

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

Office of the County Clerk, September 22, 2020.

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

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

The Board Chairperson requested the Board's confirmation to excuse Supervisor N. Thyssen. No objections; so ordered.

MINUTES OF THE SEPTEMBER 8, 2020 COUNTY BOARD MEETING

Supervisor Klemp moved, seconded by Supervisor Iverson, to approve the minutes of the September 8, 2020, County Board meeting.

VOICE VOTE CARRIED UNANIMOUSLY. MINUTES OF THE SEPTEMBER 8, 2020, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

Chris Anderson and Sara Beine, Foth - Brown Outagamie Winnebago (BOW) Regional Planning Update

Brian Van Straten, Outagamie Recycling and Solid Waste Director, reported the following:

- Resolution No. 47 presents the Amended and Restated Agreement for Brown Outagamie Winnebago (BOW) Counties.
- Solid waste directors from BOW have been in planning for two years to review the agreement and find additional opportunities and improvements for the counties as a whole moving forward.
- The previous BOW agreement was developed in the early 2000s by the previous directors. The agreement was to ensure all the residents and businesses in the tri-county regional had sufficient and economical landfill capacity for a very long period of time. The concept was to utilize existing landfills that each county had and to continually look to future to develop landfill capacity so that all 65 communities and over 500,000 residents along with commercial and industrial sectors would have the ability to experience the economies of scale through regional landfill services.
- The Highway, Recycling and Solid Waste Committee was briefed over the last 4½ years in relation to the County Executive authorizing to start the planning and development of the new NW landfill (LF) in May 2016. The department reported to the Committee in October 2019 that the department received a favorable feasibility determination from the

WI Department of Natural Resources citing that the new NWLF was a suitable and viable location.

- The NWLF will be a key component to the new agreement. As the directors examined the tonnages within BOW, now vs. inception, it was highly apparent that the concept of operation two regional landfill facilities in Brown and Outagamie Counties made sense from an operational flexibility standpoint, trucking logistics, and to take an even longer term airspace management approach.

Chris Anderson, Senior Client Manager, & Sara Beine, Environmental Engineer, Foth reported (a PowerPoint was presented):

Background

- Anderson was involved in 2001 in the original BOW planning.
- Background: \$48 million was saved by being in BOW from 2003-2016.
- BOW started in 2003 with operating regional LFs between BOW. Between 2003-2012 Outagamie County (OC) operated the ELF and Winnebago County (WC) operated the Sunnyview LF.
- From 2012-2023 OCNE LF is operational collecting from BOW.

Validation Objective

- County costs (if they had not been part of BOW) were compared with the total BOW actual costs for the current BOW agreement
- Over the period from 2003-2016, \$48 million was saved.

Next Step for BOW

- Objectives were identified including minimizing hauling, serving customers' increasing waste generation, and providing operational flexibility/risk reduction.
- Dual landfill operation was an objective with the Brown County (BC) SLF and OC NWLF.
- Transfer stations are operation in WC Sunnyview, OC, and BC W. WC hauling to OC provides for a shorter haul than hauling to the BC SLF. With the dual LF track, the agreement needed to be amended to add the capacity of the OC NWLF.

Amended Agreement

- The amended agreement has maps of the landfills. The BC SLF started construction earlier this year. The permitting had to be redone recently, so there was an update provided.
- The OC NWLF was added as BOW capacity. This approach provides 15 years of additional capacity.

Future BOW Operations

- OC NELF continues operations to 2023.
- BC SLF begins filling in 2022.
- OC NWLF begins filling in 2023.
- BOW will continue through 2042.

Cost Sharing

- The recycling agreement with BOW has cost sharing with hauling. This amendment brings the solid waste BOW agreement in alignment with that approach.
- A phased approach for sharing hauling costs and transfer station operation costs will be implemented.

- Clarification language was also provided for existing shared costs for site development and costs of capital.

Waste Sharing

- In analysis, it was identified that sometimes counties were competing for waste streams outside their counties or with industrial customers to keep their tonnages up.
- To avoid the above bullet point, sharing of specific waste streams was provided including beneficial use wastes, alternative daily cover wastes, and out of county wastes.

Improved Processes

- The agreement revamps the reconciliation process, including annual and monthly tracking and financial procedures.
- An added memorandums of understanding process allows for continuous improvement.

Implementation Timeline:

- 2020 – BC SLF starts construction; implement waste sharing
- 2021 – OC NWLF starts construction; BC SLF completes construction
- 2022 – BC SLF starts operation; implement transfer station and hauling cost sharing
- 2023 – OC NWLF starts operation; continue disposal operations through 2042

BOW Intergovernmental Agreement – The County Board was encouraged to adopt Resolution No. 47, approving entering into the Amended and Restated Intergovernmental Agreement.

