

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

Office of the County Clerk, August 23, 2016.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 6:30 p.m. in the County Board Room, located at 410 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 31 present, 5 absent. Members present: Miller, Grady, Patience, Gabrielson, Hammen, T. Krueger, J. Krueger, Lamers, McDaniel, De Groot, Vanden Heuvel, Lemanski, Spears, Stueck, Thomas, Thyssen, Hagen, Klemp, Pleuss, Nooyen, Duncan, Culbertson, Sturn, Buchman, Griesbach, Clegg, VanderHeiden, O'Connor-Schevers, Rettler, Melchert, and Suprise. Member absent: Thompson, Strenn, Meyer, Groat, and Wegand.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Thompson, Strenn, Meyer, Groat, and Wegand. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE AUGUST 9, 2016 COUNTY BOARD MEETING

Supervisor Thyssen moved, seconded by Supervisor Melchert, to approve the minutes of the August 9, 2016, County Board meeting.

ROLL CALL: 29 aye, 2 abstain, 5 absent. MINUTES OF THE AUGUST 9, 2016, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

History of Sheriff Department's move – Kara Homan

Kara Homan reported that 17 years of studies, committee meetings, and committee actions were completed relative to the Sheriff's Department. Numerous other studies were done relative to county space needs. A PowerPoint presentation was provided regarding the history of the Sheriff's Department space needs (copy available in the County Clerk's Office).

Bob Stadel, former County Planner, left a binder with all major space needs from 1999 until Kara Homan began duties for Outagamie County. Planner Homan ran through the timeline from 1999-2016.

A map of the Highway 15/Casaloma site was shown. On the site, available land for building will accommodate the Sheriff's Law Enforcement (LE) facility, including projections of land available for future growth.

Population projections were shown with a projection growth model 2010-2040. A high-level budget was reviewed. Sufficient funds are available for a Sheriff LE facility at the Highway 15/Casaloma property, including an inflationary factor. Planner Homan reported that a decision regarding the Sheriff LE facility needs to be done quickly so that the facility can be completed for sequencing other space needs construction requirements.

During question and answer, discussion took place regarding other historical events for space needs including consideration of utilizing the former Outagamie County Health Center for the Sheriff LE facility; scoping available space for the Zebra 12 equipment; and staffing planned to utilize the new Sheriff LE facility.

ESTABLISH ORDER OF THE DAY – no changes.

COMMUNICATIONS

Chairperson Nooyen reported that Board members should now leave their microphone batteries on and within their units so that the batteries can be discharged and recharged properly.

Corporation Counsel Guidote reported that with the statewide county board use of tablet computing, a controversy occurred throughout the State. When utilizing the tablet computers, Board members should not be utilizing to email other members during the course of meeting. Also, he requested courtesy for neighboring board members when typing on tablets during meetings.

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY)

Steve Lowney, Town of Freedom Chairperson, spoke in favor of Resolution No. 35. He thanked the Board for considering the TIF district for the Town of Freedom. He reported the threshold for a TID was \$500,000 and the Town's project was valued at approximately \$470,000. The project is important for the Town of Freedom, and he urged the Board's support. The second phase of the TID will be an industrial 40 acre site.

APPOINTMENTS

County Executive Nelson nomination of Jon Padgham and Steve Vandyn Hoven for re-appointment and Kelly Kohl for appointment to the Coordinating Council; said terms expiring April 30, 2018.

Supervisor Griesbach moved, seconded by Supervisor T. Krueger, for confirmation of the above-listed appointments.

ROLL CALL: 31 aye, 5 absent. RE-APPOINTMENTS OF PADGHAM AND VANDYN HOVEN AND APPOINTMENT OF KOHL TO THE COORDINATING COUNCIL ARE CONFIRMED.

County Executive Nelson nomination of Patricia Exarhos for appointment to the Appleton Library Board of Trustees for a three-year term.

Supervisor J. Krueger moved, seconded by Supervisor Melchert, for confirmation of the above-listed appointment.

