

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

**TELECONFERENCE MEETING**

Office of the County Clerk, December 8, 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, N. Thyssen, Krueger, Lamers, Fallona, McCabe, Wegand, J. Thyssen, Peterson, Schroeder, Croatt, Spears, Marcks, Thomas, T. Thyssen, Hagen, Klemp, Iverson, Nooyen, Davidson, Culbertson, Monfils, Buchman, Woodzicka, Clegg, O'Connor-Schevers, Rettler, and Suprise. Members absent: VanderHeiden, Melchert.

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

MINUTES OF THE NOVEMBER 2, 2020 COUNTY BOARD MEETING

Supervisor Marcks moved, seconded by Supervisor Thompson, for approval of the minutes of the November 2, 2020 Board meeting.

VOICE VOTE CARRIED UNANIMOUSLY. MINUTES OF THE NOVEMBER 2, 2020 COUNTY BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

Jim Macy, von Briesen - Deputy Sheriff Association contract update (Resolution No. 103).

Chairperson Nooyen introduced Jim Macy to report on the Deputy Sheriff Association's contract relative to Resolution No. 103 on this evening's agenda.

Mr. Macy reported:

- A tentative agreement has been approved by the union subject to County Board approval this evening.
- The settlement document includes clean-up language, but no substantive changes, except for wage increases.
- Two years ago, an agreement was close to arbitration. A compromise occurred, and the wage increase approved was the going rate at the time. The county has done a good job with holding costs.
- However, subsequently, the seven comparable counties in the area approved larger increases. Outagamie County then lost competitiveness from those counties, with us being as 7 out of 8, which has provided challenges for recruitment and retention of employees.
- The union, therefore, asked for substantially more than what is before the Board this evening, and a compromise was reached. If the settlement would have gone to an arbitrator, the arbitrator would have reviewed the comparable county settlements. The committee, therefore, recommended passage this evening.

Supervisor VanderHeiden attended the meeting.

Chairperson Nooyen thanked Mr. Macy for his services and being available to provide information

regarding the contract.

### ESTABLISH ORDER OF THE DAY

As this was the last meeting in December, Chairperson Nooyen noted that all resolutions/ordinance need to be locked in. He requested that one motion for reconsideration with roll call and subsequent roll call for lock in occur (unless a supervisor wanted an item voted on separately). The motion/votes would cover Resolution & Ordinance Nos. Z-20, Z-5 (Ordinance), 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103—2020-21 (Resolution No. 100 was subsequently held in committee). Chair Nooyen asked for unanimous consent to handle them at the end of the meeting as noted. No objections; so ordered.

Chairperson Nooyen requested suspension of the rules to move the County Executive and County Chairperson appointments to the Brewster Village Four Year Roof Replacement Project Oversight Committee (6.A. and 6.E.) to be taken up after Resolution No. 88 (8.F. - resolution forming the Brewster Village Four Year Roof Replacement Project Oversight Committee). No objections; so ordered.

Chair Nooyen inquired, and Supervisor Culbertson confirmed, that Resolution No. 100 be held in committee. No objections; so ordered.

Supervisor T. Thyssen requested that Resolution No. 54, under Unfinished Business, be withdrawn. No objections; so ordered. RESOLUTION NO. 54—2020-21 IS WITHDRAWN.

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

Chairperson Nooyen reported on the following additional communications:

