

MINUTES
* * OUTAGAMIE COUNTY BOARD * *

Office of the County Clerk, August 8, 2017.

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: 30 present, 6 absent. Members present: Thompson, Miller, Grady, Patience, Gabrielson, Foss, Hammen, T. Krueger, J. Krueger, Lamers, McDaniel, De Groot, Croatt, Spears, Stueck, Thomas, Thyssen, Hagen, Pleuss, Nooyen, Duncan, Culbertson, Sturn, Buchman, Griesbach, Clegg, VanderHeiden, O'Connor-Schevers, Melchert, and Surprise. Member absent: Klemp, Lemanski, Wegand, Meyer, Vanden Heuvel, and Rettler.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Klemp, Lemanski, Wegand, Meyer, and Vanden Heuvel. Supervisor Rettler was additionally absent. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE JULY 11, 2017 COUNTY BOARD MEETING

Supervisor Buchman moved, seconded by Supervisor Patience, to approve the minutes of the July 11, 2017, County Board meeting.

ROLL CALL: 30 aye, 6 absent. MINUTES OF THE JULY 11, 2017, BOARD MEETING ARE APPROVED.

CLOSED SESSION: PURSUANT TO SEC. 19.85(1) (E), WIS. STATUTES DELIBERATING OR NEGOTIATING PUBLIC CONTRACTS WHERE COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION

Supervisor Croatt moved, seconded by Supervisor Grady, to enter closed session for the purpose as noted above.

ROLL CALL: 30 aye, 6 absent. COUNTY BOARD ENTERS CLOSED SESSION.

END CLOSED SESSION

Supervisor Thyssen moved, seconded by Supervisor J. Krueger, to end closed session and resume normal business.

ROLL CALL: 30 aye, 6 absent. CLOSED SESSION IS ENDED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Supervisor Surprise requested that Resolution No. 31—2017-18 be withdrawn as a new resolution will be drafted. No objection; so ordered. RESOLUTION NO. 31—2017-18 IS WITHDRAWN.

COMMUNICATIONS

Communication Referral List (included in the packet)
2017 Debt Issues – General Information

Chairperson Nooyen reported on the following additional communications were distributed on the desks:

- Resolution No. 43 – New fiscal note. No objections; so ordered.
- Lobbyist report.

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY) – None.

APPOINTMENTS

County Executive Nelson nomination of Paul Farrell, Joanne Gorski, Lisa Lux, Brian Massey and Craig Moser for re-appointment, and Dean Steingraber and Allyson Watson for appointment, to the Sustainability Committee; said terms expiring April 2020.

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

ROLL CALL: 30 aye, 6 absent. RE-APPOINTMENTS AND APPOINTMENTS OF FARRELL, GORSKI, LUX, MASSEY, MOSER, STEINGRABER AND WATSON TO THE SUSTAINABILITY COMMITTEE ARE CONFIRMED.

County Executive Nelson nomination of Trenten Woelfel, Terri Lison, and Thomas Rooney for appointment to the Land Information Council; said terms expiring April 1, 2018.

Supervisor Spears moved, seconded by Supervisor Grady, for confirmation of the above-listed appointments.

ROLL CALL: 30 aye, 6 absent. APPOINTMENTS OF WOELFEL, LISON, AND ROONEY TO THE LAND INFORMATION COUNCIL ARE CONFIRMED.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated the following supervisors on their birthdays: Peter Stueck (Aug. 1), Don De Groot (Aug. 2), Ken Vanden Heuvel (Aug. 5), Kevin Sturn (Aug. 6), Dan Gabrielson (Aug. 17), and Christine Lamers (Aug. 29). A round of applause was given each member.

Executive Nelson reported the following:

- Employee Appreciation Picnic – The picnic was held August 2 and a success. Executive Nelson thanked board members, who attended and participated in the event.
- 2018 Budget – The review process is underway. Executive Nelson encouraged county board leaders to attend sessions of interest.