ROLL CALL: 31 aye, 5 absent. APPOINTMENT OF EXARHOS TO THE APPLETON LIBRARY BOARD OF TRUSTEES IS CONFIRMED.

County Executive Nelson nomination of County Supervisor Kevin Sturn as interim representative to the University of Wisconsin-Fox Valley Board of Trustees; term expiring at the end of 2016.

Supervisor Hagen moved, seconded by Supervisor Grady, for confirmation of the above-listed appointment.

ROLL CALL: 31 aye, 5 absent. APPOINTMENT OF STURN TO THE UW-FOX VALLEY BOARD OF TRUSTEES IS CONFIRMED.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson was not available to report. A copy of his report was placed on the desks (copy available in the County Clerk's office).

Chairperson Nooyen thanked Supervisor Lamers for cookies provided at the meeting in honor of her birthday. A round of applause was given.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported the following:

- WI Equalized Property Valuation – Property values increased 2.9% to \$505 billion over last year, according to DOR, 2.75% for Outagamie County. Links include the [Annual Equalization Report](#) and [Statement of Changes](#) with the Lobbyist also posting information on the bulletin board in the Legislative Services office.
- NACo U.S. Communities Event - Lobbyist attended the event at the Milwaukee County Zoo on Aug. 10. US Communities is owned by NACo and serves counties, schools, cities as a cooperative purchasing alliance. They have 35 contacts that are guaranteed to be the best offering to anyone. Any other governmental entity can piggyback on any existing contract as they have already been competitively bid. It is free to register on the web site. Governments can purchase with a P-card or credit card. Further information is available: www.uscommunities.org and www.uscommunities.org/shop
- Election Law Changes –The Courts have been talking a lot about voting laws in Wisconsin. On Aug. 10, the 7th Circuit Court of Appeals stayed a federal judge's decision that would have created for the November election an affidavit process allowing those who have trouble obtaining an ID to still cast ballots. The three-judge panel concluded "both that the district court's decision is likely to be reversed on appeal and that disruption of the state's electoral system in the interim will cause irreparable injury." On Aug. 11, the following day, more election court decisions were released. The 7th Circuit Court of Appeals agreed with the state on one point, putting on hold Judge James Peterson's order for the state to fundamentally reform, by the next election, the process for those who lack the required documentation for an ID. Voters must attempt to get one for Nov. The court ruled that process must be reformed, though it can wait until after the election. On Aug. 23, the state's Department of Justice (DOJ) reported that they won't ask the U.S. Supreme Court to place an emergency stay on a judge's ruling overturning several other GOP-backed election laws. The laws Peterson struck down include restrictions on early voting, an extension of residency requirements to 28 days, and the prevention of municipal clerks from sending absentee

ballots by fax or email. The state had first asked Peterson to reinstate those laws. Peterson declined to do so, though he did put on hold, until after the elections. a requirement that the state overhaul its petition process for those who don't have a valid ID. The state then turned to the 7th Circuit Court of Appeals, where the three-judge panel yesterday decided through a one-page ruling that it was denying the state's request for an emergency stay.

- County Mtg. with UW Extension Chancellor Cathy Sandeen – On Aug. 16, Lobbyist attended a meeting at UW Waukesha with Chancellor Sandeen. Counties provide 26% of UW Extension funding. Extension is asking for level funding for 2017 despite reduced staff and reduced services. Extension says that the new management structure will reduce the administrative burden on other Extension agents allowing them to provide more services. Other counties are not happy about the prospect of same cost for reduced level of services.
- WI Airport Association Meeting – On Aug. 18, Lobbyist attended a meeting of the WI Airport Management Association (WAMA) at the Dane County Airport Conference Room. WAMA is looking at holding a Lobby day in Madison. The Lobbyist will work with Outagamie County Airport Director Weber to assist him in his pending meetings.
- Recidivism Reforms – On Aug. 19, Lobbyist had a discussion with Senator Taylor's Chief of Staff about recidivism reforms that have been proven in other states. Senator Taylor hopes to see some of these concepts tried in Milwaukee. Links:
 - <http://www.smartpolicinginitiative.com/library-and-multimedia-resources/crime/focused-deterrence-high-point-north-carolina>
 - <http://www.smartpolicinginitiative.com/sites/all/files/resources/Reducing%20Group%20Related%20Violent%20Crime%20through%20Focused%20Deterrence%20in%20High%20Point%20NC.pdf>
 - <http://www.npr.org/2015/04/03/397325233/small-wisconsin-town-serves-as-model-for-community-policing>
- Justice Dept. Ruling re. Jailing People Who Can't Afford Bail – Lobbyist Wadium reported a brief was filed on this issue. The friend-of-the-court brief marks the first time the Justice Department has submitted a legal opinion in a federal court on bail systems in state and local courts. Link to the article: <http://www.csmonitor.com/USA/Justice/2016/0821/DOJ-Stop-jailing-people-just-because-they-can-t-afford-bail-video>

