

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

Office of the County Clerk, May 28, 2024.

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: 30 present, 6 absent. Members present: Thompson, Johnson, Smith, Patience, Gabrielson, Kostelny, Hammen, Lawrence, Lamers, Ferguson, McCabe, Wegand, MacDonald, Spears, Heiser, Mitchell, Hagen, Klemp, Thiede, Janke, Weinberg, Culbertson, Monfils, Nejedlo, Clegg, Thyssen, VanderHeiden, Rettler, Koury, and Lautenschlager. Members absent: Krueger, Hermes, Schroeder, Croatt, Cuff, Winterfeldt.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Krueger, Supervisor Hermes, Supervisor Croatt, Supervisor Cuff, and Supervisor Winterfeldt. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Gabrielson.

MINUTES OF THE MAY 14, 2024 COUNTY BOARD MEETING

Supervisor Koury moved, seconded by Supervisor Kostelny, to approve the minutes of the May 14, 2024, County Board meeting.

ROLL CALL: 26 yes, 4 abstain (Ferguson, MacDonald, Thiede, Thyssen), 6 absent. MINUTES OF THE MAY 14, 2024, COUNTY BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – Kevin Englebert, DLS Director, will provide an ARPA funding update

DLS Director, Kevin Englebert gave an overview of ARPA (American Rescue Plan Funds), ARPA internal funding, and ARPA external grants.

- Outagamie County received \$36.5M in ARPA funding in 2021.
 - o Under the final rule of the US Treasury, the County is required to obligate all funding by 12/31/24.
 - o The funds must be spent by 12/31/2026.
 - o The goal is to have all funds spent or allocated by the end of 2024.
 - o Examples of obligations – subawards for affordable housing projects (RISE, Habitat), contract with Miron for the 9-1-1 Center, and the purchase order for HVAC cooling coil.
 - o Obligations are not scope of work agreements with amounts unspecified, budget line items in future years, or CIP projects.
- Under ARPA regulations, there are two categories of the ARPA portfolio:
 - o Funding that needs to be used for ARPA eligible use. (\$26.5M)
 - Respond to public health and economic impacts of the pandemic.
 - Offer premium pay for essential workers, retention payments.
 - Invest in water, sewer, and broadband.
 - Miscellaneous uses – affordable housing, behavioral health, tourism, and child care.

- The other type of ARPA funding received is for lost revenue. (\$10M)
 - This funding is for local units of government to be made whole from impacts of the pandemic.
 - The lost revenue funding is more flexible and can be used for most government services.
 - ARPA cannot be used to fund debt service, offsets of a reduction in tax revenue, or pension contributions.
- Allocations are different from obligations. Allocations are resolutions passed by the County Board directing funding to categories or projects.
 - All allocations must be made by either County Board resolutions or through the budget process.
 - As of 5/15/24: \$17,034,471 of ARPA funding has been spent, \$12,722,090 is the unobligated total, and \$2,064,804 of those funds are lost revenue.
- There have been 62 ARPA allocations made to date (25 completed projects).
 - Of the closed projects, we know that there is \$1.6M available to reallocate at this time.
 - This amount is likely to increase throughout the year as the other projects mature.
 - It is estimated that \$1.6M-\$4.0M will be available to reallocate this year.
 - The County Board must reallocate via resolution.
 - Options include county eligible expenses in the 2024 budget, new community grant/beneficiary programs, and additional funding for existing projects.

DLS Director Englebert reviewed ARPA internal funding:

- Approximately \$22M via 60 projects.
- Top 5 projects:
 - 9-1-1 Communications Center - \$5.6M
 - Plamann Park Sewer - \$3.0M
 - IT Projects - \$2.0M
 - Staff Retention Bonuses - \$1.7M
 - Airport Terminal Expansion - \$1.0M
- Other highlights: \$683k for Sheriff's equipment, \$615k for facilities upgrades, \$488k for Cover Crop Program, \$250k for Plamann Park ash tree removal, and \$175k for budget software.