During Q&A – Appreciation was expressed for the transition over the last 15 years of improvements that have occurred at the OC solid waste facility. Receiving wastes from other counties to supplement the funding for the BOW was questioned and what operational policies/guarantees were part of the amended agreement. Calculations and the structuring of out of county waste surcharges should provide methods to ensure the BOW is in shape through to 2042. In addition, the agreement contains a clause for re-evaluation. In year-to-year decisions, the directors will meet to agree on customers and capacity utilization to assure that BOW customers are served first and the region second.

ESTABLISH ORDER OF THE DAY

Supervisor Buchman questioned whether Ordinance No. B could continue to be held under Unfinished Business. Chairperson Nooyen reported Corporation Counsel recommended that Ordinance No B be withdrawn as there are changes that are necessary, and it will be re-introduced. No objection; so ordered. ORDINANCE NO. B—2020-21 IS WITHDRAWN.

Chairperson Nooyen noted that lock-in votes for Resolution Nos. 43, 47, and 48 would be handled as a group after the meeting. No objection; so ordered.

COMMUNICATIONS

Communication Referral List – included in the packet

Chair Nooyen asked for unanimous consent to allow County Executive Nelson to speak. No objections; so ordered.

County Executive Nelson reported that he wanted to give thanks and gratitude for continuous support for the Health & Human Services, and particularly to the Public Health Division.

Chairperson Nooyen reported:

- County Executive Nelson provided a report (placed in DropBox) as follows:
 - Today, Brian Massey, Lisa Lux and I briefed Chairman Nooyen, Miller, and Supervisor Croatt about the final executive budget. It will be delivered to the Finance Committee for review by Oct. 1.
 - Unfortunately, COVID numbers in our county continue to increase. Outagamie is consistently among the top five counties reporting positive cases. Over the weekend, our case load rose by 227.
 - Our Public Health Division is aware of this troubling statistic and has been doing all it can, given limited resources and authority. Public Health requested the creation of 2.0 FTE. That request was approved at yesterday's committee meeting and is on today's agenda for consideration. Thank you for your continued support of our department.
 - We have made a request to the National Guard to have a testing site in Outagamie County. The nearest public site is in Oshkosh. The Governor's statewide mask order, which had been set to expire Sept. 28, has been extended 60 days. Phase 1 of the County Road CA project is complete and will open shortly to the public. A ribbon-cutting ceremony is scheduled for 11 a.m. Thursday at the intersection of College Avenue and McCarthy Road. The airport received the Fox Cities Chamber of Commerce' Company Innovation Award, which "acknowledges organizations that identify opportunities and execute creative-thinking and calculated risk-taking to bring innovation to the marketplace."
 - The county executive one-minute message updates have expanded to general information. We continue to get good feedback on content and receive 150+ views each day. Thank you for your interest and "likes," especially that of Supervisors Miller and Hagan. We are up to message 122.
- 2021 Budget:
 - Finance Committee budget review calendar was placed in DropBox. They will be meeting several times in October to review the budget by standing committee jurisdictions. A follow-up email will be sent to members. Supervisors were encouraged to attend as the meetings are virtual.
 - The Executive budget will be available October 1. Supervisors who requested physical copies will be notified of its availability and pick-up instructions. Electronic copies will be provided by a posted link that will be sent supervisors via email. Those requesting a digital thumb drive will receive them by mail. Committee of jurisdiction budgets distribution - physical copies will be provided by mail (if small enough) or by pick-up.
- Highway, Recycling and Solid Waste Committee Meeting Date/Time Change – The committee has a new meeting date time of Tuesdays before the County Board meetings at 3:00 p.m.
- Email Security Training – A reminder was provided on the second round of email security training that must be completed by Oct. 8. An email was sent with a link to access the training. If attempting to conduct the training from an iPad, it probably won't work. Instead, forward the email/link to a laptop for access. If there is a need for additional instruction, contact Legislative Services.
- WCA Annual Convention – Due to the physical convention cancellation, WCA will be hosting several virtual workshops Sept. 28 through Nov. 9. There are no charge for the

workshops; an email will provide further information.

- Excuses-Attendance/Virtual Meeting Reminders – Supervisors were reminded that if unable to attend a committee or County Board meeting, contact Legislative Services to report the need to be excused. If arriving late at virtual meetings, interrupt the meeting and announce to the chair that you have arrived. If leaving a virtual meeting early, announce that you are leaving to the chair. Supervisors were reminded that phones and devices should be muted during the meeting, unless speaking.

APPOINTMENTS

County Executive Nelson nomination for appointments of Dean Steingraber and Jason Pausma to the Greenway Implementation Committee; said terms expiring October 2021.

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

VOICE VOTE CARRIED UNANIMOUSLY. APPOINTMENTS OF STEINGRABER AND PAUSMA TO THE GREENWAY IMPLEMENTATION COMMITTEE ARE CONFIRMED.