No questions occurred.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported:

- Lobbyist has continued to talk with both Assembly and Senate about Dark Store bills:
 - AB-386/SB-292 RE: Property tax assessments based on comparable sales and market segments, and

- SB-291/AB-387 RE: property tax assessments regarding leased property.
The Assembly has held a public hearing but bills have not been voted out of committee. The Senate has yet to hold a public hearing.
- State budget negotiations appear to be on hold. Legislature has yet to deal with local transportation funding. The Governor had proposed an 8% increase in local road aids. That proposed increase is in doubt.
- Foxconn:
 - Today the State Legislative Fiscal Bureau released its [analysis of the August 2017 Special Session Assembly Bill 1](#).
 - Fitch Rating Services has released a news release stating that the Foxconn investment in “southeastern Wisconsin could have a positive effect of Fitch’s consideration of revenue growth prospects as well as the affordability of debt and pension liabilities for local governments in that region.”
- Governing Magazine Article, “[As Health Departments Expand Their Role, Can They Keep Up With Basic Services?](#)” – Article addresses issues relative to failure by Mecklenburg County, N.C., to notify women of abnormal Pap smear results; broadening scope of services; and risk conflicts.
- Governing Magazine Article, “[Why Are Local Governments Using a Russian Software the Feds Won't?](#)” – Article addresses a Russian brand of security software that the federal government has removed from its approved vendor list, cyberespionage, and the vulnerability of local governments to cyberattacks/intrusions.
- Governing Magazine Article, “[Maine Regularly Sells Voter Data It Denied to Feds](#)” – Article addresses Maine and other states’ refusal to share personal voter information with President’s voter fraud commission yet providing those records to others at cost.
- NACo Annual Conference - Lobbyist attended the conference, and reported his notes were provided in his monthly report.

During question and answer, discussion took place on [Senate Bill 54](#) and the effects of the bill on incarceration rates.

UNFINISHED BUSINESS

Resolution No. 31—2017-18 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Oppose Aquila's Back Forty metallic sulfide mine and urge the Michigan Department of Environmental Quality to deny a mining permit for the Back Forty Project.

At the July 11, 2017 County Board meeting, Supervisor Rettler moved, seconded by Supervisor Patience, for adoption. Supervisor Thomas moved, seconded by Supervisor Spears, to refer the resolution back to committee. No objections; so ordered.

At the August 8, 2017 County Board meeting, Resolution No. 31 was withdrawn (see Establish Order of the Day).

Ordinance No. B—2017-18 – Public Safety Committee. Approve combining the Emergency Management Committee and the Public Safety Committee with the following amendments to Division 1. – Generally, Section 2-47 – Rule 4 – Power and duties of County Board Chair and Vice-Chair and Article VII. – Board, Committees and Commissions, Division 1. - Generally, Sections 2-670. – County emergency management committee – Members. Section 14-25 County emergency management committee.

At the July 11, 2017 County Board meeting, Supervisor Patience moved, seconded by Supervisor Duncan for adoption. Supervisor Pleuss reported that Sec. 2-52 – Rule 9, the Legislative/Audit & Human Resources Committee shall submit rules. Assistant Corporation Counsel Patrick Taylor agreed to his

review. Supervisor Thyssen moved, seconded by Supervisor Duncan, to refer Ordinance No. B to the Legislative/Audit & Human Resources Committee. No objections; so ordered.

At the August 8, 2017 County Board meeting, Supervisor J. Krueger moved, seconded by Supervisor Duncan, for adoption.

ROLL CALL: 30 aye, 6 absent. ORDINANCE NO. B—2017-18 IS ADOPTED.

NEW BUSINESS

Resolution No. 35—2017-18 – Finance Committee. Support the City of Appleton's Project Plan for Tax Incremental Financing District No. 11 and recommend that the Outagamie County TIF Board of Review representative votes in favor of the plan.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 35—2017-18 IS ADOPTED.

Resolution No. 36—2017-18 – Finance Committee. Support the City of Appleton's Project Plan for Tax Incremental Financing District No. 12 and recommend that the Outagamie County TIF Board of Review representative votes in favor of the plan.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 36—2017-18 IS ADOPTED.

Resolution No. 37—2017-18 – Health & Human Services Committee. Request that the State of Wisconsin amend state statutes to mirror federal requirements for CNA training.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 37—2017-18 IS ADOPTED.

Supervisor Gabrielson moved, seconded by Supervisor Thyssen, to reconsider for lock in.

ROLL CALL to reconsider: 28 aye, 2 nay, 6 absent. RESOLUTION NO. 37—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 30 aye, 6 absent. RESOLUTION NO. 37—2017-18 IS ADOPTED & LOCKED IN.

Resolution No. 38—2017-18 – Legislative/Audit & Human Resources Committee. Recommend that a 2.0% cost of living adjustment, exclusive of step increases, be utilized during the 2018 budget process.

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

ROLL CALL: 28 aye, 2 nay, 6 absent. RESOLUTION NO. 38—2017-18 IS ADOPTED.

Supervisor Thyssen moved, seconded by Supervisor T. Krueger, to reconsider for lock in.