DLS Director Englebert reviewed ARPA external funding:

- Outagamie County set aside \$3.5M for affordable housing.
 - RISE
 - \$1M grant to MF Housing Partners.
 - It is located in downtown Appleton, north of the Appleton Public Library.
 - This project includes eight 3-bedroom townhomes with attached garages and 40-unit apartments in a mid-rise building.
 - Ten units are at or below 30% of AMI.
 - Habitat for Humanity
 - \$1M grant to Habitat for Humanity.
 - Includes 10 single-family detached homes.
 - This is a scattered site project with various locations throughout the Greater Fox Cities area.
 - Archive
 - \$1.5M grant to MF housing partners.
 - This is a four-story building with 40-unit apartments.
 - Nine of the units are at or below 30% of AMI.
- Childcare grants
 - \$750k grant to Child Care Resource & Referral.

- Funding an Essential Services Program to provide childcare providers with services they would not otherwise be able to afford.
 - Centralized staffing (substitutes) – a float pool of 3 Full Time Employees
 - Maintenance services
 - Janitorial (deep cleaning) services
 - Technological
 - Educational support services
 - The grant will fund this program from 2024-2026.
 - Participants are estimated to save approximately \$700 per month along with a time savings.
- Family Resource Center
 - First Five Fox Valley
 - \$2M grant
 - Will offer a centralized location with various community partners throughout the county offering support and services to families at free or low cost.
- Workforce Development
 - Riverview Gardens - \$305k grant for their ServiceWorks Culinary Program.
 - Children's Wisconsin - \$695k grant for their Healthcare Career Exploration, Pathway, and Training Program.
- Behavior Health
 - Community Connections Program - \$500k grant – provides behavioral health training for behavioral health professionals.
 - Triage Services Center - \$2.25M – grant to fund the creation of a Triage Services Center to reduce the demand in emergency rooms for behavioral health patients.
 - There was one application that was received and the evaluation committee chose not to fund this grant. Staff will bring forward a proposal to repurpose the funds in the future.
- Broadband
 - Last Mile Grant (\$2.75M). This grant opportunity was announced on February 15th and applications were due on April 18th.
 - There were three applications received and the evaluation team narrowed it down to one. It is expected that funds will be obligated by the end of June after a pre-award meeting.
 - This is a sizeable investment for Outagamie County.

In conclusion, DLS Director Englebert stated that Outagamie County's ARPA portfolio is well distributed and Outagamie County is doing what was intended with these funds under the final rule. Outagamie County is making investments in the community that may have otherwise not been possible. There is no need for immediate action at this time. However, there may be funds available in the future to reallocate to other projects.

ESTABLISH ORDER OF THE DAY – Chairperson Gabrielson reported the request to have all appointments, ordinances, resolutions locked in at the meeting.

Chairperson Gabrielson 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 Gabrielson summarized the following communications:

- Loop the Lox celebration and ribbon cutting will be taking place on Wednesday, June 5th at 1:00 p.m. Anyone interested in attending should meet at the Sunset Park boat launch in Kimberly. Please note that this event is not eligible for mileage or per diem reimbursement.
- There are two Supervisors that have not completed the March security training that was due on April 10th. Please contact Legislative Services if you need a link to the training.
- There is a new IT security training that is to be completed by the end of May.
- County Clerk Jeff King has turned in his letter of resignation. Clerk King is moving on to another opportunity outside of the area. We will miss his dedication and the hard work that he has done for Outagamie County.

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 –

Robert Kramer, W6461 Summerwind Ln, Greenville, spoke in opposition to Res.10—2024-25.

APPOINTMENTS –

County Executive Nelson nomination for reappointment of Kyle Bosquez, Melinda Tempelis, Diane Leith, and Dawn Shaha to the Criminal Justice Coordinating Council; terms expiring April 30, 2026.

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

ROLL CALL: 30 yes, 6 absent. KYLE BOSQUEZ, MELINDA TEMPELIS, DIANE LEITH, AND DAWN SHAHA ARE REAPPOINTED TO THE CRIMINAL JUSTICE COORDINATING COUNCIL.

County Board Chair Gabrielson nomination for appointment of Kelly Gerrits to the position of Outagamie County Clerk; term to begin June 10, 2024, and expire January 5, 2025.

Supervisor Lawrence moved, seconded by Supervisor MacDonald, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. KELLY GERRITS IS APPOINTED AS OUTAGAMIE COUNTY CLERK.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Resolution No. Z-4—2024-25 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve the rezone request for Roger and Vanice Sprangers, parcels 030060100, 030060101, and 030063000 from the General Agriculture District to the Local Commercial District, and parcel 030060200 from the Industrial District to the Local Commercial District, in the Town of Buchanan, as detailed on the attachments.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. Z-4—2024-25 IS ADOPTED.

