

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, JULY 17, 2018**

Chairman Shiloh Ramos called the meeting to order at 6:00 p.m. in the County Board Room, Fourth Floor, Courthouse, 415 Jackson Street, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance.

The following Supervisors were present: 33 - Konetzke, Brunn, Borchart, Eisen, Ramos, Defferding, Lenz, Smith, Hogan, Spellman, Albrecht, Gabert, Binder, Schorse, Wojciechowski, Gordon, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Powers, Locke, Wise, Finch, Youngquist, Farrey, Rasmussen, Keller, Egan, Ellis, and Joas. Excused: 3 – Wallin, Buck and Snider.

Motion by Supervisor Robl and seconded by Supervisor Ellis to adopt the agenda for tonight's meeting.
CARRIED BY VOICE VOTE.

PUBLIC HEARING

The following people spoke in opposition to Resolution No. 043-062018: "Authorize a Transfer of Funds of \$58,000 from the General Fund Contingency Account to the Sheriff's Department 2018 Budget for a Jail Expansion Study":

- Koby Schellinger – 1212 Otter Avenue, Oshkosh
- Bob Poeschl – 828 Washington Avenue, Oshkosh

The following people spoke in favor of Resolution No. 047-062018: "Support the Creation of a Nonpartisan Procedure of Legislative and Congressional Redistricting Plans":

- Susan Curran – 8726 County Road K, Omro
- Ann Marshall – 1120 Olson Avenue, Oshkosh
- Julie Lizotte – 448 Jefferson Street, Oshkosh

The following people spoke in favor of Resolution No. 050-062018: "Authorize the Winnebago County Clerk to Publish a Notice of a Referendum Regarding the Legalization and Decriminalization of Marijuana and the Implementation of a Tax on the Sale of Marijuana in the State of Wisconsin":

- Sandy Keberlein – 283 Arbutus Court, Omro
- Katie Schierl – 7529 Sunburst Lane, Neenah
- Terry Polish – N4698 Deerwoods Glen Road, Baraboo
- Brian Berg – 1040 Brookwood Drive, Neenah
- Mark Kelderman – W2457 Lomira Drive, Brownsville
- Shawn Kelderman – W2457 Lomira Drive, Brownsville
- Sandra Handel – 230 Brook Drive, Omro
- Dan Schierl – 7529 Sunburst Lane, Neenah
- Paul Schloemer – 201 W. Forest Avenue, Neenah
- Mike Shields – 938 N. Sawyer Avenue, Oshkosh
- Rachel Seidl – 3400 N. Gordon Place, Milwaukee
- Logan Luker – 223 N. Main Street, Oshkosh
- Cindy Kerwin – 130 Stoney Beach Road, Oshkosh
- Javier Ontiveros – 953 Hickory Lane, Neenah

The following person spoke in opposition of Resolution No. 050-062018: "Authorize the Winnebago County Clerk to Publish a Notice of a Referendum Regarding the Legalization and Decriminalization of Marijuana and the Implementation of a Tax on the Sale of Marijuana in the State of Wisconsin":

- Sharon Koerner – 709 Merritt Avenue, Oshkosh

The following person spoke in support of Resolution No. 060-072018: "Support a Constitutional Amendment to Allow Limits on Campaign Contributions and Conducting a Non-Binding Statewide Referendum":

- Katie Schierl, 759 Sunburst Lane, Neenah

COMMUNICATIONS AND PETITIONS

The following correspondence was presented to the board by Susan Ertmer, County Clerk:

- Thank you note received from Carson Kraus for the County Board scholarship that he received.
- Report from the Veterans' Service Office. A copy was also placed on Supervisors' desks
- Resolution from Dunn County – Resolution No. 52: "Urging the State of Wisconsin to Increase Compensation for Defense Counsel Assigned by the State Public Defender" was referred to the Legislative Committee

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Norton reported on his attendance to the NACo Conference held in Nashville, Tennessee, July 12 - 17, 2018. He highlighted some of the topics that were presented.

Supervisor Ellis commented on the Park View Health Center Newsletter and encouraged Supervisors to take time to read it.

Supervisor Finch reported on his attendance to LiFest. He felt it to be quite successful.

Supervisor Smith reported on his attendance to the Railroad Consortium meeting held July 11, 2018 in Juneau, WI.

Supervisor Powers reported on reactions received from persons attending LiFest. She received many pleasing comments.

Supervisor Gabert announced that EAA will be held July 23 – 29, 2018. She encouraged Supervisors to attend this event.

