

JOURNAL OF THE MEETING OF THE SHEBOYGAN COUNTY BOARD OF SUPERVISORS

January 21, 2020

Pursuant to Wis. Stat. § 59.11, the January 21, 2020 session of the Sheboygan County Board was called to order by Chairperson Thomas Wegner at 6:00 p.m. Chairperson Wegner noted that the notice of meeting was posted on January 17, 2020 at 12:15 p.m. in compliance with the open meeting law. The meeting opened with the Pledge of Allegiance by all present.

The roll call was taken and recorded with 23 Supervisors present; Absent: 2, Supervisors Hilbelink, and Hoffmann.

Supervisor Glavan moved for approval of the December 17, 2019 Journal, which was distributed to all supervisors prior to the meeting. The motion was seconded by Supervisor Ziegelbauer and carried on unanimous roll call vote of the board.

APPOINTMENTS

The Chairperson announced that the next order of business was the consideration of the following appointments by the County Administrator.

Communications Council

Todd Stange – *Representing County Fire Chiefs*

Emergency Medical Services (EMS) Council

Michael Lubbert – *Sheboygan Fire Department*

Supervisor Goehring moved to concur with the appointments from the County Administrator. The motion was seconded by Supervisor Abler and carried on unanimous roll call vote of the board.

PRESENTATIONS - NONE

LETTERS AND COMMUNICATIONS

The Clerk presented resolutions from the Outagamie and Waushara County Boards of Supervisors in support of revising and amending statutes related to court fees and costs in Probate and Juvenile Court. By Chairperson received for information.

The Clerk presented a resolution from the Outagamie County Board of Supervisors regarding Medicaid coverage in an Institute for Mental Disease. By Chairperson referred to the Health and Human Services Committee.

The Clerk presented a resolution from the Outagamie County Board of Supervisors regarding support pending legislation on sexual misconduct with elderly people. By Chairperson referred to the Law Committee.

The Clerk presented resolutions from the St. Croix and Trempealeau County Boards of Supervisors regarding non-partisan procedure drawing redistricting maps. By Chairperson received for information.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne gave a high end synopsis of the State of the County and reviewed recent accomplishments and milestones, including: the County's strong fiscal track record; Rocky Knoll's five star rating and plans underway to add child care; construction of a U.S. Customs Facility; resurfacing 30 miles of county roads; state highway 23 expansion; child welfare and mental health programs enhanced; greater focus on alternatives to incarceration;

and support for economic development. Mr. Payne also shared that Sheboygan County was the recipient of a number of awards the past year, including: the Wisconsin Policy Forum Salute to Local Government for establishing the Amsterdam Dunes Preservation Area and Wetland Mitigation Bank; Achievement of Excellence in Financial Reporting; Lake Michigan Champion of Conservation Award; and the National Association of Counties Achievement Award for the clean-up and restoration of the Sheboygan River and Harbor.

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Ordinance No. 09 (2019/20) Reducing Airport Advisory Committee Membership** recommending enactment.

Supervisor Te Stroete moved to enact the ordinance. The motion was seconded by Supervisor Goehring and carried on unanimous roll call vote of the board.

The Clerk read the report of the Finance Committee regarding **Ordinance No. 08 (2019/20) Amending Section 47.03 of the Sheboygan County Code Regarding Salaries** recommending enactment.

Supervisor Goehring moved to enact the ordinance. Supervisor Damp seconded the motion which carried on unanimous roll call vote of the board.

(Vice-Chairperson Koch presiding)

Pursuant to Rule IV of the Rules of Order, the following resolutions and ordinances were introduced by the Clerk and referred by the Vice-Chairperson as indicated:

Resolution No. 20 (2019/20) Re: Carryover of Unexpended 2019 Appropriations to 2020 referred to the Executive Committee.

Resolution No. 21 (2019/20) Re: Authorizing Indefeasible Right of Use Agreement for Use of "Ring of Fiber" Infrastructure referred to the Executive Committee.

Ordinance No. 10 (2019/20) Re: Establishing Speed Zone on County Road "KK" (Town of Wilson) referred to the Law Committee.