Ordinance No. Z-2—2024-25 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to amend Chapter 54, Zoning; Section 54-4 Definitions, Division 3- AGD General Agriculture District, Section 54-128 Permitted principal uses and structures, Division 7 – CL Local Commercial District, Section 54-233 Permitted principal uses and structures, Division 10- IND Industrial District, Section 54-306 Permitted principal uses and structures, of the Outagamie County Code of Ordinances, as detailed on the ordinance and attachments.

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

ROLL CALL: 30 yes, 6 absent. ORDINANCE NO. Z-2—2024-25 IS ADOPTED.

Ordinance No. Z-3—2024-25 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve to amend Chapter 54, Zoning; Division 1 – Generally, Section 54-70 Interpretation and organization of the Outagamie County Code of Ordinances, as detailed on the ordinance and attachments.

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

ROLL CALL: 30 yes, 6 absent. ORDINANCE NO. Z-3—2024-25 IS ADOPTED.

Resolution No. 10—2024-25 – Finance Committee. Approve of using \$70,000 of ARPA funds to help fund the remaining balance needed to purchase a new CERT support trailer for use by the County CERT, and increase the ARPA line items of Revenue and Capital by \$70,000 each, as detailed on the attached fiscal note.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 10—2024-25 IS ADOPTED.

Resolution No. 11—2024-25 – Highway, Recycling and Solid Waste Committee. Authorize the County Highway Commissioner to enter into a revised State/Municipal Financial Agreement for the CTH N from CTH KK to CTH CE project, as noted on the attached 1st Revision State/Municipal Agreement for a State-Let Urbanized Area STP-Urban Project document and authorize funding for the county share of the project costs to be included in a future budget (2026), as detailed on the attached fiscal note.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 11—2024-25 IS ADOPTED.

Resolution No. 12—2024-25 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization request for the Land Conservation Department positions, effective May 15, 2024, to delete one full-time Administrative Coordinator and add one full-time Senior Account Technician and one part-time Senior Account Technician, as noted on the attachments, and decrease the Land Conservation line items of Salaries by \$533 and Fringe by \$462, as detailed on the attached fiscal note.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 12—2024-25 IS ADOPTED.

Resolution No. 13—2024-25 – Legislative/Audit and Human Resources Committee. Approve an in-year Table of Organization request for the Highway Department positions, effective May 6, 2024, to delete one full-time Administrative/Real Estate Coordinator and add one full-time Management Assistant, with no budget adjustment needed, as detailed on the attachments.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 13—2024-25 IS ADOPTED.

Resolution No. 14—2024-25 – Property, Airport, Recreation and Economic Development Committee. Approve a Hangar Land Lease Agreement for Lot #18 at the Appleton International Airport between Outagamie County and Milis Enterprise, LLC, as noted on the attachments, and approve the Appleton Flight Center General Aviation Land Leases increase by \$596 and Airport Terminal Fund Balance Applied decrease by \$596, as detailed on the attached fiscal note.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 14—2024-25 IS ADOPTED.

Resolution No. 15—2024-25 – Property, Airport, Recreation and Economic Development Committee. Approve the attached three Hangar Land Lease Agreements for Lot #15, #16, and #17 at the Appleton International Airport between Outagamie County and Milis Enterprise, LLC, and approve the Appleton Flight Center General Aviation Land Leases increase by \$2,045 and Airport Terminal Fund Balance Applied decrease by \$2,045, as detailed on the attached fiscal note.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 15—2024-25 IS ADOPTED.

Resolution No. 16—2024-25 – Public Safety Committee. Approve the request to transfer \$31,841 from the Small Department Vacation / Sick Leave Payout Fund to the line items of Clerk of Courts Salaries by \$29,578, and Fringe Benefits by \$2,263, and the General Funds line items of Applied, Fund Balance increase by \$31,841, and the Committed Fund Balance for Small Depts Vac/Sick Payouts decrease by \$31,841, and the Fund Balance Unassigned increase by \$31,841, as noted on the attachments, to fill the Deputy Court Clerk position.