- County Board Holiday Event - Typically this evening, a County Board Christmas/Holiday dinner would be held prior to the meeting, but due to COVID, that could not be done this year. Chairperson Nooyen thanked Supervisor Travis Thyssen for delivery of cheese platters to each and every County Board home. Supervisor T. Thyssen handmade the platters from a single log from his property.
- Former Supervisors Passing - Former Supervisors Cody Splitt (served 1995-2001) passed on Nov. 1 (funeral to be held after the pandemic is over), and Ralph Thern (served on 2004-15) passed on Dec. 4 (funeral tomorrow).
- DropBox Information: Information on the \$500 million bond sale on Nov. 17 is in DropBox for review.
- Cares Act Routes to Recovery funding – Everyone involved was thanked for their work on administration for the funding including staff from the following offices: County Executive, Human Resources, Health & Human Services, Finance Department (especially Yvette Mueller), and all administrative staff/departments.
- IT Security Training- Another round of training must be completed by the end of December. Supervisors were requested to note that an email was sent each one with a personalized link for the training. The training takes approximately 20 minutes, and must be completed by end of December. While training can be completed with IPads, it may be easier to forward the email to a desktop or laptop to complete. Supervisors should contact Legislative Services if they have any questions.
- WCA Legislative Exchange – The annual Legislative Exchange meeting will be held virtually March 2 & 3.
- County Executive Nelson's Report. Executive Nelson's report is in DropBox under Communications. Along with Happy Holidays provided, a few highlights from his report include:
  - Outagamie County was again certified AAA by Moody's, and

- The BOW consortium agreement for solid waste been signed providing an agreement for many years ahead. Since BOWs' inception, taxpayers have been saved over \$40 million.
- County Clerk Lori O'Bright Retirement – This evening is Lori's final County Board meeting as she is retiring from service with Outagamie County. Lori started her service over 30 years ago in the County Clerk's office, took a break of service, and then returned to work in Legislative Services. She subsequently worked in the County Executive's Office and Solid Waste Department before running for a special election and taking office as County Clerk in 2011. A round of applause was given for her service. Lori thanked the County Board for their recognition.

#### APPOINTMENTS

County Executive Nelson nomination for appointments of Holly Femal, David Horst, Amber George and Craig Schultz to the Comprehensive Outdoor Recreation Plan Advisory Committee; said terms limited to the span of the project.

Supervisor Hammen, seconded by Supervisor Wegand, for confirmation of the above-listed appointments.

VOICE VOTE CARRIED UNANIMOUSLY. FEMAL, HORST, GEORGE AND SCHULTZ ARE CONFIRMED TO THE COMPREHENSIVE OUTDOOR RECREATION PLAN ADVISORY COMMITTEE.

County Executive Nelson nomination for appointments of Brian Bezier, Barb Bocik, Greg Gill (alternate), Mitch Metropulos, Craig Moser (alternate), Tom Nelson, Curt Nysted, Ryan Peterson, John Rathman, Melinda Tempelis, Bernard Vetrone and Derreka Walton (re-appointment) to the Criminal Justice Coordinating Council; said terms expiring April 30, 2022.

Supervisor Patience, seconded by Supervisor N. Thyssen, for confirmation of the above-listed appointments and re-appointment.

VOICE VOTE CARRIED UNANIMOUSLY. APPOINTMENTS OF BEZIER, BOCIK, GILL (ALTERNATE), METROPULOS, MOSER (ALTERNATE), NELSON, NYSTED, PETERSON, RATHMAN, TEMPELIS, VETRONE AND WALTON (RE-APPOINTMENT) ARE CONFIRMED TO THE CRIMINAL JUSTICE COORDINATING COUNCIL.

County Executive Nelson nomination for re-appointments of Brad Bastian, Jeff Dietzen, Jeremy Freund, Terri Lison, Tom Rooney, Sarah Van Camp, Julie Vanden Acker, Trent Woelfel and Brea Vang (appointment) to the Land Information Council; said terms expiring April 2020.

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

VOICE VOTE CARRIED UNANIMOUSLY. RE-APPOINTMENTS OF BASTIAN, DIETZEN, FREUND, LISON, ROONEY, VAN CAMP, VANDEN ACKER, WOELFEL AND VANG (APPOINTMENT) TO THE LAND INFORMATION COUNCIL ARE CONFIRMED.

#### UNFINISHED BUSINESS

Resolution No. 54—2020-21 -- Legislative/Audit and Human Resources Committee. Support pending legislation to create a liability exemption relating to COVID-19 for owners, lessees, occupants, or other individuals or entities in control of a premises who invite or permit another person onto the premises, and is immune from liability for an injury of a person who is exposed to COVID-19 on the property, except

where the owner, lessee, or occupant knowingly violates an emergency public health order or engages in reckless, wanton, or intentional misconduct.

