

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

Office of the County Clerk, October 10, 2017.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 7:00 p.m. in the County Board Room, located at 410 South Walnut Street, Appleton, Wisconsin.

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

The Board Chairperson requested the Board's confirmation to excuse Supervisors Patience, Wegand, Vanden Heuvel, and O'Connor-Schevers. Supervisor Meyer was absent. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE SEPTEMBER 26, 2017

Supervisor Croatt moved, seconded by Supervisor Duncan, to approve the minutes of the September 26, 2017, County Board meeting.

ROLL CALL: 30 aye, 1 abstain, 5 absent. MINUTES OF THE SEPTEMBER 26, 2017, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

Presentation on Criminal Justice Treatment Services (CJTS) – Bernard Vetrone

CJTS Bernard Vetrone thanked the County Board for the opportunity to update them on the CJTS program. A PowerPoint was presented (copy available in the County Clerk's office). Mr. Vetrone reported on present CJTS staffing and various community supervision/alternative programming (CJTS probation, Safe Streets Options Treatment Program (SSTOP), Young Adult Offender Program, Veterans Treatment Court with AODA & Mental Health treatment courts also being provided). Jail programming includes Huber programming, Lock-Up Self Help and Rehabilitation Programs, 1 to 1 counseling matches (volunteer); Jail education (managed by county staffing); and the Pretrial Justice Program. The latter was previously the Day Report Center, which contracted with Family Services, and was more recently brought in-house. The change from Day Report Center to Pretrial Justice Program has lessened the tax levy impact while providing a larger capacity, which will be again expanded in 2018. Mr. Vetrone explained the SSTOP program, which is a program directed towards 2nd or 3rd OWI offenders. If the offender following the program requirements, results include a reduction of jail time for the offense.

Safe Streets Treatment Options Program (SSTOP) – Tina Freiburger, Department Chair and Associate Professor of Criminal Justice, UW-Milwaukee

Carrie Schneider and Mr. Vetrone worked to obtain a study to determine the outcomes of the SSTOP program. Through UW-Milwaukee, staff was found to analyze the SSTOP outcomes. Mr. Vetrone introduced Professor Tina Freiburger and Alyssa Pfeiffer who analyzed the data to

determine outcomes. Professor Freiburger noted that the analysis was conducted comparing 2009-10 individuals, who did not participate in the SSTOP program, to 2012-13 individuals, who participated in the SSTOP. Professor Freiburger credited Ms. Pfeiffer with her work in reviewing CCAP for all the detailed information required for comparison. Measures of recidivism (each group was analyzed with three years of data), subsequent OWI convictions, and other criminal behaviors were analyzed in the two groups, reviewing various data points. The analysis showed that the SSTOP participants had lessor recidivism with lessor charges, convictions, incarcerations, and OWI convictions (31% reduction). In addition, there were 2,054 lessor days in jail with the group that participated in SSTOP.

During question and answer, discussion took place on the comparison of other WI programs similar to Outagamie County's SSTOP; praise was given for the analysis; whether both groups had similar types of alcoholic individuals analyzed and whether other AODA programming was available for individuals; details about the analysis publication were mentioned (will be published in a peer review journal/not yet identified), and that the Lobbyist could use the publicized analysis as a tool.

ESTABLISH ORDER OF THE DAY – No changes.

COMMUNICATIONS

Communications Referral List – provided in the packet

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

- Presentation materials was distributed relative to the Special Order
- Updated Standing Committee list
- Memo on the 2017 flu shot clinics available to employees
- Lobbyist information

In addition, Chairperson Nooyen reported:

- Sheriff New Facility Tours – The Sheriff will be conducting new facility tours for the County Board. The date will be Tuesday, October 24, 2017 and times are 2 p.m.; 2:45 p.m. and 3:30 p.m. Supervisors were requested to contact Joann Holman by phone at 832-5189 by Friday, October 20 to report which time period they would like to tour. Tours will take approximately ½ hour.
- Representative Amanda Stuck's office contacted Chairperson Nooyen and reported that she would obtain WI Blue Book for supervisors interested. Chairperson Nooyen requested supervisors take a roll call, selecting "aye" if interested. He would communicate requests to Representative Stuck's office.