Motion by Supervisor Robl and seconded by Supervisor Albrecht to approve the proceedings from the June 19, 2018 county board meeting. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Mark Harris spoke in favor of the following resolutions:

- Resolution No. 043-062018: Authorize a Transfer of Funds of \$58,000 from the General Fund Contingency Account to the Sheriff's Department 2018 Budget for a Jail Expansion Study. Executive Harris is in favor of the study, but would like to investigate options to avoid expansion of the facility.

Executive Harris is in favor of the following resolutions:

- Resolution No. 054-072018: Authorize the Winnebago County Executive to Sign an Agreement of the Fox Valley Wisconsin Counties Consortium Under the Workforce Innovation and Opportunity Act.
- Resolution No. 058-072018: Request the Wisconsin State Legislature to Require an Audit of the Veterans Trust Fund, Detailing the Revenues Received, All Disbursements from the Veterans Trust Fund, and the Amount of Direct Benefits Paid to Veterans for Each Year Since 2014

COUNTY EXECUTIVE'S APPOINTMENTS

AGING AND DISABILITY RESOURCE CENTER COMMITTEE

Executive Harris asked for the Board's approval of his appointment of Tanisha Alvarado, 221 Oxford Street, Oshkosh and Jan Olson, 6497 Paulson Road, Winneconne to the Aging and Disability Resource Center Committee. Ms. Olson will replace Eileen Leinweber whose term expires August 31, 2021. This is a three-year term for Ms. Alvarado, which will expire August 31, 2021.

Motion by Supervisor Ellis and seconded by Supervisor Lautenschlager to approve. CARRIED BY VOICE VOTE.

WINNEBAGO COUNTY LAND RECORDS COUNCIL

Executive Harris asked for the Board's approval of his appointment of Robert Keller to the Winnebago County Land Records Council. Mr. Keller will be filling the unexpired term of Larry Kriescher which will expire May 31, 2020.

Motion by Supervisor Ellis and seconded by Supervisor Konetzke to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Ramos reported that Supervisors Wallin, Buck and Snider are excused from tonight's meeting.

Chairman Ramos commended Sheriff Matz for his reading of the Declaration of Independence on the 4th of July at the Courthouse.

Chairman Ramos recognized the dedication of the Ken Robl Memorial Park to be held Wednesday, July 18 at the park located at 3396 Walter Street, Oshkosh.

Chairman Ramos expressed satisfaction with the survey from Park View Health Center. They received very high remarks from their survey.

SUNNYVIEW EXPOSITION CENTER PROPERTY PURCHASE PRESENTATION

Rob Way, Director of Winnebago County Parks, presented to the board the need to purchase additional land to expand the Sunnyview Exposition site. The Parks Department has submitted an offer to purchase a parcel of land adjacent to the expo grounds.

The Parks Department has seen an increase in size of the various horse shows that are held at the Expo Center. Camping space, trailer storage and electrical problems are some of the issues being faced due to the size of the shows. This limits the ability to host more than one activity at the Expo Center.

With the new stadium, it is anticipated that large scale concerts or festivals will be held at the Expo Center. As such, more land must be acquired around the Expo to diminish the chances for conflicting use of the Community Park,

promote safety for event attendees, as well as, park patrons, and to alleviate pressure on law enforcement to erect a formal staffed crossing area on East County Road Y.

The purchase of this land will benefit LiFest by providing more parking and/or camping spaces as this event continues to grow each year.

Mr. Way discussed the projected projects that have been included in the Master Plan for the Expo grounds that would include another building for horses, increased parking and camping space and a six acre wetland area that was requested from the family that is selling the property.

Mr. Way then took questions from the board. A copy of this presentation is available in the County Clerk's office.