ROLL CALL to reconsider: 26 aye, 4 nay, 6 absent. RESOLUTION NO. 38—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 28 aye, 2 nay, 6 absent. RESOLUTION NO. 38—2017-18 IS ADOPTED & LOCKED IN.

Resolution No. 39—2017-18 – Legislative/Audit & Human Resources Committee. Approve Administrative Rule 17-01 as attached amending the Outagamie County Personnel Manual and all Interim Personnel Policy Manuals by amending the acquisition and reporting of compensatory time and overtime, and numbering this rule AR 17-01.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 39—2017-18 IS ADOPTED.

Resolution No. 40—2017-18 – Property, Airport, Recreation & Economic Development Committee. Approve of the Fifth Addendum to the Gulfstream South Hangar Lease (Columbia Drive), and Exhibit A, which are attached.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 40—2017-18 IS ADOPTED.

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

ROLL CALL to reconsider: 30 aye, 6 absent. RESOLUTION NO. 40—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 30 aye, 6 absent. RESOLUTION NO. 40—2017-18 IS ADOPTED & LOCKED IN.

Resolution No. 41—2017-18 – Property, Airport, Recreation & Economic Development Committee. Authorize the Highway Department to put in an asphalt pad at the Appleton International Airport and adjust the budget as noted on the attached fiscal note.

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

Corporation Counsel Guidote noted that this resolution requires a 3/4 vote.

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 41—2017-18 IS ADOPTED.

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

ROLL CALL to reconsider: 30 aye, 6 absent. RESOLUTION NO. 41—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 30 aye, 6 absent. RESOLUTION NO. 41—2017-18 IS ADOPTED & LOCKED IN.

Resolution No. 42—2017-18 – Property, Airport, Recreation & Economic Development Committee. Approve the Parks Department request to transfer \$1,000 from the Mosquito Hill Contributions cost center, from Supplies to Capital Outlay, as noted on the attached fiscal note, to purchase a front plow for

the Kubota utility vehicle for use at Mosquito Hill.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 42—2017-18 IS ADOPTED.

Resolution No. 43—2017-18 – Property, Airport, Recreation & Economic Development Committee. Approve the Department of Development and Land Services Department's request to transfer \$6,000 from the Property Listing cost center, as noted on the attached fiscal note, to fund contracted services to assist with the backlog in the department due to vacancies and a medical leave (\$5,000), with the remainder to fund property listing training for new staff.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 43—2017-18 IS ADOPTED.

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

ROLL CALL to reconsider: 29 aye, 1 nay, 6 absent. RESOLUTION NO. 43—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 30 aye, 6 absent. RESOLUTION NO. 43—2017-18 IS ADOPTED & LOCKED IN.

NOTE: Resolution No. 44—2017-18 was accidentally a duplicated resolution on the original agenda; later amended to remove from the agenda. The resolution number will be re-utilized at the next County Board meeting.

Resolution No. 45—2017-18 – Property, Airport, Recreation & Economic Development Committee. Approve of the Outagamie County Master Gardeners Association lease for three county designated offices within a building located at 3375 West Brewster Street, Appleton, WI, as noted on the attached lease.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 45—2017-18 IS ADOPTED.

Resolution No. 46—2017-18 – Public Safety Committee. Oppose any legislation that automatically revokes a person's probation if that person is charged with a crime.

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

ROLL CALL: 30 aye, 6 absent. RESOLUTION NO. 46—2017-18 IS ADOPTED.

Ordinance No. C—2017-18 – Legislative/Audit & Human Resources Committee. Recommend that Chapter 2 of the Outagamie County Code of Ordinances, Division 1. GENERALLY, Section 2-20 – Meetings of the County Board, (c) Regular to change the regular county board meeting time from 6:30 p.m. to 7:00 p.m.

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

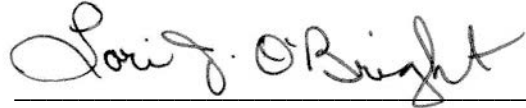
ROLL CALL: 27 aye, 3 nay, 6 absent. ORDINANCE NO. C—2017-18 IS ADOPTED.

REPORTS

Chairperson Nooyen reported that the meeting on August 22, 2017, might be cancelled, which would make the next meeting date September 12, 2017.

Supervisor Thyssen moved, seconded by Supervisor Croatt, to adjourn until August 22, 2017, at 6:30 p.m., unless the meeting is cancelled by the Board Chair, then the next meeting would be September 12, 2017, at 6:30 p.m. Voice vote carried.

The meeting adjourned at 7:25 p.m.

A handwritten signature in cursive script, reading "Lori J. O'Bright", written in black ink.

Lori J. O'Bright, Outagamie County Clerk