*At the October 13, October 27, and November 2, 2020 County Board Meetings, Resolution No. 54 was held in the Legislative/Audit and Human Resources Committee.*

At the December 8, 2020 County Board Meeting, Resolution No. 54 was withdrawn (see Establish Order of the Day).

#### NEW BUSINESS

Resolution No. Z-20—2020-21 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezoning request for Joan B Vanhandel Surv Trust, owner, parcel 110076000, 25.09 acres, from General Agriculture District to RR Rural Residential and INST Institutional in the Town of Greenville, as noted on the attachments.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-20—2020-21 IS ADOPTED.

Ordinance No. Z-5—2020-21 -- Agriculture, Extension Education, Zoning and Land Conservation Committee. Recommend the attached proposed amendment to the Outagamie County Comprehensive Plan, Addendum 2 – Farmland Preservation Plan to include the Cicero Blackmour AEA map, approximately 45,466 acres, located in the Towns of Black Creek, Cicero and Seymour, as shown on Exhibit A, as approved by DATCP, and revisions to the “County Actions for Agriculture Development” section text, reflected in the review on Exhibit B.

Supervisor VanderHeiden moved, seconded by Supervisor O’Connor-Schevers, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-5—2020-21 IS ADOPTED.

Resolution No. 85—2020-21 – Finance Committee. Deny the claim submitted by Lori Batley that has been placed on file in the office of the Outagamie County Clerk and that no action on this claim may be brought against Outagamie County or any of its officers, officials, agents, or employees after six months from the date of service of this notice, as noted on the attachment.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 85—2020-21 IS ADOPTED.

Resolution No. 86—2020-21 -- Highway, Recycling and Solid Waste Committee. Approve removing the Single Stream Recycling Fiber Baler Infeed Belt capital outlay item for \$150,000 from the 2020 budget, and decrease the following Single Stream cost centers: Operating Transfer In (Out share) \$50,895; Contributed Capital – Brown \$64,290; Contributed Capital – Winnebago \$34,815; Capital Outlay \$150,000; Activity Operating Transfer In \$50,895 and SW Internal Ops Fund Balance Applied \$50,895, as detailed in the attached fiscal note.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 86—2020-21 IS ADOPTED.

Resolution No. 87—2020-21 -- Property, Airport, Recreation and Economic Development Committee. Approve various budget transfers in the Appleton International Airport budget in order to align the budget to the actual expenses incurred and anticipated on existing Airport capital improvements and operations, as noted on the attachments.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 87—2020-21 IS ADOPTED.

Resolution No. 88—2020-21 -- Property, Airport, Recreation and Economic Development Committee and the Health and Human Services Committee. Establish the Brewster Village Four Year Roof Replacement Project as a public works project whose total cost will exceed \$250,000 in accordance with Section 50-87 of the Outagamie County Code of Ordinances, and establish the Brewster Village Four Year Roof Replacement Project Oversight Committee to assure that the project proceeds in the best interest of the county.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 88—2020-21 IS ADOPTED.

APPOINTMENTS-Continued

**BREWSTER VILLAGE FOUR-YEAR ROOF REPLACEMENT PROJECT OVERSIGHT COMMITTEE**

County Executive Nelson nomination for appointments of Paul Farrell, Craig Moser and Isaiah Tate to the Brewster Village Four-Year Roof Replacement Project Oversight Committee; said terms for the duration of the project.

Supervisor Culbertson moved, seconded by Supervisor Gabrielson, for confirmation of the above-listed appointments.

VOICE VOTE CARRIED UNANIMOUSLY. APPOINTMENTS ARE CONFIRMED FOR PAUL FARRELL, CRAIG MOSER AND ISAIAH TATE TO THE BREWSTER VILLAGE FOUR-YEAR ROOF REPLACEMENT PROJECT OVERSIGHT COMMITTEE.

County Board Chair Nooyen nomination for appointments of Ron Klemp, Dan Gabrielson (Chair) and Travis Thyssen to the Brewster Village Four Year Roof Replacement Project Oversight Committee; said terms expiring April 2022.

