

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

Office of the County Clerk, August 13, 2019.

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: 33 present, 3 absent. Members present: Thompson, Miller, Patience, Gabrielson, Konetzke, Hammen, N. Thyssen, Krueger, Lamers, Dillenberg, Mc Daniel, Wegand, De Groot, Peterson, Schroeder, Croatt, Spears, Marcks, Thomas, T. Thyssen, Klemp, Iverson, Nooyen, Culbertson, Sturn, Buchman, Woodzicka, Clegg, VanderHeiden, O'Connor-Schevers, Rettler, Melchert, and Suprise. Members absent: Grady, Hagen, and Duncan.

Board Chairperson Nooyen requested the Board's confirmation to excuse Supervisors Grady, Hagen, and Duncan. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

Chairperson Nooyen reported that several ordinances/resolutions would be locked in. He requested unanimous consent that votes for reconsideration and lock in be done by voice vote. VOICE VOTE CARRIED UNANIMOUSLY.

MINUTES OF THE JULY 9, 2019 COUNTY BOARD MEETING

Supervisor Klemp moved, seconded by Supervisor Peterson, to approve the minutes of the July 9, 2019, County Board meeting.

ROLL CALL: 32 aye, 1 abstain, 3 absent. MINUTES OF THE JULY 9, 2019, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

Report on completion of the Government Center building – Maintenance Manager Paul Farrell

Maintenance Manager Paul Farrell thanked the Board for the opportunity to provide an update. He reviewed details of the Government Center building project in a PowerPoint (copy available in the County Clerk's Office). The County Board approved Venture Architects conceptual Option D in June of 2015 with an estimated cost of \$36.7 million. The pre-design study was completed June 2016. Included in the study was an off-site facility for the Sheriff's Department Law Enforcement Division while staying within the original \$36.7 million Option D budget. Final-design to bid documents for downtown campus were completed between August 2016 to March 2017. The contractor bids were received April 2017 with Miron Construction selected for a bid of \$19.293 million. The breakdown of work included the Goodland Sheriff's Project totaling \$3,895,905 and the Government Center Breakdown totaling \$27,041,970. Miron's amount completed to date is \$19,446,925.22 with \$154,675.78 being expended from Contingencies. The Security and Space Needs Project Cost = \$28,160,681 -- \$8,539,319 less than original \$36.7M Budget. The pre-design study, final design study, maintaining clear/consistent and transparent goals, and project team/oversight work kept costs down. Farrell

also commended the work of Venture Architects, Miron, and McMahon in keeping the project below budget.

During Q&A, thanks were extended to Paul Farrell for his work/efforts on the project (a round of applause was provided), and thanks were extended to the Oversight Committee, Kara Homan, and their staffs and members in the team (a second round of applause was provided).

ESTABLISH ORDER OF THE DAY

Supervisor T. Thyssen requested to hold in the Legislative/Audit & Human Resources Committee Resolution Nos. 38, 40, 42. No objections; so ordered.

Supervisor De Groot requested to hold Resolution No. 44 in Highway, Recycling and Solid Waste Committee. No objections; so ordered.

COMMUNICATIONS - Communication Referral List was included in the packet

Chairperson Nooyen reported the following additional communications:

- County Executive Proclamation declaring Cody Splitt Day Aug. 13, 2019, was placed on the desks.
- Distributed in County Board Supervisor mailboxes were:
 - The Green Book, 2nd Edition – published by Forward Analytics, a division of WCA that highlights county facts.
 - 2019-20 Outagamie County Directory of Public Officials.
- Chairperson Nooyen received Supervisor Dan Grady's resignation, effective August 31, 2019. Grady has taken a position in Abbotsford, Clark County, as administrator/clerk/treasurer. A Press Release has been distributed to local media, and is on the County's website, noticing the public that Chairperson Nooyen is requesting letters of interest from individuals to fulfill the unexpired term in District 3.

Chairperson Nooyen announced that some County Board members have received notice that Dropbox appears to be full. Members were cautioned about procedures with using DropBox. Legislative Services and County Clerk removed older documents to free up space for County Board members. If members need to view the older documents, they should contact the department who posts those documents.