UNFINISHED BUSINESS - None

NEW BUSINESS

Resolution No. Z-6—2016-17 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve of the proposed rezoning request by Green Ridge Estates for 68.6 acres located in the Town of Greenville from the General Agricultural District to the Single Family Residential District.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. Z-6—2016-17 IS ADOPTED.

Resolution No. 33—2016-17 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve of amending the Land Conservation Department 2016 revenue and expenditure budgets to accept and expend the Targeted Runoff Management grant funds of \$8,949 for additional Technician I position hours.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 33—2016-17 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor Hagen, to reconsider for the purpose of lock in.

ROLL CALL to reconsider: 30 aye, 1 nay, 5 absent. RESOLUTION NO. 33—2016-17 IS RECONSIDERED

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 33—2016-17 IS ADOPTED & LOCKED IN.

Resolution No. 34—2016-17 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve of amending the Land Conservation Department 2016 revenue and expenditure budgets to accept and expend the NEW Water grant funds of \$160,000 for conservation best management practices.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 34—2016-17 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor Melchert, to reconsider for the purpose of lock in.

ROLL CALL to reconsider: 27 aye, 4 nay, 5 absent. RESOLUTION NO. 34—2016-17 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 34—2016-17 IS ADOPTED & LOCKED IN.

Resolution No. 35—2016-17 – Finance Committee. Support the Town of Freedom Tax Incremental District No. 1 Project Plan and recommend that the Outagamie County TIF Board of Review representative votes in favor of the TID No. 1 plan.

Supervisor Stueck moved, seconded by Supervisor Sturn, for adoption.

ROLL CALL: 30 aye, 1 nay, 5 absent. RESOLUTION NO. 35—2016-17 IS ADOPTED.

Resolution No. 36—2016-17 – Health & Human Services Committee. Authorize the Outagamie County Department of Health and Human Services (HHS) to enter into a written cooperative agreement with Homeless Connections to apply for an \$18,150 Community Development Block Grant and, if awarded, the Outagamie County HHS Department will be eligible for up to \$1,650 for administration.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 36—2016-17 IS ADOPTED.

Supervisor Lemanski moved, seconded by Supervisor Spears , to reconsider for the purpose of lock in.

ROLL CALL to reconsider: 30 aye, 1 nay, 5 absent. RESOLUTION NO. 36—2016-17 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 36—2016-17 IS ADOPTED & LOCKED IN.

Resolution No. 37—2016-17 – Highway, Recycling & Solid Waste Committee. Approve of the Outagamie County Recycling & Solid Waste Department’s implementation of the Construction & Demolition Waste Diversion Program, and budget adjustments in support of the program as noted on the attached Fiscal Note and Attachments A & B.

Supervisor De Groot moved, seconded by Supervisor McDaniel, for adoption.

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 37—2016-17 IS ADOPTED.

Resolution No. 38—2016-17 – Legislative/Audit & Human Resources Committee. Support legislation regarding Alzheimer’s and Dementia funding, programming, staffing, and “Silver Alert” referrals to local aging and disability resource centers.