ZONING REPORTS & ORDINANCES

- Report No. 01 – A report from the Planning and Zoning Committee regarding a requested zoning change from Springbrook Sportsman's Club, Inc., Town of Omro; for tax parcel nos. 016-0288-01 and 016-0289. Motion by Supervisor Ellis and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.
- Amendatory Ordinance No. 07/01/2018 – A requested zoning change from R-1/B-2 (Rural Residential/Community Business) to A-2 (General Agriculture) for tax parcel nos. 016-0288-01 and 016-0289. Motion by Supervisor Ellis and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: July 23, 2018)
- Amendatory Ordinance No. 2 – A requested zoning change from the Town of Vinland on behalf of Andrew Jaeger, et al, for zoning change from A-2 (General Farming District) to R-1 (Rural Residential District) for tax parcel no. 026-0300-12-02. Motion by Supervisor Farrey and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE. (Effective Date: July 23, 2018)
- Amendatory Ordinance No. 3 – A requested zoning change from the Town of Utica on behalf of Wesley Radloff, et al, for zoning change from A-2 (Agricultural District) to RR (Rural Residential Recreational Mixed Use) for tax parcel no. 024-0225-01-02. Motion by Supervisor Egan and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: July 23, 2018)
- Amendatory Ordinance No. 4 – A requested zoning change from the Town of Black Wolf on behalf of Kirk Versteegh for zoning change from A-2 (General Farming) to R-1 (Rural Residential) for tax parcel no. 004-0305-02-02. Motion by Supervisor Keller and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: July 23, 2018)
- Amendatory Ordinance No. 5 – A requested zoning change from the Town of Clayton on behalf of Karl Erdmann for zoning change from A-1 (Agribusiness Business District) to A-2 (General Agricultural District) for tax parcel no. 006-0834(p). Motion by Supervisor Farrey and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: July 23, 2018)
- Amendatory Ordinance No. 6 – A requested zoning change from the Town of Utica on behalf of Jeff Hunter for zoning change from A-2 (General Agricultural District) to RR (Rural Residential Recreational Mixed Use) for tax parcel nos. 024-0413-02, 024-0416 and 024-0416-01. Motion by Supervisor Egan and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: July 23, 2018)
- Amendatory Ordinance No. 7 – A requested zoning change from the Town of Winchester on behalf of Thomas Kolasinski for zoning change from R-1 (Rural Residential) to A-2 (General Agricultural District) for tax parcel no. 028-0839. Motion by Supervisor Joas and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: July 23, 2018)
- Amendatory Ordinance No. 8 – A requested zoning change from the Town of Oshkosh on behalf of Bill Monteith for zoning change from A-2 (General Farming District) to B-3 (General Business District) for tax parcel nos. 018-0586-27(p) and 018-0587-26(p). Motion by Supervisor Gabert and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE. (Effective Date: July 23, 2018)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 043-062018: Authorize a Transfer of Funds of \$58,000 From the General Fund Contingency Account to the Sheriff's Department 2018 Budget for a Jail Expansion Study

WHEREAS, there has been a steady increase in the jail population, which has resulted in functional overcrowding; and

WHEREAS, this increase has occurred even as Winnebago County, through the Sheriff's Department and the Safe Streets Committee, has taken steps to reduce the jail population by implementing programs to provide alternatives to incarceration; and

WHEREAS, in 2011, an independent Jail Expansion Study to address jail overcrowding was completed; and

WHEREAS, due to an estimated shortfall of 173 beds by 2020, the 2011 Study recommended additional bed capacity be built at the current jail location; and

WHEREAS, your undersigned Committees recommend that an updated independent Jail Expansion Study be completed to determine the number and type of bed space required and/or other alternatives to incarceration; and

WHEREAS, the cost of the Jail Expansion Study is \$58,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a transfer of \$58,000 from the General Fund Contingency Account to the Sheriff's Department's 2018 Budget to cover the cost of an independent Jail Expansion Study.

Submitted by:

JUDICIARY AND PUBLIC SAFETY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Wingren and seconded by Supervisor Ellis to adopt.

Motion by Supervisor Norton and seconded by Supervisor Wojciechowski to refer back to committee. After much debate, motion by Supervisor Warnke and seconded by Supervisor Rasmussen to call to question. CARRIED BY VOICE VOTE.

Vote to refer back to Committee: AYES: 13 – Ramos, Defferding, Spellman, Gabert, Binder, Wojciechowski, Gordon, Lautenschlager, Norton, Singstock, Locke, Farrey and Egan; NAYES: 19; ABSTAIN: 0; ABSENT: 4 – Wallin, Robl, Buck and Snider. LOST.

After additional debate, motion by Supervisor Norton and seconded by Supervisor Lautenschlager to call the question on the original motion to adopt. CARRIED BY VOICE VOTE.

Vote on Resolution: AYES: 21; NAYES: 11 – Defferding, Lenz, Hogan, Spellman, Binder, Wojciechowski, Gordon, Lautenschlager, Norton, Singstock and Farrey. ABSTAIN: 0; ABSENT: 4 – Wallin, Robl, Buck and Snider. LOST. Required 2/3 of membership to pass.

