

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

Office of the County Clerk, September 25, 2018.

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 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 32 present, 4 absent. Members present: Thompson, Miller, Patience, Gabrielson, Konetzke, Hammen, Krueger, Lamers, Dillenberg, Mc Daniel, De Groot, Peterson, Croatt, Spears, Marcks, Thomas, T. Thyssen, Hagen, Klemp, Iverson, Nooyen, Duncan, Culbertson, Sturm, Buchman, Woodzicka, Clegg, VanderHeiden, O'Connor-Schevers, Rettler, Melchert, and Surprise. Members absent: Grady, N. Thyssen, Wegand, and Schroeder.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Grady, N. Thyssen, Wegand, and Schroeder. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF SEPTEMBER 11, 2018

Supervisor McDaniel moved, seconded by Supervisor T. Thyssen, to approve the minutes of the September 11, 2018, County Board meeting.

ROLL CALL: 31 aye, 1 abstain, 4 absent. MINUTES OF THE SEPTEMBER 11, 2018, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

State imposed tax freezes and 2019 budget – Finance Director Brian Massey and Finance Committee Chairperson Kevin Sturm

Finance Committee Chair Kevin Sturm thanked the County Board for the opportunity to discuss the 2019 Budget and to answer questions that were raised in August regarding the wage discussion. He thanked the Finance Department staff, Finance Director Brian Massey, and the administration for their efforts on the budget. Additionally, he commended the Finance Department on their recent award from the Government Officers Finance Association for excellence in financial reporting. A round of applause was given.

Finance Director Massey reported that a handout was distributed (copy available in the County Clerk's Office). On page 1, the State imposed tax freezes (rate and levy) were explained. For a number of years the increase was limited to a 2% or 3% increase of net of new construction, but since 2012 there has been 0% increase. A complicated formula is utilized in calculating the rate with some exemptions, including exemption of debt service, calculations of TIF close-outs, and allowances of transfer of services from one municipality to another. Page 2 provides that new fees charged will also have the impact of reducing the levy. There is a carry over or referendum ability to raise above the tax levy limit. Page 3 information provides for the 2019 tax levy freeze projection, with the projected Executive 2019 budget being approximately .4% below the allowable levy limit. Page 4 shows a graph with how net new construction dollars have been available from 2006 to 2019. From the 2018 to 2019 budget, approximately \$1 million of the levy capacity was used in the 2019 Budget. The main reason for the projected increase is costs related to health insurance, which is projected to be 15% or \$1.8 million on the levy supported departments. The dark store impact is also anticipated to impact the county. Other revenue

reductions could occur (e.g. Fox Energy Plant moved from a township to village, lowering available levy in the past). To support the 2019 budget, the employee STEP program was suspended, but administration hopes to return it in the 2020 budget. Page 6 shows in yellow highlights the departments that are levy supported. Indirectly, internal services are also levy supported as their services are charged out to departments. Debt service is also reported.

Finance Chairperson Sturn noted that on page 4, the numbers in green really show the impact of the freeze and levy dollars available. In past years, the county has been very diligent to provide some cushion. He encouraged members to attend the Finance Committee meetings reviewing the County Executive budget to understand fully the budget and issues surrounding the change. The proposed freeze on employee STEP increases for one year is a limited item, which provides approximately \$600,000 in costs savings. Administration hopes that net new construction and efficiencies going forward will allow for the program to be returned. Members were additionally encouraged to utilize pages 4 and 5 to discuss with their constituents.

During question and answer, discussion included whether there was a correlation with the lower net new construction and higher amounts under the levy cap, future years anticipation for positive changes, state shared revenue projections and the issues with those reductions (Massey reported he would put together a chart and forward to the Board), financial impacts of the dark stores (\$120,000 payments in 2018 and \$110,000 payments in 2019 – rebates and the reduction of valuations as well), and the ability of the county to utilize a sales tax.

ESTABLISH ORDER OF THE DAY – No changes.

COMMUNICATIONS

Chairperson Nooyen reported following additional communications were distributed:

- Finance Committee calendar of budget review meetings
- Board members attending the recent WCA Conference were thanked. Members attending in addition to Chairperson Nooyen and Lobbyist were Supervisors Grady, Miller, Spears, Patience, Thompson, VanderHeiden, Iverson, and Marcks.

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

APPOINTMENTS

County Executive Nelson nomination for appointment of Steve Swanson to the Land Information Council; said term expiring April 2020.

Supervisor T. Thyssen moved, seconded by Supervisor Spears, for confirmation of the above-listed appointment.

ROLL CALL: 32 aye, 4 absent. SWANSON IS CONFIRMED TO THE LAND INFORMATION COUNCIL.

County Executive Nelson nomination for appointment of Lisa Hanneman and re-appointment of Steve Van Dyn Hoven to the Coordinating Council; said terms expire April 30, 2020.