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

ROLL CALL: 29 yes, 1 abstain (Janke), 6 absent. RESOLUTION NO. 16—2024-25 IS ADOPTED.

Resolution No. 17—2024-25 – Public Safety Committee. Approve the Criminal Justice Treatment Services Department to apply for, accept, and expend the 2024 Veterans Treatment Court Innovations Grant issued by the Justice for Vets for \$37,379, and increase the following line items in the Treatment Courts cost center: Intergovernmental Revenue by \$37,379; Purchased Services by \$10,518; and Travel/Training by \$26,861, as detailed on the attached fiscal note.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 17—2024-25 IS ADOPTED.

Resolution No. 18—2024-25 – Finance Committee. Approve all excess or deficiency of revenues over/under expenditures and unexpended appropriations of the various accounts reverting back to the County's General Fund or from the General Fund, including the Highway related revolving funds for year 2023 into 2024, not included in the original request and resolution, except as otherwise noted in the resolution and attachments.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 18—2024-25 IS ADOPTED.

Resolution No. 19—2024-25 – Property, Airport, Recreation and Economic Development Committee. Approve to authorize filing a new application and amendment, as necessary, of any open applications with the Federal Aviation Administration (FAA), authorizing the continuation of the imposition of a Passenger Facility Charge of \$4.50, and the expenditure of revenues from the Appleton International Airport (ATW), in accordance with the Capital Improvement Program, and the assurances and understandings contained in Application #10, and acknowledge the attached ATW Passenger Facility Charge Application #10 Proposed Project Information, and that the projects are subject to change based on FAA approval, needs and funding capability of the ATW.

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

ROLL CALL: 30 yes, 6 absent. RESOLUTION NO. 19—2024-25 IS ADOPTED.

RECONSIDERATION OF ALL APPOINTMENTS, ORDINANCE NOS. Z-2, Z-3—2024-25 AND RESOLUTION NOS. Z-4, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 —2024-25.

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

Vote for reconsideration. ROLL CALL: 28 yes, 1 no (Thiede), 1 abstain (Clegg), 6 absent. ALL APPOINTMENTS, ORDINANCE NOS. Z-2, Z-3—2024-25 AND RESOLUTION NOS. Z-4, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19—2024-25 ARE RECONSIDERED.

Vote for lock in. ROLL CALL: 30 yes, 6 absent. ALL APPOINTMENTS, ORDINANCE NOS. Z-2, Z-3—2024-25 AND RESOLUTION NOS. Z-4, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19—2024-25 ARE ADOPTED & LOCKED IN.

REPORTS – None.

ADJOURNMENT

Supervisor Thyssen moved, seconded by Supervisor Clegg to adjourn until June 25, 2024 at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 7:47 p.m.



Jeff King, County Clerk

ROLL CALL SUMMARY MAY 28, 2024 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	17	17	48	48
2. Johnson	17	17	48	22
3. Smith	17	17	48	43
4. Patience	17	17	48	48
5. Gabrielson	17	17	48	48
6. Kostelny	17	17	48	48
7. Hammen	17	17	48	48
8. Lawrence	17	17	48	48
9. Krueger	17	0	48	31
10. Lamers	17	17	48	48
11. Ferguson	17	16	48	21
12. McCabe	17	17	48	48
13. Wegand	17	17	48	17
14. Hermes	17	0	48	5
15. MacDonald	17	16	48	21
16. Schroeder	17	0	48	5
17. Croatt	17	0	48	5
18. Spears	17	17	48	48
19. Heiser	17	17	48	48
20. Mitchell	17	17	48	48
21. Cuff	17	0	48	31
22. Hagen	17	17	48	48
23. Klemp	17	17	48	48
24. Thiede	17	16	48	21
25. Janke	17	16	48	47
26. Weinberg	17	17	48	47
27. Culbertson	17	17	48	48
28. Monfils	17	17	48	42
29. Winterfeldt	17	0	48	26
30. Nejedlo	17	17	48	48
31. Clegg	17	16	48	43
32. Thyssen	17	16	48	21
33. VanderHeiden	17	17	48	48
34. Rettler	17	17	48	48
35. Koury	17	17	48	47
36. Lautenschlager	17	17	48	48

Member(s) absent: Croatt, Cuff, Hermes, Krueger, Schroeder and Winterfeldt