

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

Office of the County Clerk, December 12, 2023.

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

ROLL CALL: 35 present, 1 vacant. Members present: Thompson, Miller, Smith, Patience, Gabrielson, Hammen, Lawrence, Krueger, Lamers, Ferguson, McCabe, Wegand, Hermes, MacDonald, Schroeder, Croatt, Spears, Cooke, Santonato, Cuff, Hagen, Klemp, Thiede, Nooyen, Weinberg, Culbertson, Monfils, Winterfeldt, Nejedlo, Clegg, Thyssen, VanderHeiden, Rettler, Koury, and Lautenschlager. Vacant: District #6.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE NOVEMBER 6, 2023 COUNTY BOARD MEETING

Supervisor Croatt moved, seconded by Supervisor Cooke, to approve the minutes of the November 6, 2023, County Board meeting.

ROLL CALL: 34 yes, 1 abstain (Santonato), 1 vacant. MINUTES OF THE NOVEMBER 6, 2023, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Chairperson Nooyen reported the request to have all Appointments, Resolutions (Res. Nos. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24), and Ordinances (Ord. Nos. I, J, K—2023-24) locked in at the meeting.

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

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

Chairperson Nooyen summarized the following communications:

- There are six Supervisors that have yet to complete the IT security training that was due in November. An email reminder was sent to those individuals. A new training was sent out earlier in the week for the month of December. Please get this completed as soon as possible.
- The Clerk of Courts office received a perfect score on the Acceptance Facility Oversight Review Report from the Department of State through the Chicago Passport office. Congratulations to the Clerk of Courts department on this great accomplishment.
- There were 23 board members and four staff that contributed to this year's Adopt A Family program. The County Board raised \$745. Thank you.
- Vice-Chair Gabrielson gave a brief update on how to keep iPads up to date with any security updates. Feel free to reach out to the Legislative Services office with any questions.
- A reminder from the County Clerk's office that if you are not seeking re-election to please file Notice of Non-Candidacy by December 21st. Election papers for those candidates running for office in the Spring Election are due in the County Clerk's office no later than January 2nd, 2024 at 5:00 pm.

- A reminder that security badges are required to enter the building. If you do not have your badge with you, please use the public entrance by security. Do not allow others to enter the building with you and if you see anything suspicious, please contact security.
- The next scheduled County Board meeting is scheduled for January 9th, 2024 at 7:00 p.m.
- Chairperson Nooyen thanked Sarah Hickey and her staff for the holiday treats.
- Chairperson Nooyen offered a special welcome to the boy scouts visiting the County Board meeting for their citizenship badge.

PUBLIC PARTICIPATION IS LIMITED TO ONLY MATTERS LISTED ON THE AGENDA AND FOR A TOTAL OF FIFTEEN MINUTES WHICH MAY BE EXTENDED TO 30 MINUTES AT THE DISCRETION OF THE CHAIR –

Barb Bocik, 4115 N Birchbark Ct, Grand Chute WI – Outagamie County Clerk of Courts – spoke in favor of Resolution 78—2023-24.

Jane Treml, 407 Robert Ct, Seymour WI – representing Outagamie County Clerk of Courts – spoke in favor of Resolution 78—2023-24.

Mandy Meitner, 11 Seneca Ct, Appleton WI – representing Outagamie County Clerk of Courts – spoke in favor of Resolution 78—2023-24.

Becky Baranczyk, 320 S Walnut St, Appleton WI – representing Outagamie County Clerk of Courts – spoke in favor of Resolution 78—2023-24.

APPOINTMENTS –

County Executive Nelson nomination for re-appointments of Tyler Baeten and Bobbie Buchholtz, and the appointment of Veronica Woodward to the OWLS Board of Trustees, terms expiring December 31, 2026.

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

ROLL CALL: 34 yes, 1 no (Hermes), 1 vacant. TYLER BAETEN AND BOBBIE BUCHHOLTZ ARE RE-APPOINTED AND VERONICA WOODWARD IS APPOINTED TO THE OWLS BOARD OF TRUSTEES.