Supervisor Spears moved, seconded by Supervisor Patience, for confirmation of the above-listed appointment and re-appointment.

ROLL CALL: 32 aye, 4 absent. APPOINTMENT OF HANNEMAN AND RE-APPOINTMENT OF VAN DYN HOVEN TO THE COORDINATING COUNCIL ARE CONFIRMED.

#### REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated Supervisor T. Thyssen (Sept. 30) and Dan Grady (Oct. 4) on their birthdays. A round of applause was given. Executive Nelson reported:

- 2019 County Executive Budget – Members of the County Board, Finance Committee, and County Board Chair were thanked for their attendance at the Executive budget meetings. Assembling the budget takes teamwork and all were thanked for their efforts. The proposed budget will be delivered to the County Board within the week. Items of note follows:
  - The detailed message will be included in the budget.
  - Overall services will be maintained at current levels.
  - The proposed budget lowers the property tax rate for the fourth consecutive year by \$.05 to \$4.76 per thousand, the lowest rate since 2011.
  - The Aaa bond rating is maintained.
  - Includes an unprecedented health insurance increase of \$1.8 million on the tax levy. To address costs, administration is reviewing an on-site clinic.
  - Juvenile out of home placements are continuing to make large impacts to county budgets. All of the counties, with the exception of Milwaukee, do not have the standards to address placements. There is concern of future lawsuits.
  - A healthy general fund working capital balance of 14.5 percent is maintained while providing \$2.2 million in cash to complete facilities projects, reducing the need for bonding. Completion of long-deferred projects reduces capital expenditures over the next several decades. This approach will reduce county debt over the next 20 years, given that projections include rising interest rates.
  - The suspension of the STEP increase is a temporary measure, and it is hoped that it will be returned. Compensation is being changed from the proposed \$.24/hour increase originally proposed to \$.40/hour increase.
  - The overall budget leaves approximately \$300,000 of capacity to hedge against future budget issues in 2020.

#### REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported his activities as follows:

- 9-12-18 Legislative Council Study Committee on State-Tribal Relations held a discussion on 1989 Act 31 guidelines for teachers and Battery to an Officer of a Tribal Court.
- 9-13-18 Legislative Council Study Committee on Police Body Cameras – Members discussed several bills from last session, AB-351 / SB-279. Issues discussed include required consent for innocent persons, or victims, when footage would be released, whether required correspondence between innocent persons, victims, property owners, and the law agency and retention. Supported by all law enforcement organizations; opposed by newspapers and ACLU. AB-557 requires retention of footage, even if footage is of nothing, for six months;

police chiefs are opposed. Members discussed setting minimum standards for retention of video evidence.

- 9-14-18 Department of Corrections (DOC) meeting on Juvenile Corrections, #4 Review & Discuss Facility siting considerations were discussed. DOC will be looking for a facility in the Milwaukee County area. Daily rate charges are being proposed to be increased with additional staff being built into the costs.
- 9-17-18 Legislative Council Study Committee on Bail and Conditions of Pretrial release. Dane County made a presentation on their diversion programs.
- 9-18-18 National Association of County Intergovernmental Relations Officers teleconference – Discussion occurred on the Federal Aviation Administration (FAA) Reauthorization with Kevin Stone, County Engineers (ex NACo staff). FAA authorization expired March 2018 with two extensions. The current extension expires 9-30. The House passed their version; Senate has not passed their version. The Senate is “Pre-Conferencing” with House & Senate staff. One issue holding up the Senate is the Trucking Meals and Hours issue. The Senate wants Truck Meals and Hours as part of their bill and the House doesn’t care. There is uncertainty whether the Senate issues will be addressed before 9-30. Additional discussion occurred on the Federal Communications Commission (FCC) Proposed Ruling for 5-G; Arthur from NACo now handles this issue. Proposal creates two shot clocks for local governments; first is when a company make their presentation to locals, on existing sites-- authorities have 60-days. If not approving, they have to explain. If authorities don’t meet the 60-days, then on day 61, the provider can take them to court. With new facilities, locals have 90-days to review. NACo is viewing the time periods of both being too short. Additionally, there is concern that rather than go to court, applications would be rubber stamped. Another concern is the proposal would limit fees to providers with essentially the creation of an unfunded mandate. Recurring fees are capped for providers with \$270/site/year. Fees should be between \$1,500-\$1,800/site/year to cover actual costs. Comments must filed before 11 a.m. Wednesday. Members expect a 3-1 vote in favor of this change. Comments need to be filed to register objections and provide grounds for future lawsuits. Comments are important as suits are limited to arguments made during official comment period. Members of Congress are also being solicited to file comments until 9-26-18. Lobbyist will provide further details. Discussion also occurred on the Farm Bill. Both houses have passed a farm bill with the only difference being in the Nutrition, Commodities, and Conservation titles. NACo has a comprehensive review of both bills. The current bill expires in October. SNAP was a major issue with work requirements increase in the House version. The Senate keeps current law. The current issue is the Crop Insurance program with a growing concern for the extension. The House goes from current 18-49 to 18-59 and shortens the time to look for work, or training, from 3 months to 1 month. The House also included an increase for Workforce training. More will be forthcoming from the Senate.
- 9-19-18 Legislative Fiscal Bureau, Rick Olin, Fiscal Analyst – Lobbyist is working to obtain an answer for the Executive’s office on a question with Shared Revenue portion of Utility Aids.
- 9-23-18 - WCA Convention, La Crosse – Lobbyist attended discussions on the concern on Children and Family Aid not keeping pace with the Meth and Opioid crisis impact on families. A county board resolution may be forthcoming on this issue.
- Lobbyist reported additional information on the above would be provided in DropBox.

