could be given to counties (Governor may choose to share funding) and that State attorneys are involved in promulgating rules for spending the funding so that money is spent right so that in an audit, the funds are not required to be returned back to the federal government.

UNFINISHED BUSINESS-None.

NEW BUSINESS

Resolution No. 7—2020-21 – County Board. Approve transferring Sheriff’s Capital Outlay cost centers: \$11,390 from the Patrol to Jail, \$16,000 from Sheriff CAD/RMS/JMS to Jail; and increase General Fund Revenues Transfer In by \$16,000 and the 2017 GO Notes CP Fd Transfer Out by \$16,000, as noted on the attachment.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 7—2020-21 IS ADOPTED.

Resolution No. 8—2020-21 – County Board. Approve the County Sheriff’s Office to accept \$75,000 for enforcement and \$12,375 for mileage for a total of \$87,375 from the Wisconsin Department of Transportation to provide four hours of overtime enforcement on Highway 15 as specified in the resolution beginning on or about June 1, 2020, and increase Sheriff’s Office Patrol cost centers: Intergovernmental Revenue \$87,375, Salary \$62,856, Fringe Benefits \$12,144, and Sheriff Office Squad Car Supplies \$12,375, as noted on the attachment.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 8—2020-21 IS ADOPTED.

Resolution No. 9—2020-21 – County Board. Approve the County District Attorney’s Office to accept and expend the Overdose Fatality Review grant of \$16,882 for 2019/2020, with the major grant focus to create a Fatality Review Team to gather data and review death overdoses, and increase District Attorney cost centers: Intergovernmental Revenues \$16,882, Salaries \$10,624, Fringe Benefits \$4,809, Travel/Training \$1,249, and Supplies \$200, as noted on the attachments.

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

Supervisor Patience noted that it is anticipated that on July 15 at noon (in-person), the Facility Review Team will be meeting.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 9—2020-21 IS ADOPTED.

Resolution No. 10—2020-21 – County Board. Approve a taxation district in Outagamie County provided in Section 105(25) of 2019 Wisconsin Act 185 to waive interest and penalties for all property taxpayers in the taxation district, details as noted in the resolution and in the attached fiscal note.

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

Supervisor Miller moved, seconded by Supervisor Thomas, to amend as follows (amendment provided Board in DropBox)

Page 1 changes:

31 distributed proportionally to the underlying taxing jurisdictions. according to payments
32 collected on or before July 31, 2020.

Page 2 changes::

28 to the underlying taxing jurisdictions ~~according to payments collected on or before July 31, 2020~~, and

Supervisor VanderHeiden expressed concern with late settlements/delays if the settlement is not in full in August.

Supervisor Patience moved, seconded by Supervisor VanderHeiden, to suspend the rules to allow Treasurer Woelfel to speak. VOICE VOTE CARRIED UNANIMOUSLY. MOTION CARRIED TO SUSPEND THE RULES TO ALLOW TREASURER TO SPEAK.

Treasurer Woelfel noted that the amendment by the Finance Committee is to settle in full in August so the Towns should not have any problems with a delayed second settlement.

Supervisor Thomas requested clarification on settlement language on page 2 in the bottom paragraph. Treasurer Woelfel noted that the settlement in August would be in full. Language prior was to clarify the statutory language and that the resolution was deviating from that language.

VOICE VOTE CARRIED UNANIMOUSLY ON AMENDMENT. AMENDMENT CARRIED.

Supervisor Thomas questioned further the details of the settlement.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 10—2020-21 IS ADOPTED AS AMENDED.

Resolution No. 11—2020-21 – County Board. Rescind Resolution 136—2019-2020 which withdrew membership from East Central Wisconsin Regional Planning Commission (ECWRPC) and will continue as a member of ECWRPC after the 2020 calendar year, and approve the Agreement Between the County and ECWRPC, details as noted in the resolution and as noted on the attachments.

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

Supervisor Miller moved, seconded by Supervisor Thomas, to amend on line 26 to strike the words “has been ratified by ECWRPC and” and to include the agreement that was provided the County Board this afternoon as the attachment. Paragraph 1 was changed as follows:

1. **Rescission of Withdrawal Resolution** Outagamie County agrees to rescind its resolution to withdraw its membership from ECWRPC and continue as a member after the 2020 calendar year; Outagamie County reserves the right to withdraw from membership, as statutorily prescribed in the event any terms and conditions of this agreement are not met. Further, nothing in this agreement shall add to, delete from or otherwise abridge Outagamie County’s statutory rights of withdrawal.

Prior to the Board voting on the amendment, Corporation Counsel Guidote explained the purpose of the amendment.

VOICE VOTE CARRIED UNANIMOUSLY. AMENDMENT CARRIED.

At the request of the Board Chair, Corporation Counsel Joe Guidote reported the history and reasons for the passage of Resolution No. 136-2019-20, withdrawing from East Central Wisconsin Regional Planning Commission. With the passage of the resolution, leverage was provided to assist with bargaining power

to have County concerns addressed by the Commission that had not been addressed for years. Negotiations moved substantially and this resolution/agreement addresses all the concerns that Outagamie County had, which includes budgetary reductions phased over three years. The phasing allows ECWRPC to move forward with changes while maintaining key staff. Items are addressed in the exhibits attached to the agreement.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 11—2020-21 IS ADOPTED AS AMENDED.

REPORTS

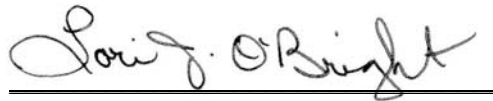
Chair noted the next meeting on May 26, 2020, will be held teleconference.

Supervisor VanderHeiden questioned whether of the resolutions needed to be locked in. None were reported.

ADJOURNMENT

Supervisor Buchman moved, seconded by Supervisor Peterson, to adjourn until May 26, 2020, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 8:59 p.m.



Lori J. O'Bright, County Clerk