ROLL CALL to request a WI Blue Book: 15 aye, 16 nay, 5 absent.

- Supervisors were reminded that the October 24, 2017, County Board Meeting, will begin with the 2018 Budget Public Hearing at 7:00 p.m. with regular business to follow. The Annual Budget Meeting will be held Monday, November 6, 2017 at 5:30 p.m.

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

APPOINTMENTS – None.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated the following supervisors on their birthdays: Mike Thomas, Oct. 12, and Ron Klemp, Oct. 17. A round of applause was given.

Executive Nelson thanked Bernie Vetrone, CJTS staff, and Dr. Freiburger and her review item for their analysis of the SSTOP program. Outagamie County is one of only two counties who utilize the program, despite legislation allowed 7 years ago for any county to participate. Hopefully, with the data provided, other counties will follow the model. Because of programs such as this, Outagamie County is one of the only county jails who has adequate jail space for the needs within the county.

Executive Nelson reported the following:

- Appleton Coated - Judge Gill provided a final decision on Appleton Coated receivership. The decision allows for the possibility, within 90 days, of finding a buyer, who could continue operations.
- Microsoft TechSpark Initiative in NE Wisconsin – Wisconsin is one of only six states in the country selected for this initiative. The four-program initiative provides funding for broadband access, computer science, educational curriculums for K-12 schools, and seed money for start-ups and non-profits. Microsoft President Brad Smith, is an Appleton West alumni, so Executive Nelson sees this as a long-standing relationship with Microsoft, the third largest corporation in the world.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported the following:

- Dark Store Bills - SB292 RE: property tax assessments based on comparable sales and market segments. (FE) and SB 291 RE: property tax assessments regarding leased property. (FE) are scheduled for vote out of Senate Committee on Revenue, Financial Institutions and Rural Affairs 10-11-2017.
- Digital County - Handouts from the Wisconsin County Executives and Administrators meeting held during the recent WCA Annual Convention in the Wisconsin Dells were posted in Legislative Services.
- WI Counties suing big pharmaceuticals – At the WCA Annual Convention, discussion took place about Wisconsin Counties suing for damages caused on behalf of taxpayers for their in the country's opioid epidemic. Lobbyist posted the article regarding the concept in Legislative Services.
- [Miami & Opioid Epidemic Article](#) - Miami may sue big pharma over the opioid epidemic. Miami. Dozens of states, cities and counties, including Delray Beach, have sued companies like Johnson & Johnson, and Purdue Pharma over allegations that they share some blame in the addiction crisis gripping the country.
- [State AGs Ask Congress to End Medicaid Restriction on Drug Treatment Article](#) - The government lawyers for 38 states and Washington, D.C., sent a letter to congressional leaders requesting the change. They say it's needed to help fight the opioid abuse and overdose

epidemic, which continues to claim tens of thousands of lives a year. Only smaller facilities qualify for payments under a 1965 law. [Governing Magazine](#) had an additional article on this topic as well.

- [Epic Systems' attorney: company's arbitration agreements are legal, do not strip employee rights article](#) – Attorney for Epic System argued over the practice of forcing employees to sign individual arbitration agreements upon hire. The employers argue that the practice does not violate those employees' rights under federal law.
- [U.S. Supreme Court Hears WI Redistricting Case article](#) - The U.S. Supreme Court heard oral arguments in Gill v. Whitford today. The case is a challenge to the redistricting maps passed by the Wisconsin Legislature in 2011. It is unknown when the court will rule on the case, but the current term ends in June/July 2018. [Oral Argument Transcript](#).
- Hurricanes, Flooding, and Infrastructure Standards – The ICC released [a letter](#) for standard changes in areas federal funding/rebuilding funds to mitigate future losses. An article on the letter is available through the ICC's website [HERE](#). Additionally, the ICC addresses the standards in their online [newsletter](#). The Washington Post reported on the [Trump administration also establishing new standards](#).
- [San Diego hepatitis outbreak article](#) – The LA Times reports on the continued outbreak growing to 481 cases in the area.
- [The Fight to Fix America's Broken Bail System article](#) – Governing magazine reports jails are filled with low-risk offenders awaiting court dates. There's bipartisan support to change the issue.
- [Medicaid covers all that? It's more than just health care for the poor article](#) – The Governing magazine article discusses coverage of items for individuals above the poverty line and how cuts to Medicaid would impact 1 in 5 Americans.
- [Congress Lets CHIP Expire, and States Scramble article](#) – The Governing magazine article address how some states are already preparing to freeze enrollment or cut off children's health insurance as they face the near possibility of running out of money for the program.