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

APPOINTMENTS

County Executive Nelson nomination of re-appointment of Denee Mott to the Housing Authority Commission; said terms expiring May 1, 2024.

Supervisor Iverson moved, seconded by Supervisor N. Thyssen, for confirmation of the above-listed re-appointment.

ROLL CALL: 33 aye, 3 absent. RE-APPOINTMENT OF MOTT TO THE HOUSING AUTHORITY COMMISSION IS CONFIRMED.

County Executive Nelson nomination of appointment of Isaac Uitenbroek to the Greenway Implementation Committee; said terms expiring January 2021.

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

ROLL CALL: 33 aye, 3 absent. APPOINTMENT OF UITENBROEK TO THE HOUSING AUTHORITY COMMISSION IS CONFIRMED.

County Executive Nelson nomination of appointment of Nadine Miller to the Wisconsin PACE Committee; said terms expiring August 2022.

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

ROLL CALL: 32 aye, 1 abstain, 3 absent. APPOINTMENT OF MILLER TO THE WISCONSIN PACE COMMITTEE IS CONFIRMED.

REPORT BY THE COUNTY EXECUTIVE

Chairperson Nooyen reported that the County Executive had no report.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported:

- In DropBox (also on Legislative Services Bulletin Board) members were provided:
 - WI Budget:
 - [Summary of Governor's Partial Vetoes of WI Act 9](#) (WI Budget)
 - [Estimated Effects of School Finance Provisions for Districts under 2019-20](#)
 - [Property Tax Estimated Under 2019 Act 9](#)
 - [Individual Income Tax Rate Reductions Under Wisconsin Acts 9 \(AB 56\) and 10 \(AB 251\)](#)
 - [2019-21 and 2021-23 General Fund Budget \(7_11_19\)DOJs WI Public Records Law Compliance Guide](#)
 - [Act 185 issue \(Juvenile Corrections\)](#) – Several items were posted including the applications and Vision Statement for the Secure Residential Care Center for Children & Youth (SRCCCY). Lobbyist noted that the Grants Committee met twice and will meet again on August 19. They are reviewing four proposals. However, there is not sufficient bonding authority to fund more than two projects. Lobbyist anticipates that another repair bill will be needed for the funding in order to close Lincoln Hills.
- Other items of interest provided in DropBox include articles:
 - [Conservative group files lawsuit to limit Tony Evers' veto power](#)
 - [Sheriff calls for cellphone jamming after 'bad buy' orchestrated by prison inmate](#)
 - [U.S. Budget Gap Widens 27% in First 10 Months of Fiscal Year.](#)
 - [President signs Medicaid bill reauthorizing coordinated care programs important to counties.](#)
- Governing Magazine is closing.
- List of LRBs circulating June 9-August 12, 2019, was also provided in DropBox.

CLOSED SESSION PURSUANT TO SEC. 19.35 (1)(e), WIS. STAT., FOR THE PURPOSE OF DELIBERATING OR NEGOTIATING THE TERMS AND CONDITIONS OF A PENDING AGREEMENT.

Supervisor Konetzke moved, seconded by Supervisor Culbertson, to go into closed session as noted above.

ROLL CALL: 33 aye, 3 absent. COUNTY BOARD ENTERS CLOSED SESSION.

Supervisor Wegand moved, seconded by Supervisor Woodzicka, to adjourn closed session and resume regular session.

ROLL CALL: 33 aye, 3 absent. COUNTY BOARD ADJOURNS CLOSED SESSION/RESUMES REGULAR SESSION.

UNFINISHED BUSINESS

Substitute Resolution No. 35--2019-20 – Legislative/Audit & Human Resources Committee. Approve Administrative Rule AR-19-02 amending the Employee Handbook with adjustments and clarifying language in several areas, with an addition of a Whistleblower Protection Policy section (replacing AR-19-01), as noted on the attachments.

Original Resolution No. 35—2019-20 was distributed to the County Board at the July 9, 2019 Board meeting; Supervisor Travis Thyssen requested that the resolution be held in committee until August.

Supervisor Konetzke moved, seconded by Supervisor T. Thyssen, for adoption of Substitute Resolution No. 35—2019-20 (withdrawing original Resolution No. 35—2019-20).