UNFINISHED BUSINESS

Ordinance No. B—2020-21 – Highway, Recycling and Solid Waste Committee. Create Outagamie County Ordinance Section 50-353 as pertains to All-Terrain Vehicles and Utility Terrain Vehicles.

At the July 14, August 11 and September 8, 2020 County Board Meetings, Ordinance No. B—2020-21 was held in the Highway, Recycling and Solid Waste Committee.

At the September 22, 2020 County Board meeting, Ordinance No. B—2020-21 was withdrawn; see Establish Order of the Day.

NEW BUSINESS

Resolution No. 42—2020-21 – Highway, Recycling and Solid Waste Committee. Approve the County Highway Department to use a one-time large cash flow from the sale of a wheeled excavator and outdated equipment to purchase a track type excavator and increase Highway Department cost centers for Equipment Costs Capital Outlay and the Machinery Fund Balance Applied by \$260,000, as noted on the attached fiscal note.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 42—2020-21 IS ADOPTED.

Resolution No. 43—2020-21 – Legislative/Audit and Human Resources Committee. Approve the creation of one full-time Brewster Village Nursing Coordinator position effective September 27, 2020, and approve Brewster Village cost center changes as follows: increase Intergovernmental Grants Revenue \$26,505 and decrease Nursing Salary \$18,051, Nursing Fringe Benefits \$7,607 and Admin Purchased Services-IT \$847, as noted on the attachments.

Supervisor T. Thyssen moved, seconded by Supervisor Gabrielson, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 43—2020-21 IS ADOPTED.

Resolution No. 44—2020-21 – Property, Airport, Recreation and Economic Development Committee. Approve the Chief Elected Officials Consortium Agreement Between the Counties of the Wisconsin Bay Workforce Development Area and authorize the County Board Chair, County Executive and County Clerk to execute the agreement on behalf of the County.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 44—2020-21 IS ADOPTED.

Resolution No. 45—2020-21 – Public Safety Committee. Approve the County Sheriff's Office to apply for, accept, and expend the 2020-2021 Alcohol Enforcement Grant to reimburse for overtime hours for County coordinated patrol deployments to arrest and deter unsafe driving, and increase Sheriff's Office Patrol cost centers as follows: Intergovernmental Revenue \$125,000; Salaries \$27,652; Fringe Benefits \$5,348; and Purchased Services \$92,000, as noted on the attached fiscal note.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 45—2020-21 IS ADOPTED.

Resolution No. 46—2020-21 – Public Safety Committee. Approve the County Sheriff's Office to apply for, accept, and expend the 2020-2021 Seat Belt Enforcement Grant to reimburse overtime hours for County coordinated patrol deployments to arrest and deter unsafe driving, and increase Sheriff's Office Patrol cost centers as follows: Intergovernmental Revenue, \$100,000; Salaries, \$22,625; Fringe Benefits, \$4,375; and Purchased Services, \$73,000, as noted on the attached fiscal note.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 46—2020-21 IS ADOPTED.

Resolution No. 47—2020-21 – Highway, Recycling and Solid Waste Committee. Approve entering into an Intergovernmental Agreement with Brown and Winnebago Counties for solid waste disposal as described in the attached Amended and Restated Intergovernmental Solid Waste Disposal Agreement and any fiscal impacts will be included in subsequent Recycling and Solid Waste proposed budgets, as noted on the attached fiscal note.

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

Supervisor Buchman moved, seconded by Supervisor Hagen, to replace Exhibit A with a new exhibit. The new map better defines the landfill boundaries.

On amendment. VOICE VOTE CARRIED UNANIMOUSLY. AMENDMENT CARRIED.

On resolution as amended. VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 47—2020-21 IS ADOPTED AS AMENDED.

Resolution No. 48—2020-21 -- Property, Airport, Recreation and Economic Development Committee and the Health and Human Services Committee. Approve declining the creation of an oversight committee for the Brewster Village Boiler Project which has primarily equipment replacements with no major physical modifications to the facility.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 48—2020-21 IS ADOPTED.

JOINT RECONSIDERATION/LOCK-IN VOTE

Supervisor Miller moved, seconded by Supervisor Marcks, to reconsider Resolution Nos. 43, 47, and 48 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 43, 47, 48—2020-21 IS RECONSIDERED.

Supervisor Buchman moved, seconded by Supervisor Thomas, to lock in Resolution Nos. 43, 47, and 48.

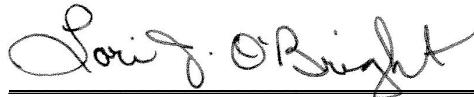
VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 43, 47, 48—2020-21 IS ADOPTED & LOCKED IN.

REPORTS – None.

ADJOURNMENT

Supervisor McCabe moved, seconded by Supervisor Fallona, to adjourn until October 13, 2020, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:58 p.m.



Lori J. O'Bright, County Clerk