UNFINISHED BUSINESS

Ordinance No. E—2017-18 – Legislative/Audit & Human Resources Committee. Approve amendments to Rule 7 (Outagamie County Code Sec. 2.50) reducing the time requirement for distribution (e-mailing) of the County Board packet from five days to four days prior to each County Board meeting, and approve the Board Chairperson may discretionarily waive the resolution or ordinance submission requirement if matter is of sufficient import and the County Clerk has sufficient time for inclusion in the packet.

At the September 26, 2017 County Board meeting, Supervisor Thyssen requested that Ordinance E be held in committee. No objections, so ordered.

At the October 10, 2017 Meeting, Supervisor Thyssen moved, seconded by Supervisor Spears, for adoption.

Supervisor Thyssen moved to amend, seconded by Supervisor Spears, as follows: Page 2; (c) add on line 20 after the words "final form" " , as soon as such resolutions and/or ordinances are completed, but no later than"; strike the word "by"; change "12 noon" to "11:00 a.m."; following the words "Board meeting." add " ; Corporation Counsel shall then forward the resolutions and/or ordinances to the County Clerk as soon as they are approved, however,"; and on line 24, change 4:30 p.m. to 2:00 p.m.

ROLL CALL on amendment: 31 aye, 5 absent. AMENDMENT CARRIED.

ROLL CALL to adopt as amended: 31 aye, 5 absent. ORDINANCE NO. E--2017-18 IS ADOPTED AS AMENDED.

NEW BUSINESS

Resolution No. 60—2017-18 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the Land Conservation Department to use Alliance for the Great Lakes 2017 revenue as follows: \$3,500 to increase the travel/training budget to cover costs for staff training and \$2,440 to be added to the capital outlay budget for a storage shed project and/or rental equipment repair/upgrades.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 60—2017-18 IS ADOPTED.

Resolution No. 61—2017-18 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the Land Conservation Department to increase the 2017 supplies budget of the Plum/Kankapot TMDL project by \$6,000, said project to be 100 percent offset with federal grant funding through GLRI and will have no levy impact.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 61—2017-18 IS ADOPTED.

Resolution No. 62—2017-18 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the UW-Extension Department to transfer \$1,372 from the Purchased Services account to the Capital Outlay account to cover the additional expense of purchasing ADA compliant tables.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 62—2017-18 IS ADOPTED.

Resolution No. 63—2017-18 – Legislative/Audit & Human Resources Committee. Authorize a 2.0% wage adjustment to all AS&P/non-represented employees effective December 24, 2017.

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

ROLL CALL: 30 aye, 1 nay, 5 absent. RESOLUTION NO. 63—2017-18 IS ADOPTED.

Resolution No. 64—2017-18 – Finance Committee. Approve and authorize the execution of the attached, "Resolution Awarding the Sale of \$11,500,000 General Obligation Promissory Notes, Series 2017A".

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 64—2017-18 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Spears, to reconsider for lock in.

ROLL CALL to reconsider: 30 aye, 1 nay, 5 absent. RESOLUTION NO. 64—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 64—2017-18 IS ADOPTED & LOCKED IN.

Resolution No. 65—2017-18 – Finance Committee. Approve and authorize the execution of the attached, "Resolution Awarding the Sale of \$2,100,000 Taxable General Obligation Airport Bonds, Series 2017B".

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 65—2017-18 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Pleuss, to reconsider for lock in.