RESOLUTION NO. 047-062018: Support the Creation of a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans

WHEREAS, pursuant to Article VI, Section 3, of the Wisconsin Constitution, the Legislature for the State of Wisconsin is directed to redistrict state legislative districts "according to the number of inhabitants" at its next session following the decennial federal census. The Wisconsin Legislature also reapportions congressional districts at the same interval pursuant to Federal Law; and

WHEREAS, because state and federal legislative redistricting is controlled by the majority party at the time of the redistricting, legislative and congressional plans in Wisconsin have been subject to partisan influence that places the desires of politicians ahead of the electoral prerogative of the people. Redistricting to achieve partisan gains is improper, whether it is done by a Republican-controlled or a Democratic-controlled legislature; and

WHEREAS, a panel of federal district court judges has ruled that redistricting in the State of Wisconsin in 2011 was unconstitutional. Legal costs in defense of redistricting in 2011 have already cost taxpayers in excess of \$2.1 million, and litigation is still ongoing; and

WHEREAS, the state and congressional districts belong to the citizens of Wisconsin and not to any legislator, interest group, or political party. The redistricting process should not be a tool used by those in power to protect and bolster their power, but should be designed with the best interests of Wisconsin's democracy and its citizens; and

WHEREAS, historically, Wisconsin's practice of redistricting by the majority party in each legislative chamber is an outdated practice that stifles political competition, discourages compromise, ensures continued control by the party in power, and lacks the transparency necessary to reinforce citizens' faith in the democratic process; and

WHEREAS, at this time, there is a critical need to restore trust, compromise, and fair competition to Wisconsin politics.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that before the start of the next redistricting process following the 2020 federal census, it hereby calls upon the Wisconsin State Legislature to pass legislation that creates a fair, nonpartisan procedure for the preparation of legislative and congressional redistricting plans, that promotes more accountability and transparency, prohibits the consideration of voting patterns, party information, and incumbents' residence information or demographic information in drawing the maps, except as necessary to ensure minority participation as required by the U.S. Constitution.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby advocates for an amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to a nonpartisan commission.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Wisconsin Counties Association, the Office of Governor Scott Walker, and all state senators and assembly members representing Winnebago County constituents.

Submitted by:

LEGISLATIVE COMMITTEE

Motion by Supervisor Egan and seconded by Supervisor Ellis to adopt.

Motion by Supervisor Defferding and seconded by Supervisor Wingren to delete the word "except" from Line 33 of the resolution. CARRIED BY VOICE VOTE.

Vote on Resolution as Amended: CARRIED BY VOICE VOTE.

RESOLUTION NO 050-062018: Authorize the Winnebago County Clerk to Publish a Notice of a Referendum Regarding the Legalization and Decriminalization of Marijuana and the Implementation of a Tax on the Sale of Marijuana in the State of Wisconsin

WHEREAS, criminalizing marijuana use has failed to curb its use, and more than 100 million Americans say they have used marijuana; and

WHEREAS, in a 2016 poll, 59 percent of Wisconsinites said that marijuana should be "fully legalized and regulated like alcohol," and recent polls show a majority of Americans favor legalization of adult recreational use of marijuana; and

WHEREAS, the Wisconsin State Legislature has failed to act on legislation to legalize and regulate marijuana, and has not allowed hearings on such legislation; and

WHEREAS, legalizing and taxing marijuana could significantly increase state and local revenues; and

WHEREAS, an estimate by the Congressional Research Service suggests that replacing marijuana prohibition with a system of taxation and regulation could yield \$6.8 billion in Federal excise taxes alone; and

WHEREAS, Alaska, California, Colorado, Maine, Massachusetts, Nevada, Oregon, and Washington have legalized adult personal use of marijuana, and regulate the production, distribution, and sale of marijuana, while Vermont and the District of Columbia have legalized limited personal possession and cultivation of marijuana by adults; and

WHEREAS, the time law enforcement spends enforcing existing marijuana laws and ordinances negatively impacts the time available to solve more serious crimes and apprehend more dangerous criminals; and

WHEREAS, marijuana prohibition makes product quality control and sales regulation impossible, leaving marijuana sellers free to target children as potential customers and to peddle potentially adulterated products.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Winnebago County to conduct a county-wide advisory referendum to appear on ballots during the November 6, 2018, general election, and that a concise statement of the question be given and shall read as follows:

Question: Should the Wisconsin State Legislature enact proposed legislation that allows individuals 21 years of age and older to engage in the medical and recreational use of marijuana, while also regulating commercial marijuana-related activities including, but not limited to, imposing a tax on the sale of marijuana, and expunging marijuana-related crimes for those convicted in Wisconsin?