ROLL CALL: 33 aye, 3 absent. SUBSTITUTE RESOLUTION NO. 35—2019-20 IS ADOPTED (ORIGINAL RESOLUTION NO. 35—2019-20 IS WITHDRAWN).

Supervisor T. Thyssen moved, seconded by Supervisor Spears, to reconsider Substitute Resolution No. 35 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. SUBSTITUTE RESOLUTION NO. 35—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. SUBSTITUTE RESOLUTION NO. 35—2019-20 IS ADOPTED & LOCKED IN.

NEW BUSINESS

Ordinance No. Z-5—2019-20 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the petition for the Town of Freedom 1.36 acres rezoning request for Mark Vosters Construction, Inc., applicant and Dennis Schaetz and Diane Guerts, owners, from Local Commercial to Two-Family Residential, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. ORDINANCE NO. Z-5—2019-20 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor O'Connor-Schevers, to reconsider Ordinance No. Z-5 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. Z-5—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. ORDINANCE NO. Z-5—2019-20 IS ADOPTED & LOCKED IN.

Ordinance No. Z-6—2019-20 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the comprehensive plan amendment for parcel number 090036606, changing the Future Land Use Map classification from Future Commercial to Future Residential, totaling 1.36 acres in the Town of Freedom, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. Ordinance No. Z-6—2019-20 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor VanderHeiden, to reconsider Ordinance No. Z-6 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. Ordinance No. Z-6—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. Ordinance No. Z-6—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 36—2019-20 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Request a change to the Forester definition within NR 1.21(2)(e), as noted on the attachments.

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

ROLL CALL: 32 aye, 1 nay, 3 absent. RESOLUTION NO. 36—2019-20 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor Melchert, to reconsider Resolution No. 36 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 36—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED (ONE NAY-MILLER). RESOLUTION NO. 36—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 37—2019-20 – Finance Committee and Legislative/Audit & Human Resources Committee. Approve moving to a fully commercially insured health insurance model for years 2020 through 2022, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 37—2019-20 IS ADOPTED.

Supervisor T. Thyssen moved, seconded by Supervisor Konetzke, to reconsider Resolution No. 37 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 37—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 37—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 38—2019-20 – Legislative/Audit & Human Resources Committee.

Approve Administrative Rule AR-20-01, replacing AR-19-02, amending the County Employee Handbook pertaining to vacation, holiday, and life insurance policies together with clarifying language in several areas, as well as the removal of references to previous union affiliations or employee groups with changes effective January 1, 2020 and filed in the County Clerk's Office and that funds for changes be included in the 2020 Executive proposed budget, as noted on the attachments.

At the August 13, 2019 meeting, Resolution No. 38 was held in committee; see Establish Order of the Day.

Resolution No. 39—2019-20 – Legislative/Audit & Human Resources Committee.

Approve shift differential pay for County Highway Department Night Duty scheduled employees to increase from one-half hour to two hours pay for each shift when working on Interstate 41 and/or State Trunk Highway 441 for maintenance and repair activities, except for accidents or weather related incidents, as noted on the attachments.

Supervisor Mc Daniel moved, seconded by Supervisor De Groot, for adoption.

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 39—2019-20 IS ADOPTED.

Supervisor De Groot moved, seconded by Supervisor Peterson, to reconsider Resolution No. 39 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 39—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 39—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 40—2019-20 – Legislative/Audit & Human Resources Committee. Oppose legislation that will allow the commissioner of insurance to regulate pharmacy benefit managers by requiring them to register, establishing price transparency and contract requirements, and other requirements, as noted on the attachments.

At the August 13, 2019 meeting, Resolution No. 40 was held in committee; see Establish Order of the Day.

Resolution No. 41—2019-20 – Legislative/Audit & Human Resources Committee. Recommend a 2.0% cost of living adjustment, exclusive of step increases, be utilized during the 2020 budget process, as noted on the attachments.

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

Supervisor Woodzicka moved, seconded by Supervisor Spears, to add the word, “minimum”, on lines 6 and 12 after “2%”.

ROLL CALL on amendment: 32 aye, 1 nay, 3 absent. AMENDMENT CARRIED.