ADJOURNMENT

Supervisor Te Stroete moved to adjourn. Supervisor Glavan seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 6:23 p.m. **The next scheduled meeting is Tuesday, February 18, 2020 at 6:00 p.m.**

RESOLUTION NO. 40-12-19
IN SUPPORT OF CLERK OF COURT AND REGISTER IN PROBATE OFFICES CHARGES FOR
COURT COSTS, FEES AND SURCHARGES

WHEREAS, Wisconsin Statutes and Chapters 814 cover court costs, fees and surcharges of which subsection 814.66 applies to the office of the Register in Probate. Probate and Juvenile Court handle other case types for which fees are not covered in Sec. 816.66 or other statutes. The result is cases filed with the court without a filing fee; and

WHEREAS, some fees and costs collected by the probate office are different from fees collected by the Clerk of Court for the same items. This can cause confusion. Different fees and costs for an identical item seem inappropriate; and

WHEREAS, employees of the Clerk of Court and Register in Probate are all county employees, usually working in proximity to the court, if not in the same office using the same equipment. The employees use CCAP provided computers and printers as well as county provided copiers. There is no discernable difference in these two offices related to copying and issuing certificates; and

WHEREAS, the Legislature should revise the statutes for consistency. Require fees and costs charged by the Clerk of Court and Register in Probate to be the same for the same item or service. Require fees for probate and juvenile court as indicated below:

Probate Copy Fees to increase from \$1.00 to \$1.25 per page.

Probate Certification of Document fees increase from \$3.00 to \$5.00 per document; and

WHEREAS, the Executive Committee supports revising the statutes to collect fees and costs associated with probate cases and juvenile court proceedings as outlined herein.

NOW THEREFORE BE IT RESOLVED that the Waushara County Board of Supervisors do hereby support the Wisconsin Register in Probation Association in its efforts to revise Wisconsin Statutes consistent with the resolution and further urges the Legislature to revise and amend the related statutes to further consistency between fee structures outlined in the statutes.

BE IT FURTHER RESOLVED, that the Waushara County Clerk shall forward a copy of this resolution to Governor Tony Evers, all members of the State Legislature, the Wisconsin Counties Association, and each Wisconsin County.

FISCAL NOTE: No cost to Waushara County. Minimal increase in fees collected.

Resolution No. 40-12-19

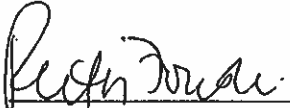
Resolution No. 40-12-19

Ayes ___ Nays ___ Abstain ___ Absent ___ Voice Vote

Approved and adopted this 17th day of December, 2019.

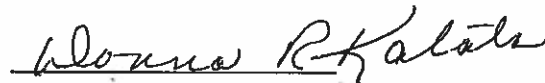
Denied this 17th day of December, 2019.

Approved as to Form:



Ruth Zouski
Corporation Counsel

Submitted by:



Donna R. Kalata, Chair
Executive Committee

Attest:



Megan Kapp
Waushara County Clerk

Signed by:



Donna R. Kalata, Chair
Waushara County Board of Supervisors

RESOLUTION NO.: 114—2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Federal rules exclude patients age 22-64 years of age from Medicaid coverage in
2 an Institute for Mental Disease (IMD), resulting in high costs to Wisconsin
3 counties for individuals with mental illness who require short-term placement.
4 The IMD rule works against the provision of necessary health care treatment, and
5 path to recovery, for young and middle-aged adults with brain disorders. The
6 Centers for Medicare and Medicaid Services (CMS) have issued an invitation to
7 states to apply for a waiver of this exclusion, allowing states to receive federal
8 reimbursement for the cost of treatment in an IMD.
9

10 NOW THEREFORE, the undersigned members of the Health and Human Services
11 Committee recommend adoption of the following resolution.

12 BE IT RESOLVED, that the Outagamie County Board of Supervisors respectfully urges
13 the Governor and Legislature to submit an application for a waiver from Centers for Medicare
14 and Medicaid Services (CMS) of the Medicaid Institute for Mental Disease (IMD) exclusion to
15 allow federal reimbursement of short term acute care and transition planning for persons with
16 serious and persistent mental illness, and

17 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward
18 a copy of this resolution to all Wisconsin Counties, the Wisconsin Counties Association, the
19 Outagamie County Health and Human Services Interim Director, and the Outagamie County
20 Lobbyist for distribution to the Governor and the Legislators.