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Corporation Counsel to prepare a Notice of Referendum to be published by the Winnebago County Clerk in accordance with statutory requirements.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that this Resolution and the Referendum shall be filed with the Winnebago County Clerk no later than 70 days prior to the election. The question will appear on the ballot of the November 6, 2018, general election.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this resolution to the Winnebago County Corporation Counsel and the Winnebago County Executive in accordance with statutory requirements.

Submitted by:
AARON WOJCIECHOWSKI, District 16
MICHAEL NORTON, District 20
ANDY BUCK, District 24
TOM SNIDER, District 35
STEVE LENZ, District 7
JULIE GORDON, District 17

Motion by Supervisor Wojciechowski and seconded by Supervisor Norton to adopt. Motion by Supervisor Wojciechowski and seconded to amend his resolution by replacing lines 31 – 34 with the following verbage:

Should cannabis (Please select one of the alternatives below or your vote will be invalid)

- (a) Be legal for adult use, taxed and regulated like alcohol?
- (b) Be legal for medical purposes only and available only by prescription through a medical dispensary?
- (c) Remain a criminally illegal drug as provided under current law?
- d) None of the above.

Motion by Supervisor Hogan and seconded by Supervisor Norton to amend Supervisor Wojciechowski's amendment by adding another line to read as follows:

Should cannabis (Please select one of the alternatives below or your vote will be invalid)

(a) Be legal for adult use, taxed and regulated like alcohol?

(b) Be legal for medical purposes only and available only by prescription through a medical dispensary?

(c) Be legal for adult use, taxed and regulated like alcohol and be legal for medical purposes and available only by prescription through a medical dispensary?

(d) Remain a criminally illegal drug as provided under current law?

(e) None of the above.

Vote on Supervisor Hogan's amendment: AYES: 19; NAYES: 10 – Konetzke, Brunn, Borchart, Smith Albrecht, Gabert, Schorse, Wingren, Singstock and Ellis; ABSTAIN: 2 – Wise and Rasmussen; ABSENT: 5 – Wallin, Robl, Buck, Finch and Snider. CARRIED.

After much debate, motion by Supervisor Farrey and seconded by Supervisor Norton to call for the question. CARRIED BY VOICE VOTE.

Vote on Amendment by Supervisor Wojciechowski as amended by Supervisor Hogan: AYES: 18; NAYES: 8 – Konetzke, Brunn, Borchart, Smith, Schorse, Wingren, Singstock and Ellis; ABSTAIN: 4 – Albrecht, Gabert, Wise and Rasmussen; ABSENT: 6 – Wallin, Robl, Buck, Locke, Finch, and Snider. CARRIED.

After additional debate, motion by Supervisor Ellis and seconded by Supervisor Rasmussen to call for question. CARRIED BY VOICE VOTE.

After discussion regarding Corporation Counsel and County Board Chairman's decision on the vote requirement for passage, motion was made by Supervisor Rasmussen and seconded by Supervisor Brunn to challenge the Chairman's ruling that only a majority vote is required on Resolution No. 050-062018 per County Board Rule 7.7. Vote on Challenge: AYES: 10 – Konetzke, Brunn, Borchart, Albrecht, Gabert, Schorse, Wingren, Rasmussen, Keller and Ellis; NAYES: 19; ABSTAIN: 1 – Wise; ABSENT: 6 – Wallin, Robl, Buck, Locke, Finch and Snider. FAILED. This required 2/3's of membership to pass.

Vote on Original Resolution as Amended: AYES: 14; NAYES: 13 – Konetzke, Brunn, Borchart, Eisen, Smith, Albrecht, Schorse, Wingren, Warnke, Singstock, Wise, Rasmussen and Ellis; ABSTAIN: 3 – Gabert, Youngquist and Joas; ABSENT: 6 – Wallin, Robl, Buck, Locke, Finch and Snider. LOST. Vote required majority of all members present.