Supervisor Lemanski moved, seconded by Supervisor T. Krueger, for adoption.

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 38—2016-17 IS ADOPTED.

Resolution No. 39—2016-17 – Legislative/Audit & Human Resources Committee. Approve of the Settlement Agreement negotiated by the Outagamie County Human Resources Department with the Outagamie County Deputy Sheriff’s Association, as noted on the attached agreement and fiscal note.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 39—2016-17 IS ADOPTED.

Resolution No. 40—2016-17 – Property, Airport, Recreation & Economic Development Committee. Approve the Common Storage Hangar Space Lease Agreement between Outagamie County/Appleton International Airport and Dunsirn Aviation, LLC, as noted on the attached agreement.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 40—2016-17 IS ADOPTED.

Supervisor Culbertson moved, seconded by Supervisor Grady , to reconsider for the purpose of lock in.

ROLL CALL to reconsider: 29 aye, 2 nay, 5 absent. RESOLUTION NO. 40—2016-17 IS RECONSIDERED

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 40—2016-17 IS ADOPTED & LOCKED IN.

Resolution No. 41—2016-17 – Property, Airport, Recreation & Economic Development Committee. Approve the Common Storage Hangar Space Lease Agreement between Outagamie County/Appleton International Airport and MKW Aviation, LLC, as noted on the attached agreement.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 41—2016-17 IS ADOPTED.

Supervisor Culbertson moved, seconded by Supervisor Hagen , to reconsider for the purpose of lock in.

ROLL CALL to reconsider: 29 aye, 2 nay, 5 absent. RESOLUTION NO. 41—2016-17 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 41—2016-17 IS ADOPTED & LOCKED IN.

Resolution No. 42—2016-17 – Property, Airport, Recreation & Economic Development Committee. Approve the Common Storage Hangar Space Lease Agreement between Outagamie County/Appleton International Airport and Precision Aviation, LLC, as noted on the attached agreement.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 42—2016-17 IS ADOPTED.

Supervisor Culbertson moved, seconded by Supervisor Grady, to reconsider for the purpose of lock in.

ROLL CALL to reconsider: 27 aye, 4 nay, 5 absent. RESOLUTION NO. 42—2016-17 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 42—2016-17 IS ADOPTED & LOCKED IN.

Resolution No. 43—2016-17 – Property, Airport, Recreation & Economic Development Committee. Approve the standard Common Storage Hangar Space Lease Agreement, as noted on the attached agreement, and approve the Airport Director to execute future Common Storage Hangar Space Leases with those parties meeting the standard Agreement with reporting as outlined in the resolution.

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

ROLL CALL: 30 aye, 1 abstain, 5 absent. RESOLUTION NO. 43—2016-17 IS ADOPTED.

Resolution No. 44—2016-17 – Property, Airport, Recreation & Economic Development Committee. Authorize granting New London Utilities, AT&T, and Charter Communications the perpetual right and easement to parcel 261-333001900; 261-33300200; 261-333002100 as noted on the attached easement.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 44—2016-17 IS ADOPTED.

Supervisor Culbertson moved, seconded by Supervisor Hagen, to reconsider for the purpose of lock in.

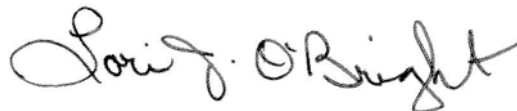
ROLL CALL to reconsider: 27 aye, 4 nay, 5 absent. RESOLUTION NO. 44—2016-17 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 44—2016-17 IS ADOPTED & LOCKED IN.

REPORTS – None.

Supervisor Stueck moved, seconded by Supervisor Thyssen, to adjourn until September 13, 2016, at 6:30 p.m.

The meeting adjourned at 7:33 p.m.

A handwritten signature in black ink, reading "Lori O'Bright". The signature is written in a cursive, flowing style. The first name "Lori" is written in a larger, more prominent script, followed by "O'Bright" in a slightly smaller, more compact script. The signature is positioned above a horizontal line.

Lori O'Bright, County Clerk