21 Dated this 10th day of December, 2019.

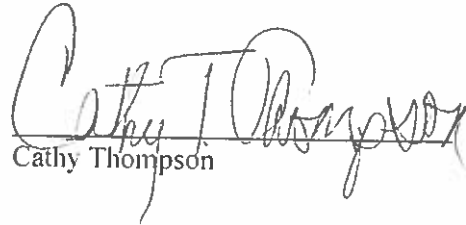
22 Respectfully Submitted,
23 HEALTH AND HUMAN SERVICES
24 COMMITTEE
25


26
27 
28 _____
29 Dan Gabrielson


Justin Krueger

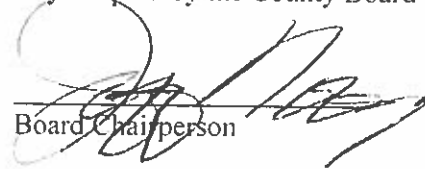
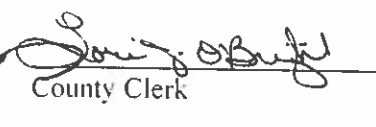
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Christine Lamers


Cathy Thompson


Kelly Schroeder

Duly and officially adopted by the County Board on: December 10, 2019

Signed:  Board Chairperson  County Clerk

Approved: Dec, 16 2019 Vetoed: _____

Signed: 
County Executive

Outagamie County DHHSS - IMD Data
 Clients Ages 22 - 64
 2017-2019 YTD

Provider	Year					
	2017		2018		2019 - Aug. Services	
	Cost	Days	Cost	Days	Cost	Days
Winnebago	\$807,488	1,006	\$423,270	511	\$601,083	743
Mendota	-32,991*	0	\$301,343	326	\$256,393	239
Fond du Lac County Health Center	\$340,872	382	\$281,300	268	\$253,306	435
TOTAL	\$1,148,360	1,388	\$1,005,913	1,105	\$1,110,782	1,417

* Reimbursement for client services from a prior year of service.

RESOLUTION NO.: 79—2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 There is pending legislation that will change any act of sexual misconduct that is currently
2 a second degree sexual assault to a first degree sexual assault if the victim is 60 years of
3 age or older regardless of whether or not the offender knew the victim's age.
4

5 The pending legislation would create the crime of physical abuse of a person that is 60
6 years of age or older that is modeled after the current law prohibition of physical abuse of
7 a child regardless of whether or not the offender knew the victim's age.
8

9 The pending legislation creates a procedure for a court to freeze or seize assets from a
10 defendant who has been charged with a financial exploitation crime when the victim is at
11 least 60 years old.
12

13 The pending legislation allows anyone who is 60 years or older who is seeking a domestic
14 violence, individual-at-risk, or harassment restraining order to appear in a court hearing by
15 telephone or live audiovisual means.
16

17 The pending legislation could have a financial impact on local governments responsible
18 for implementing the various changes in the law. Pending legislation should include
19 allocations of state funding for local governments to implement the legislation.
20

21 NOW THEREFORE, the undersigned members of the Health and Human Services Committee
22 and the Public Safety Committee recommend adoption of the following resolution.

23 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending
24 legislation that would change any act of sexual misconduct that is currently a second degree sexual
25 assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or
26 not the offender knew the victim's age, and

27 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support
28 pending legislation that would create the crime of physical abuse of a person that is 60 years of age or
29 older that is modeled after the current law prohibition of physical abuse of a child regardless of whether
30 or not the offender knew the victim's age, and

1 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
2 support pending legislation that would create a procedure for a court to freeze or seize assets from a
3 defendant who has been charged with a financial exploitation crime when the victim is at least 60 years
4 old, and

5 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
6 support pending legislation that would allow anyone who is 60 years or older who is seeking a domestic
7 violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or
8 live audiovisual means, and

9 BE IT STILL FURTHER RESOLVED, that the legislation will respond to the financial impact
10 on the various entities that are responsible for implementing the law, and

11 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
12 of this resolution to the Outagamie County Lobbyist, all Wisconsin Counties, and the Wisconsin
13 Counties Association.