RESOLUTION NO. 051-072018: Commendation for Leo Podoski

WHEREAS, Leo Podoski has been employed with the Winnebago County Department of Human Services for the past thirty-eight (38) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Leo Podoski has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his years of service.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that sincere appreciation and commendation be and is hereby extended to Leo Podoski for the fine services he has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Leo Podoski.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 052-072018: Disallow Claim of Mega Rentals Inc

WHEREAS, your Personnel and Finance Committee has had the claim of Mega Rentals Inc referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of Mega Rentals Inc, filed with the County Clerk on June 8, 2018, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 053-072018: Disallow Claim of American Family Insurance on behalf of Daniel C. and Maitrang L. Strong

WHEREAS, your Personnel and Finance Committee has had the claim of American Family Insurance on behalf of Daniel C and Maitrang L Strong referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the claim of American Family Insurance on behalf of Daniel C and Maitrang L Strong, filed with the County Clerk on May 29, 2018, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 054-072018: Authorize the Winnebago County Executive to Sign an Agreement of the Fox Valley Wisconsin Counties Consortium Under the Workforce Innovation and Opportunity Act

WHEREAS, §66.0301(2), Wis Stats, provides “. . .any municipality may contract with other municipalities, for . . . the joint exercise of any power or duty required or authorized by law”; and

WHEREAS, the Counties of Winnebago, Calumet, Fond du Lac, Green Lake, Waupaca, and Waushara continue to have a mutual interest in a single-purpose Workforce Development Area (WDA), as defined in Public Law 113-128 of the Federal Workforce Innovation and Opportunity Act of 2014 (WIOA) for the purpose of increasing occupational skills, employment, job retention, and earnings, in an effort to reduce welfare dependency, improve quality, and enhance the productivity and competitiveness of the workforce within the boundaries of the WDA; and

WHEREAS, the WDA has reviewed and updated the current agreement; and

WHEREAS, your undersigned County Board Supervisor requests the Winnebago County Board of Supervisors to authorize the Winnebago County Executive to continue to serve as the chief elected official representing Winnebago County and sign said Agreement on behalf of Winnebago County; and

WHEREAS, the updated Consortium Agreement for the Chief Elected Officials of the Fox Valley Workforce Development Area is attached hereto and made a part of this Resolution and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive to execute the Agreement of the Fox Valley Wisconsin Counties Consortium under the Workforce Innovation and Opportunity Act.

Submitted by:
LARRY LAUTENSCHLAGER, District 19

Motion by Supervisor Lautenschlager and seconded by Supervisor Farrey to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 055-072018: Approve Values of Tax Deeded Property

WHEREAS Section 3.03(1)(a), of the General Code of Winnebago County requires that all tax deeded lands have their appraised value determined by the Personnel and Finance Committee and approved by the County Board of Supervisors; and

WHEREAS, the appraised value of said properties as provided by the Winnebago County Treasurer has been approved by your undersigned committee pursuant to Section 3.03(1)(a) of the General Code of Winnebago County and is herewith submitted to the Winnebago County Board of Supervisors for approval; and

WHEREAS, the parcel numbers, descriptions and the suggested appraised value of said tax deeded properties are as follows:

*TOWN OF CLAYTON
Parcel No. 006-0934
4520 Grandview Rd, Larsen
Previous Appraised Value \$60,000.00
Suggested Appraised Value \$35,000.00

CITY OF OSHKOSH
Parcel No. 904-0528
Formerly 670 Grand St, Oshkosh
Suggested Value \$8,000.00

CITY OF MENASHA
Parcel No. 702-0177
Formerly 115 Kaukauna St, Menasha
Suggested Appraised Value \$10,000.00

CITY OF OSHKOSH
Parcel 908-0530
803 Harney Ave, Oshkosh
Suggested Appraised Value \$20,000.00

*CITY OF MENASHA
Parcel No. 703-0861
267 Kaukauna St, Menasha
Previous Appraised Value \$35,000.00
Suggested Appraised Value \$20,000.00

*CITY OF OSHKOSH
Parcel No. 912-1005
1632 Ontario St, Oshkosh
Previous Appraised Value \$25,000.00
Suggested Appraised Value \$15,000.00

CITY OF MENASHA
Parcel No. 705-0303
Formerly 878 Second St, Menasha
Suggested Appraised Value \$10,000.00

CITY OF OSHKOSH
Parcel No. 914-0242
144 W 22nd Ave, Oshkosh
Suggested Appraised Value \$25,000.00

* reducing a previously established value

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appraised values of the parcels of property listed above, which were acquired by the Winnebago County Treasurer for tax delinquency pursuant to an In Rem judgment.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 056-072018: Advocate the State Legislature to Prohibit the Use and Practice of Conversion Therapy to Minors Within the State of Wisconsin

WHEREAS, the Human Rights Campaign has rated Oshkosh 29th out of 100 in its 2017 Municipal Equality Index, which examines how inclusive state, county, and city laws, policies, and services are of the LGBTQ people who live and work in Oshkosh.