#### UNFINISHED BUSINESS

NEW BUSINESS

Ordinance No. Z-1—2018-19 -- Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve a 4.02 acre rezoning in the Town of Oneida from General Agriculture District to Local Commercial District; Petitioner: Adam Heagle, agent for MB2 Management LLC; Parcel No. 17-0-0601-00.

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

ROLL CALL: 32 aye, 4 absent. ORDINANCE NO. Z-1—2018-19 IS ADOPTED.

Resolution No. 49—2018-19 -- Agriculture, Extension Education, Zoning and Land Conservation Committee. Authorize increasing the Septic System Replacement Intergovernmental Revenue cost center and the Septic System Replacement Purchased Services-Special Obligations cost center by \$23,404, from monies received from the “Wisconsin Fund” and reimbursed to qualified property owners that replace failing septic systems, as noted on the attached fiscal note.

Supervisor Surprise moved, seconded by Supervisor O’Connor-Schevers, for adoption.

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 49—2018-19 IS ADOPTED.

Resolution No. 50—2018-19 – Finance Committee. Authorize support of Amendment One to the Town of Grand Chute Tax Increment District No. 2 Project Plan, as detailed in the attachment.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 50—2018-19 IS ADOPTED.

Resolution No. 51—2018-19 – Finance Committee. Authorize support of the Town of Grand Chute Tax Increment District No. 4 Project Plan, as detailed in the attachment.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 51—2018-19 IS ADOPTED.

Resolution No. 52—2018-19 – Finance Committee. Approve the initial resolution as prepared by the Outagamie County Bond Counsel authorizing general obligation bonds or promissory notes in an amount not to exceed \$575,000, as noted on the attached fiscal note.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 52—2018-19 IS ADOPTED.

Resolution No. 53—2018-19 – Public Safety Committee. Approve the Sheriff’s Office to apply for, accept and expend the \$21,058 2018 Justice Assistance Grant, as noted on the attached fiscal note.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 53—2018-19 IS ADOPTED.

Resolution No. 54—2018-19 – Property, Airport, Recreation and Economic Development Committee. Approve the Agreement for Purchase and Sale of Fee Ownership for property at N595 Municipal Drive, Town of Greenville, from The Eugene E. and Joanne J. Meyer Trust for \$352,500, as noted on the attachments.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 54—2018-19 IS ADOPTED.

#### REPORTS

Per County Ordinance Chapter 22 Section 30, the Purchasing Agent reports to the County Board when a purchase is sole sourced. Recycling & Solid Waste requested the sole source of using Wheeler Technologies to refurbish a baler in the recycling equipment for approximately \$80,000.

CLOSED SESSION - Pursuant to Section 19.85(1)(e) Wis. Stats. for the purpose of negotiating a contract where competitive bargaining reasons require that the discussion and deliberation be held in closed session.

Supervisor Krueger moved, seconded by Supervisor Klemp, to go into Closed Session as noted above.

ROLL CALL: 32 aye, 4 absent. MOTION CARRIED – COUNTY BOARD APPROVES GOING INTO CLOSED SESSION PURSUANT TO SECTION 19.85(1)(e) WIS. STATS.

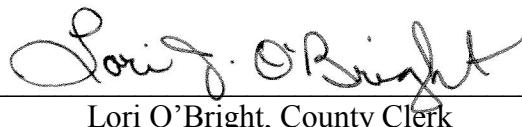
Supervisor T. Thyssen moved, seconded by Supervisor Duncan, to go out of Closed Session and back into regular session.

ROLL CALL: 32 aye, 4 absent. MOTION CARRIED – COUNTY BOARD APPROVES GOING OUT OF CLOSED SESSION PURSUANT TO SECTION 19.85(1)(e) WIS. STATS.

#### ADJOURNMENT

Supervisor Buchman moved, seconded by Supervisor Dillenberg, to adjourn until October 9, 2018, at 7:00 p.m. VOICE VOTE CARRIED.

The meeting adjourned at 8:20 p.m.



Lori O'Bright, County Clerk