14 Dated this 14th day of January, 2020

15 Respectfully Submitted,

16 HEALTH AND HUMAN SERVICES
17 COMMITTEE AND
18 PUBLIC SAFETY COMMITTEE

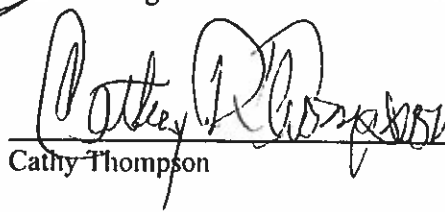
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22 Dan Gabrielson

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26 Justin Krueger

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28 Christine Lamers

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32 Cathy Thompson

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Kelly Schroeder



Katrin Patience

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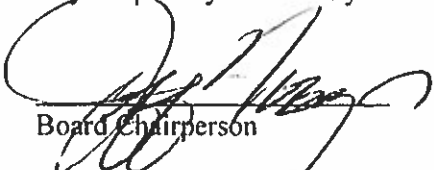
Dan Dillenberg

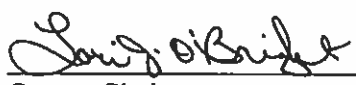
James Duncan

Mike Woodzicka

Dominic Renteria

Duly and officially adopted by the County Board on: January 14, 2020

Signed: 
Board Chairperson


County Clerk

Approved: 1.16.20

Vetoed: _____

Signed: 
County Executive



Resolution No. 4 (2020)
RESOLUTION FOR REFERENDUM ON QUESTION FOR FAIR MAPS

1 **WHEREAS**, under the state constitution, the majority party of the legislature is directed
2 at its next session following the decennial federal census to redistrict legislative districts
3 according to the number of inhabitants; and, at the same interval, the legislature also reapportions
4 congressional districts pursuant to federal law; and

5
6 **WHEREAS**, the current procedure stifles political participation, discourages
7 collaboration and compromise, and lacks the fairness necessary to our democratic process, by
8 undermining the principle of one-person-one-vote; it allows the legislature to choose its voters
9 rather than the voters choosing their representatives; and

10
11 **WHEREAS**, a non-partisan process promotes more accountability and transparency and
12 prohibits the consideration of voting patterns, party information, and incumbents' residence
13 information or demographic information in drawing the maps, except as necessary to ensure
14 minority participation as required by the U.S. Constitution; and

15
16 **WHEREAS**, the 2011 Wisconsin legislative process to draw the maps and fight litigation
17 contesting those maps cost taxpayers nearly \$1.9 million; and

18
19 **WHEREAS**, a panel of federal district court judges has ruled that the redistricting done
20 in Wisconsin in 2011 was unconstitutional; and

21
22 **WHEREAS**, redistricting to achieve partisan gains is improper, whether it is done by
23 Republicans or Democrats.

24
25 **NOW, THEREFORE, BE IT RESOLVED** that the St. Croix County Board of
26 Supervisors insists upon the creation of a nonpartisan procedure of legislative and congressional
27 redistricting plans.

28
29 **BE IT FURTHER RESOLVED** that the St. Croix County Board of Supervisors, in
30 legal session assembled, does hereby approve that the following question be placed on the April
31 7, 2020 Spring election ballot as an advisory referendum question:

32 **Question: Should St. Croix County request that the Wisconsin Legislature create a**
33 **nonpartisan procedure for the preparation of legislative and congressional district plans**
34 **and maps?**

35
36 ___ YES ___ NO

37
38 **BE IT FURTHER RESOLVED** that the County Clerk is directed to send a copy of this
39 resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the
40 Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state
41 legislature, and to each Wisconsin County Board.

ABSENT: Lynda Miller, Bob Feidler, District 13, Paulette Anderson

This Resolution was Adopted by the St. Croix County Board of Supervisors on January 7, 2020

Cindy Campbell, County Clerk