WHEREAS, conversion therapy is a practice that is detrimental to the mental, emotional, and physical well-being of LGBTQ individuals; and

WHEREAS, "conversion therapy" means any practice that seeks to change an individual's gender expression, gender identity, or sexual orientation, including efforts to change behaviors or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex; and

WHEREAS, "conversion therapy" does not include counseling or therapy that provides acceptance, support, and understanding of the individual or the facilitation of an individual's coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, or counseling for an individual seeking to transition from one gender to another.

WHEREAS, California, Connecticut, District of Columbia, Hawaii, Illinois, Maryland, Nevada, New Hampshire, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, and Washington, have all banned conversion therapy for minors in their states; and

WHEREAS, 34 cities and/or counties including Milwaukee, WI, have passed local conversion therapy bans.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Winnebago County hereby advocates the prohibition of conversion therapy practices for individuals under 18 years of age in the State of Wisconsin.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the implementation of a ban against the use of conversion therapy practices for individuals under the age of 18 pursuant to amendments to the Wisconsin State Statutes and Administrative Code rules.

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward this Resolution to the Wisconsin Counties Association, the Office of Governor Scott Walker, and all state legislators and assembly members representing Winnebago County constituents.

Submitted by:
AARON WOJCIECHOWSKI, District 16

Motion by Supervisor Wojciechowski and seconded by Supervisor Powers.

Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to postpone indefinitely until Corporation Counsel can review and provide clarification of County Board Rule 7.7.

Motion by Supervisor Norton and seconded by Supervisor Gabert to amend Supervisor Rasmussen's amendment to read as postpone until the August 21, 2018 meeting. Vote on Postponing to August 21, 2018: AYES: 11 – Defferding, Hogan, Spellman, Gabert, Wojciechowski, Norton, Singstock, Powers, Farrey, Egan and Joas; NAYES: 18; ABSTAIN: 1 – Borchart; ABSENT: 6 – Wallin, Robl, Buck, Locke, Finch and Snider. LOST.

Motion by Supervisor Norton and seconded to call for question.

Vote on motion to postpone indefinitely until Corporation Counsel can review and provide clarification of County Board Rule 7.7. AYES: 18; NAYES: 12 – Borchart, Eisen, Defferding, Smith, Spellman, Albrecht, Wojciechowski, Gordon, Lautenschlager, Norton, Warnke and Powers; ABSTAIN: 0; ABSENT: 6 – Wallin, Robl, Buck, Locke, Finch and Snider. CARRIED.

RESOLUTION NO. 057-072018: Authorize a Three (3)-Year Extension of the Inmate Telephone Services Agreement Between Winnebago County and Inmate Calling Solutions LLC

WHEREAS, the Winnebago County Sheriffs Department desires to extend the agreement with Inmate Calling Solutions LLC for an additional three (3) years for the purpose of providing telephone services to inmates at the Winnebago County Jail; and

WHEREAS, Amendment Number 3 to the Inmate Telephone Services Agreement, along with the original Inmate Telephone Services Agreement, is attached hereto and made a part of this resolution by reference; and

WHEREAS, said agreement provides that Winnebago County shall be paid a commission of 83.1% of the gross revenue for all call types generated from the County's service locations plus the remaining 16.9% on the first \$50,000 of debit usage each term year of the Agreement. Commissions shall be based on a minimum annual guarantee (MAG) for gross call revenue of \$300,000 for each Agreement term year. The MAG shall be reconciled annually against actual gross call revenue and, if applicable, any commission shortfall paid within 30 days following each such term year; and

WHEREAS, your undersigned Committee recommends the approval of a three-year extension to the Agreement.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute the attached Amendment Number 3 to the Inmate Telephone Services Agreement between Winnebago County and Inmate calling Solutions LLC for the provision of telephone services to inmates at the Winnebago County Jail, pursuant to those terms contained within the Agreement and Amendment.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said Agreement shall run from the date when the Agreement is executed through October 31, 2021.