County Executive Nelson nomination for appointment of Carl Mohl to the Outagamie County Local Emergency Planning Committee, term expiring on June 30, 2026.

Supervisor Patience moved, seconded by Supervisor Wegand, for confirmation of the above-listed appointment.

ROLL CALL: 35 yes, 1 vacant. CARL MOHL IS APPOINTED TO THE OUTAGAME COUNTY LOCAL EMERGENCY PLANNING COMMISSION.

County Executive Nelson nomination for appointment of Diane Wessel to the Board of Adjustment Zoning Ordinance, term expiring June 30, 2026.

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

ROLL CALL: 35 yes, 1 vacant. DIANE WESSEL IS APPOINTED TO THE BOARD OF ADJUSTMENT ZONING ORDINANCE.

County Board Chair Nooyen nomination for appointment of John Kostelny to the District 6 County Board Supervisor position and serving on the Legislative/Audit and Human Resources Committee; term expiring April 15, 2024.

Supervisor Smith moved, seconded by Supervisor Santonato, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. JOHN KOSTELNY IS APPOINTED TO THE DISTRICT 6 COUNTY BOARD SUPERVISOR POSITION AND SERVING ON THE LEGISLATIVE/AUDIT AND HUMAN RESOURCES COMMITTEE.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Resolution No. Z-7—2023-24 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Robert and Lisa Vandeloo for parcels 130026600, 130024700, 130035901, 130033500, 130038401, 130038500, 130038900, 130038100, and 130036302 from the Transitional District to the Exclusive Agriculture District in the Town of Kaukauna, as detailed on the attached review and map.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. Z-7—2023-24 IS ADOPTED.

Resolution No. 74—2023-24 – Property, Airport, Recreation and Economic Development Committee. Approve to enter into a new lease for office space and rental car ready return spots located in the Appleton International Airport's Consolidated Car Rental Facility with the following rental car companies: Midwestern Wheels DBA Avis Rent-A-Car and Budget Rent-A-Car; Broadway Rental Cars, Inc. DBA Hertz; Enterprise DBA Enterprise Rent-A-Car, National Car Rental, and Alamo Rent-A-Car, with no impact to the 2024 budget, as the estimated revenues are already included in the budget, as detailed on the attachments.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 74—2023-24 IS ADOPTED.

Resolution No. 75—2023-24 – Public Safety Committee. Approve the Emergency Management Department to accept and expend the Hazardous Materials Emergency Preparedness (HMEP) Grant for \$8,200, to offer specialized training opportunities, as noted on the attachments, and to increase the line items of EM Grants Intergovernmental Revenues and the EM Grants Purchased Services by \$8,200 each, as detailed on the attached fiscal note.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 75—2023-24 IS ADOPTED.

Resolution No. 76 —2023-24 – Public Safety Committee. Approve the request to transfer the following line items for the vacated EM Program and EPCRA Manager position: \$20,000 from the Small Department Vacation/Sick Leave Payout Fund to the Emergency Management Salaries for \$15,000 and Fringe Benefits for \$5,000, and increase the Fund Balance Applied by \$20,000 and decrease the Committed Fund Balance for Small Dept Vac/Sick Payouts by \$20,000, and increase the Fund Balance Unassigned by \$20,000, as detailed on the attachments.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 76—2023-24 IS ADOPTED.

Resolution No. 77—2023-24 – Public Safety Committee. Approve the County Sheriff's Office to apply for, accept, and expend the 2024 County/Tribal Law Enforcement Program grant issued by the Wisconsin Department of Justice for \$30,205, to be split equally with the Oneida Tribe of Indians, and, authorize and approve to increase the following 2024 Patrol line items: Intergovernmental Revenue by \$30,205.00; Supplies by \$15,102.50; Purchased Services by \$15,102.50, as detailed in the attached fiscal note.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 77—2023-24 IS ADOPTED.