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 41—2019-20 IS ADOPTED AS AMENDED.

Supervisor T. Thyssen moved, seconded by Supervisor Iverson, to reconsider Resolution No. 41 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 41—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 41—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 42—2019-20 – Legislative/Audit & Human Resources Committee. Approve the Exempt Employee Wage Schedule and Non-Exempt Employee Wage Schedule which includes reclassification of several positions, additional positions, and two position title changes and consolidated wage schedules effective on the date of each impacted employee’s step increase, as noted on the attachments.

At the August 13, 2019 meeting, Resolution No. 42 was held in committee; see Establish Order of the Day.

Resolution No. 43—2019-20 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the County Land Conservation Department to accept and expend the \$25,000 grant from the Department of Natural Resources to analyze the watersheds in the Lower Fox River Basin to determine storage capacity and improving water quality in the Lower Green Bay Fox River Area of Concern, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 43—2019-20 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor Melchert, to reconsider Resolution No. 43 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 43—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 43—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 44—2019-20 – Highway, Recycling and Solid Waste Committee.

Authorize removing the 0.57 mile segment of CTH U (N. County Line Road) between CTH VV and STH 29 from the County Trunk Highway System and jurisdictionally transfer the east half of the roadway and maintenance authority of the entire roadway to the Village of Hobart and the west half of the roadway to the Town of Oneida, as noted on the attachments.

At the August 13, 2019 meeting, Resolution No. 44 was held in committee; see Establish Order of the Day.

Resolution No. 45—2019-20 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the \$228,000 Natural Resource Damage Assessment funds from the U.S. Fish and Wildlife Service for “Riparian Habitat Restoration in the Lower Fox River Basin” used to expand riparian habitat enhancement and stream restoration projects, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 45—2019-20 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor Melchert, to reconsider Resolution No. 45 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 45—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 45—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 46—2019-20 – Legislative/Audit & Human Resources Committee.

Approve the following: create two full-time Sheriff’s Office Patrol Officer positions; the Agreement for Enhanced County Law Enforcement Services in the Town of Freedom to provide dedicated patrols and law enforcement activities effective September 1, 2019; and increase the Sheriff’s Office cost centers, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 46—2019-20 IS ADOPTED.

Supervisor T. Thyssen moved, seconded by Supervisor Schroeder, to reconsider Resolution No. 46 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 46—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 46—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 47—2019-20 – Public Safety Committee. Approve the \$31,905 grant funding received from the Wisconsin Department of Justice – Justice Assistance Grant (JAG) which will be used to enhance and expand County’s pretrial services program, and increase the JAG Grant cost centers, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 47—2019-20 IS ADOPTED.

Supervisor Patience moved, seconded by Supervisor Marcks, to reconsider Resolution No. 47 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 47—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 47—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 48—2019-20 – Public Safety Committee. Approve the \$20,000 grant funding received from the Community Foundation of the Fox Valley Region, Inc. to assist low-income defendants with full or partial cost of GPS/SCRAM (alcohol monitoring bracelets for defendants through a third party vendor) and increase the Other Restricted Contributions/Donations Miscellaneous Revenues and Purchased Services cost centers by \$20,000, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 48—2019-20 IS ADOPTED.

Supervisor Patience moved, seconded by Supervisor Spears, to reconsider Resolution No. 48 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 48—2019-20 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 48—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 49—2019-20 – Finance Committee. Deny the claim submitted by Country Mutual Insurance Company, subrogee of Kimberlee Derks and Andrew Derks, that has been placed on file in the office of the Outagamie County Clerk and that no action on this claim may be brought against Outagamie County, as noted on the attachment.

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 49—2019-20 IS ADOPTED.

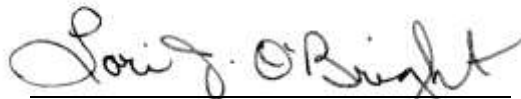
REPORTS

Chairperson Nooyen reported there will be a second meeting in August due to the business that was being held in committee.

ADJOURNMENT

Supervisor Peterson moved, seconded by Supervisor Buchman, to adjourn until August 27, 2019, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 8:12 p.m.

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

Lori J. O'Bright, Outagamie County Clerk