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion by Supervisor Wingren and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 058-072018: Request the Wisconsin State Legislature to Require an Audit of the Veterans Trust Fund, Detailing the Revenues Received, All Disbursements from the Veterans Trust Fund, and the Amount of Direct Benefits Paid to Veterans for Each Year Since 2014

WHEREAS, the Wisconsin Department of Veterans Affairs (WDVA) paid a significant amount of benefits directly to individual veterans from the Veterans Trust Fund prior to 2009; and

WHEREAS, the Veterans Trust Fund was funded primarily by interest income from loans made to Veterans, and the WDVA discontinued the loan programs between 2010 and 2013; and

WHEREAS, in recent years the Veterans Trust Fund has been funded largely by transfers of reserves from King Veterans Home, including nine (9) million dollars in December 2016 and 13 million dollars scheduled in each year of this biennium; and

WHEREAS, direct benefits to the Veterans have been reduced to very small amounts and the detail of these benefits is no longer readily available to the public.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby requests the State Legislature to require an audit of the Veterans Trust Fund, detailing the revenues received by and all disbursements from the Veterans Trust Fund and the amount of direct benefits paid to veterans for each year since 2014.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this Resolution be forwarded to all Wisconsin Legislators.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Egan and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 059-072018: Authorize Support of Increased Public Defender Access and Pay

WHEREAS, criminal cases continue to rise due to a variety of factors including increased drug crimes; and
WHEREAS, both the United States Constitution and the Constitution of the State of Wisconsin provide that persons accused have the right to counsel; and

WHEREAS, in Wisconsin, the Office of the Public Defender provides counsel to those persons meeting income eligibility guidelines for services; and

WHEREAS, judges are being forced to appoint counsel at county expense for persons for whom the public defender cannot find representation due to a lack of available counsel as a result of the low compensation rate; and

WHEREAS, this results in costs to counties to appoint counsel, increased costs to jail persons held before trial pending appointment of counsel, and a delay in obtaining justice for victims; and

WHEREAS, the rate of compensation for private bar attorneys has not been increased since 1995 and currently is the lowest hourly rate in the nation; and

WHEREAS, this has created a burden on the courts and Wisconsin counties.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby urges the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the criminal justice system operates effectively and efficiently.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby supports increasing the rate of reimbursement for assigned counsel attorneys to a market rate that will ensure the prompt appointment of counsel and will ensure that cases are handled in a timely and efficient manner.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Office of Governor Scott Walker, the Wisconsin Counties Association, and all state senators and assembly members representing Winnebago County constituents.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Egan and seconded by Supervisor Farrey to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 060-072018: Support a Constitutional Amendment to Allow Limits on Campaign Contributions and Conducting a non-Binding Statewide Referendum

WHEREAS, free and fair elections are essential to democracy and effective self-governance; and

WHEREAS, the appearance of buying access to candidates or influencing policy, governance, and judicial decisions because of large outsider donations erodes voter confidence in our elections and democracy; and

WHEREAS, Winnebago County has an interest in protecting itself and its citizens against intrusions on local control by mitigating the influence of money and privileged access in state and federal elections; and

WHEREAS, the US Supreme Court's decisions in *Citizens United* and related cases allow unlimited spending by certain groups known as Super-PACS to influence local, state, and federal elections; and

WHEREAS, the above-mentioned US Supreme Court cases have:

- granted corporations, unions, non-profits, and other manmade entities (such as Super-PACS) the same constitutional protections given only to individual human beings by the framers of the constitution; and
- declared money to be "free speech"; and

WHEREAS, Winnebago County municipalities have called upon the Winnebago County Board of Supervisors to support their resolutions supporting a constitutional amendment to allow limits on campaign contributions and conducting a non-binding statewide referendum.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby calls upon our elected state assembly representatives and senators, and the Wisconsin State Legislature, to hold a non-binding statewide referendum asking the voters if they wish the State of Wisconsin to support an amendment to the US Constitution stating:

1. Only human beings are endowed with individual constitutional rights, not corporations, unions, non-profits, or artificial entities (such as Super-PACS).
2. Money is not speech and, therefore, limiting political contributions and spending is not equivalent to limiting political speech.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Office of Governor Scott Walker, the Wisconsin Counties Association, and all state senators and assembly members representing Winnebago County constituents.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Egan and seconded by Supervisor Farrey to adopt. CARRIED BY VOICE VOTE.

NAYES: 1 - Konetzke

Motion by Supervisor Albrecht and seconded by Supervisor Farrey to adjourn until the August 21, 2018 meeting at 6:00 p.m. The meeting was adjourned at 10:15 p.m.

Submitted by:
Julie A. Barthels
Winnebago County Deputy Clerk

State of Wisconsin)
County of Winnebago) ss

I, Julie A. Barthels, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held July 17, 2018.

Julie A. Barthels
Winnebago County Deputy Clerk