Resolution No. 78—2023-24 – Legislative/Audit and Human Resources Committee. Approve the full-time staff in the Clerk of Circuit Courts office to work a 40 hour work week effective December 17, 2023, with no budget adjustment necessary and included in the 2024 budget.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 78—2023-24 IS ADOPTED.

Resolution No. 79—2023-24 – Legislative/Audit and Human Resources Committee. Approve to support pending legislation that will allow a juvenile court or comparable place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and Juvenile Justice Code while defining "like-kin" for the purposes of such placement to be an individual who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal tradition, custom or resolution, code, or law, while not including a current or former foster parent of a child for placement purposes.

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

ROLL CALL: 34 yes, 1 abstain (Koury), 1 vacant. RESOLUTION NO. 79—2023-24 IS ADOPTED.

Resolution No. 80—2023-24 – Agriculture, Extension Education, Zoning, and Land Conservation Committee. Approve the County Land Conservation Department to accept and expend a private grant from the University of Wisconsin-Green Bay for \$116,875, to be used for engineering services to advance agricultural runoff treatment research to determine sustainable treatment systems and create design recommendations, and increase the following line items in the Land Conservation Grants Cost Center: Misc. Revenue by \$116,875; Salary by \$13,190; Fringe by \$5,160; Travel by \$4,140; Supplies by \$17,000; Purchased Services by \$77,385, as detailed on the attached fiscal note.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 80—2023-24 IS ADOPTED.

Resolution No. 81—2023-24 – Highway, Recycling and Solid Waste Committee. Approve of various budget transfers and alterations in the 2023 Recycling and Solid Waste and Single Stream Recycling budgets, as detailed on the attachments.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 81—2023-24 IS ADOPTED.

Resolution No. 82—2023-24 – Public Safety Committee. Approve the following line item transfers: increase the CJTS Travel/Training by \$2,600; decrease the CJTS Salaries by \$2,600; increase the TAD Grant Travel/Training by \$1,800; increase the TAD Grant Supplies by \$12,000; and decrease the TAD Grant Purchased Services by \$13,800, due to training that was anticipated to be covered by the JAG grant that did not materialize and to maximize grant resources, as detailed in the attached fiscal note.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 82—2023-24 IS ADOPTED.

Resolution No. 83—2023-24 – Public Safety Committee. Approve of various budget transfers in the 2023 Sheriff's Office budget, as detailed in the attachments.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 83—2023-24 IS ADOPTED.

Resolution No. 84—2023-24 – Health and Human Services Committee. Approve of various budget transfers and alterations in the 2023 Health and Human Services budget, as detailed on the resolution and attachments.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 84—2023-24 IS ADOPTED.

Resolution No. 85—2023-24 – Highway, Recycling and Solid Waste Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement for the County CC overpass replacement project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 85—2023-24 IS ADOPTED.

Resolution No. 86—2023-24 – Highway, Recycling and Solid Waste Committee and the Property, Airport, Recreation & Economic Development Committee. Approve to authorize the Highway Commissioner to enter into a State/Municipal Financial Agreement and County/Municipal Cost Agreement for the County OO & WIS 15 interchange reconstruction project, as noted on the attached State/Municipal Financial Agreement for a State-Let Highway Project and Outagamie County Highway Department County/Municipal Cost Agreement, and authorize funding for the county share of the project costs to be included in future budgets, as detailed on the attached fiscal note.

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

ROLL CALL: 35 yes, 1 vacant. RESOLUTION NO. 86—2023-24 IS ADOPTED.

Ordinance No. I—2023-24 – Legislative/Audit and Human Resources Committee. Approve the request to amend the County Code of Ordinances, County Board Rules, by updating language in Chapter 2, Section 2-45, Rule 2(a)(7), Agenda for all meetings, Order of Business and Section 2-49, Rule 6 (1), Appearance of non-Board members, Public Participation, as detailed on the resolution.

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

ROLL CALL: 31 yes, 4 no (Gabrielson, Santonato, Thiede, Nejedlo), 1 vacant. ORDINANCE NO. I—2023-24 IS ADOPTED.