ROLL CALL to reconsider: 30 aye, 1 nay, 5 absent. RESOLUTION NO. 65—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 65—2017-18 IS ADOPTED & LOCKED IN.

Resolution No. 66—2017-18 – Finance Committee. Approve and authorize the execution of the attached, "Resolution Awarding the Sale of \$15,000,000 General Obligation Capital Improvement Bonds, Series 2017C".

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 66—2017-18 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Croatt, to reconsider for lock in.

ROLL CALL to reconsider: 31 aye, 5 absent. RESOLUTION NO. 66—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 5 absent. RESOLUTION NO. 66—2017-18 IS ADOPTED & LOCKED IN.

Resolution No. 67—2017-18 – Finance Committee. Approve a \$30,604 transfer from the contingency fund to a non-departmental general fund cost center to cover Outagamie County's share of liability due to the U.S. Department of Labor audit indicating FVWDB misappropriated federal Workforce Investment funds when Outagamie County was a member.

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

ROLL CALL: 31 aye, 5 absent. RESOLUTION NO. 67—2017-18 IS ADOPTED.

Resolution No. 68—2017-18 – Public Safety Committee. Approve the Criminal Justice Treatment Services request for a Treatment Alternative and Diversion Program Grant 2017 budget adjustment, which reduces Fringe Benefits by \$22,000, with an offsetting increase to Travel/Training by \$3,000 and Purchase Services by \$19,000.

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

ROLL CALL: 30 aye, 1 nay, 5 absent. RESOLUTION NO. 68—2017-18 IS ADOPTED.

Resolution No. 69—2017-18 – Property, Airport, Recreation & Economic Development Committee. Authorize granting WE Energies an easement for the area described in Certified Survey Map No. 7350, as recorded in the Outagamie County Register of Deeds Office in Volume 44, page 7350, as Document No. 2101456, as noted on the attached drawings and the Distribution Easement Underground WR NO. 4060198.

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

ROLL CALL: 30 aye, 1 abstain, 5 absent. RESOLUTION NO. 69—2017-18 IS ADOPTED.

Supervisor Culbertson moved, seconded by Supervisor T. Krueger, to reconsider for the purpose of locking in the resolution.

ROLL CALL to reconsider: 30 aye, 1 nay, 5 absent. RESOLUTION NO. 69—2017-18 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 30 aye, 1 abstain, 5 absent. RESOLUTION NO. 69—2017-18 IS ADOPTED.

Resolution No. 70—2017-18 – Finance Committee. Go on record in support of the Village of Kimberly TID No. 6 Project Plan Base Value Redetermination Amendment as detailed on the attached.

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

ROLL CALL: 27 aye, 4 nay, 5 absent. RESOLUTION NO. 70—2017-18 IS ADOPTED.

Ordinance No. F—2017-18 – Legislative/Audit & Human Resources Committee. Amend Section 2-58, RULE 15, in the Outagamie County Code of Ordinances, to establish the compensation for the Outagamie County Board of Supervisors for the 2018-2019 terms of office.

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

ROLL CALL: 25 aye, 6 nay, 5 absent. ORDINANCE NO. F—2017-18 IS ADOPTED.

REPORTS

The following rezoning petition has been received by Timothy P. Roach, Zoning Administrator:

Petitioner: CHS Larsen Cooperative

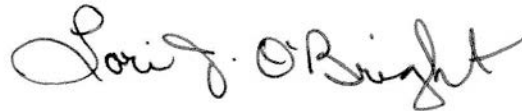
Location: Town of Center

Proposed Rezoning: 18.8 acres from the General Agricultural District to the Industrial District

Notice of public hearing concerning the above will take place at the Highway Garage, 1313 Holland Road (East Entrance) Appleton, Wisconsin, at 10:30 a.m. on October 24, 2017.

Supervisor Thyssen moved, seconded by Supervisor Buchman, to adjourn until October 24, 2017, at 7:00 p.m. Voice vote carried.

The meeting adjourned at 8:01 p.m.

A handwritten signature in black ink, reading "Lori J. O'Bright". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Lori J. O'Bright, Outagamie County Clerk