Supervisor Konetzke, seconded by Supervisor Woodzicka, for confirmation of the above-listed appointments.

VOICE VOTE CARRIED UNANIMOUSLY. APPOINTMENTS OF RON KLEMP, DAN GABRIELSON (CHAIR) AND TRAVIS THYSSEN TO THE BREWSTER VILLAGE FOUR YEAR ROOF REPLACEMENT PROJECT OVERSIGHT COMMITTEE ARE CONFIRMED.

Resolution No. 89—2020-21 – Public Safety Committee. Approve the County Sheriff's Office to apply for, accept and expend the 2021 County/Tribal Law Enforcement Grant of \$31,137, split equally with the Oneida Tribe of Indians, and increase the following Sheriff's Office Patrol cost centers:

Intergovernmental Revenues \$31,137, Supplies \$15,568, and Purchased Services \$15,569, as noted on the attached fiscal note.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 89—2020-21 IS ADOPTED.

Resolution No. 90—2020-21 – Public Safety Committee. Approve various budgetary transfers in the Sheriff's Office Process Service, Drug Squad, Corrections and Patrol cost centers where expenditures incurred exceeded amounts originally projected, as noted on the attachments.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 90—2020-21 IS ADOPTED.

Resolution No. 91—2020-21 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve various budget transfers and alterations in the 2020 Land Conservation Grant Budget, as noted on the attachments.

Supervisor O'Connor-Schevers moved, seconded by Supervisor Suprise, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 91—2020-21 IS ADOPTED.

Resolution No. 92—2020-21 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the Land Conservation Department to accept and expend the Great Lakes Sediment and Nutrient Reduction Program grant funds from the Great Lakes Commission for the project Building the Water Storage Capacity of the Lower Fox beginning in late 2020 with no budget adjustment required, as noted on the attached fiscal note.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 92—2020-21 IS ADOPTED.

Resolution No. 93—2020-21 – Highway, Recycling and Solid Waste Committee. Approve various budget transfers and alterations in the 2020 Highway Department budgets, as noted on the attachments.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 93—2020-21 IS ADOPTED.

Resolution No. 94—2020-21 – Finance Committee. Authorize execution of the "Resolution Establishing Parameters for the Sale of Not to Exceed \$8,000,000 Taxable General Obligation Airport Bonds, Series 2021", as noted on the attachments.

Supervisor Marcks moved, seconded by Supervisor Iverson, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 94—2020-21 IS ADOPTED.

Resolution No. 95—2020-21 – Finance Committee. Authorize writing off the 2020 Accounts Receivables and authorize the Finance Director to remove these receivables from the County records and deem them no longer collectible, as noted on the attachments.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 95—2020-21 IS ADOPTED.

Resolution No. 96—2020-21 – Finance Committee. Approve the County Clerk's Office to accept and expend an Elections CARES Act subgrant of \$10,000, and increase the cost centers for County Clerk Elections Purchased Services and Intergovernmental by \$10,000, as noted on the attached fiscal note.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 96—2020-21 IS ADOPTED.

Resolution No. 97—2020-21 – Highway, Recycling and Solid Waste Committee. Approve to amend and restate the current Outagamie Clean Energy Project, LLC contract; assign the contract to Mas Energy LLC; approve MAS Outagamie, LLC, constructing a Renewable Natural Gas Plant; and amend the contract to adjust the rates paid to the County to a revised percentage of the Mas Energy LLC's total renewable natural gas sales, as noted on the attachments.

Supervisor Buchman moved, seconded by Supervisor J. Thyssen, for adoption.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 97—2020-21 IS ADOPTED.

Resolution No. 98—2020-21 – Health and Human Services Committee. Approve the Counties of Outagamie and Winnebago to form a Women, Infant and Children (WIC) consortium effective January 1, 2021, with Outagamie County Health and Human Services serving as the fiscal and administrative lead agency for this consortium and approve various budget adjustments in the 2021 Department of Health and Human Services WIC budget, as noted on the attached fiscal note and Attachment A.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 98—2020-21 IS ADOPTED.