Ordinance No. J—2023-24 – Highway, Recycling and Solid Waste Committee. Approve designating CTH D from STH 45 to Schweitzer Road; CTH DD from Spurr Road to CTH D; CTH W from CTH D to STH 76; and CTH WW from Church Street to STH 76, in the Town of Maple Creek, as ATV/UTV routes, as detailed on the attached Memorandums and map.

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

ROLL CALL: 32 yes, 3 no (Ferguson, MacDonald, Thiede), 1 vacant. ORDINANCE NO. J—2023-24 IS ADOPTED.

Ordinance No. K—2023-24 – Highway, Recycling and Solid Waste Committee. Approve designating CTH MM from Western Town Line to STH 76, in the Town of Ellington, as an ATV/UTV route, as detailed on the attached Memorandum and map.

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

ROLL CALL: 32 yes, 3 no (Ferguson, MacDonald, Thiede), 1 vacant. ORDINANCE NO. K—2023-24 IS ADOPTED.

Supervisor Ferguson requested Ordinance Nos. J and K—2023-24 be separated for reconsideration and lock-in.

RECONSIDERATION OF ORDINANCE NOS. J AND K—2023-24.

Supervisor Gabrielson moved, seconded by Supervisor Lawrence, to reconsider the above listed ordinances.

Vote for reconsideration. ROLL CALL: 31 yes, 4 no (Wegand, MacDonald, Cooke, Nejedlo), 1 vacant. ORDINANCE NOS. J AND K —2023-24 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 32 yes, 3 no (Ferguson, Wegand, MacDonald), 1 vacant. ORDINANCE NOS. J AND K—2023-24 ARE ADOPTED & LOCKED IN.

RECONSIDERATION OF APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24.

Supervisor Patience moved, seconded by Supervisor Lawrence, to reconsider the above listed appointments, ordinance, and resolutions.

Vote for reconsideration. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24 ARE RECONSIDERED.


Vote for lock in. ROLL CALL: 35 yes, 1 vacant. APPOINTMENTS, ORDINANCE NO. I, AND RESOLUTION NOS. Z-7, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86—2023-24 ARE ADOPTED & LOCKED IN.

REPORTS—None.

ADJOURNMENT

Supervisor Culbertson moved, seconded by Supervisor Patience to adjourn until January 9, 2024, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:43 p.m.



Jeff King, County Clerk

ROLL CALL SUMMARY DECEMBER 12, 2023 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	25	25	136	135
2. Miller	25	25	136	135
3. Smith	25	25	136	102
4. Patience	25	25	136	136
5. Gabrielson	25	25	136	136
6. Vacant	0	0	0	0
7. Hammen	25	25	136	119
8. Lawrence	25	25	136	136
9. Krueger	25	25	136	108
10. Lamers	25	25	136	131
11. Ferguson	25	25	136	136
12. McCabe	25	25	136	118
13. Wegand	25	25	136	69
14. Hermes	25	25	136	116
15. MacDonald	25	25	136	136
16. Schroeder	25	25	136	106
17. Croatt	25	25	136	119
18. Spears	25	25	136	76
19. Cooke	25	25	136	136
20. Santonato	25	24	136	96
21. Cuff	25	25	136	136
22. Hagen	25	25	136	131
23. Klemp	25	25	136	117
24. Thiede	25	25	136	136
25. Nooyen	25	25	136	136
26. Weinberg	25	25	136	119
27. Culbertson	25	25	136	124
28. Monfils	25	25	136	105
29. Winterfeldt	25	25	136	124
30. Nejedlo	25	25	136	134
31. Clegg	25	25	136	136
32. Thyssen	25	25	136	78
33. Vander Heiden	25	25	136	118
34. Rettler	25	25	136	106
35. Koury*	25	24	124	109
36. Lautenschlager	25	25	136	126

*Koury's first day was May 8, 2023

Konetzke (Dist. 6) last meeting was November 6, 2023

Member(s) absent: District 6 Vacant