Resolution No. 99—2020-21 – Legislative/Audit and Human Resources Committee. Ratify Executive Order 7-2020 and the Temporary Outagamie County COVID-19 Emergency Compensation Plan Policy (attached) through the pendency of the Public Health Emergency and that any unused employee COVID-19 leave balances be rolled over into 2021. Approve Paid Administrative Leave for COVID-19 Exposure Policy (attached) be implemented through the pendency of the Public Health Emergency and the current Voluntary Shared Leave program requirements as outlined in the Outagamie County Employee Handbook be temporarily relaxed through the pendency of the Public Health Emergency that only the Outagamie County COVID-19 leave balance must be exhausted prior to an employee receiving a donation of vacation leave from another employee.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 99—2020-21 IS ADOPTED.

Resolution No. 100—2020-21 – Property, Airport, Recreation and Economic Development Committee. Approve the Building Lease Agreement between Outagamie County and Maxair LLC for an aircraft hangar facility and office space at the Appleton International Airport, and authorize execution of the Building Lease Agreement with Maxair LLC with the new lease rates and amounts included in the 2021 budget, as noted on the attachments.

At the December 8, 2020 County Board meeting, this resolution was held in the Property, Airport, Recreation and Economic Development Committee (see Establish Order of the Day).

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 100—2020-21 IS ADOPTED.

Resolution No. 101—2020-21 – Legislative/Audit and Human Resources Committee. Create one full-time Children’s Long Term Support Community Support (CLTS) Specialist position (sunset position) effective January 18, 2021, and increase the following CLTS cost centers: Salaries \$50,222; Fringe Benefits \$27,407; Travel/Training \$1,920; Supplies \$250; Purchased Services \$3,135; Inter Gov – Children’s Waiver \$82,934, as noted on the attachments.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 101—2020-21 IS ADOPTED.

Resolution No. 102—2020-21 – Health and Human Services Committee. Call on the Wisconsin State Legislature to work with the State of Wisconsin Governor to pass legislation establishing consistent, science-based, and enforceable statewide measures for controlling the COVID-19 pandemic in Wisconsin.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 102—2020-21 IS ADOPTED.

Resolution No. 103—2020-21 – Legislative/Audit and Human Resources Committee. Approve the attached Agreement between Outagamie County and Outagamie County Deputy Sheriff’s Association for 2020-2022, authorizing wage adjustments, Step program, and health insurance premiums, and approve various adjustments and alterations in the 2020 and 2021 Sheriff’s Office and Contingency Fund budgets for the Contract Settlement, as noted in the resolution and on attachments.

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

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 103—2020-21 IS ADOPTED.

RECONSIDERATION OF NEW BUSINESS FOR PURPOSE OF LOCK IN

RECONSIDERATION OF ALL NEW BUSINESS RESOLUTION & ORDINANCE NOS. Z-20, Z-5 (ORDINANCE), 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, AND 103—2020-21.

Supervisor Hagen moved, seconded by Supervisor Marcks, to reconsider the above listed resolutions.

Vote for reconsideration. VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION & ORDINANCE NOS. Z-20, Z-5 (ORDINANCE), 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103—2020-21 ARE RECONSIDERED.

Vote for lock in. VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION & ORDINANCE NOS. Z-20, Z-5 (ORDINANCE), 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103–2020-21 ARE ADOPTED & LOCKED IN.

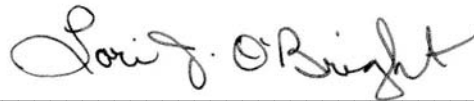
REPORTS—No reports.

Chairperson Nooyen wished everyone Happy Holidays.

ADJOURNMENT

Supervisor Buchman moved, seconded by Supervisor Peterson, to adjourn until January 12, 2021, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY

The meeting adjourned at 7:54 p.m.

A handwritten signature in cursive script, reading "Lori O'Bright", written in black ink.

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Lori O'Bright, County Clerk