

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

Office of the County Clerk, November 4, 2019.

The Board met pursuant to adjournment, and was called to order by Chairperson Nooyen at 5:30 p.m. in the County Board Room, located at 320 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 34 present, 2 absent. Members present: Thompson, Miller, Renteria, Patience, Gabrielson, Konetzke, Hammen, N. Thyssen, Krueger, Lamers, Dillenberg, Mc Daniel, Wegand, De Groot, Peterson, Schroeder, Spears, Marcks, Thomas, T. Thyssen, Hagen, Klemp, Iverson, Nooyen, Duncan, Culbertson, Sturn, Buchman, Woodzicka, Clegg, VanderHeiden, O'Connor-Schevers, Rettler, and Suprise. Members absent: Croatt and Melchert.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Croatt for the entire meeting and Supervisor Rettler at 6:15 p.m. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen. Chairperson Nooyen requested a moment of silence for Veterans Day.

Chairperson Nooyen recognized all supervisors who served in the Armed Forces. A round of applause was given.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Supervisor Sturn, seconded by Supervisor Gabrielson, to have Item K after Item N after any proposed vetoes. **VOICE VOTE CARRIED UNANIMOUSLY**.

Supervisor Gabrielson requested that Resolution No. 79 be held in committee. No objections; so ordered.

2020 COUNTY EXECUTIVE BUDGET - The Finance Committee moves for adoption of the 2020 County Executive Budget as amended by the Finance Committee (see Final Finance Committee 2020 Executive Budget Amendments Worksheet).

Supervisor Sturn moved, seconded by Supervisor Miller, for adoption of the 2020 County Executive Budget as amended by the Finance Committee.

Chairperson Nooyen requested unanimous consent to allow Finance Director Massey to answer technical questions. **VOICE VOTE CARRIED UNANIMOUSLY**.

In order to expedite the meeting, Chairperson Nooyen requested unanimous consent to group the resolutions for roll calls for New Position Changes by department, unless a supervisor wanted a resolution separated out from the combined roll call. **VOICE VOTE CARRIED UNANIMOUSLY**.

Budgets were taken up in the order, by committee, as listed in the order of the agenda.

Highway, Recycling and Solid Waste Committee

No amendments were offered.

Property, Airport, Recreation & Economic Development Committee

No amendments were offered.

Legislative/Audit and Human Resources Committee

Resolution No. 85—2019-20 – Legislative/Audit & Human Resources Committee. Authorize an employee wage increase of 2 percent effective December 22, 2019 for the year 2020 for AS&P/Non-represented employee groups, 25 cents per hour for seasonal staff, and a 2 percent increase for the Miscellaneous employee group as noted on the attachments.

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

ROLL CALL: 33 aye, 1 abstain, 2 absent. RESOLUTION NO. 85—2019-20 IS ADOPTED.

Supervisor T. Thyssen moved, seconded by Supervisor Spears, for reconsideration in order to lock in.

ROLL CALL to reconsider: 33 aye, 1 abstain, 2 absent. RESOLUTION NO. 85—2019-20 IS RECONSIDERED.

ROLL CALL to lock in: 33 aye, 1 abstain, 2 absent. RESOLUTION NO. 85—2019-20 IS ADOPTED & LOCKED IN.

Ordinance No. E—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Outagamie County Code of Ordinances, language for Section 2-58, RULE 15, for the 2020-22 County Board Salary effective with the April 2020 reorganization. Annual salaries for Board meetings, standing committee meetings, seminars and conventions: Supervisors \$5,666 (per diem \$25 for specified meetings); standing committee chairs \$5,769 (per diem \$25 for specified meetings); Vice-Chairperson \$7,211 (no per diem); and Board Chairperson \$15,000 (no per diem) as noted in the ordinance and on the attachments.

Supervisor T. Thyssen moved, seconded by Supervisor Iverson, for adoption.

ROLL CALL: 33 aye, 1 abstain, 2 absent. Ordinance No. E—2019-20 IS ADOPTED.

New Position Requests - 2020 Budget - table included in packet and referenced in all position change resolutions.

Corporation Counsel

Resolution No. 86—2019-20 – Legislative/Audit & Human Resources Committee. Amending the Corporation Counsel Table of Organization, cost center 1001500, by eliminating (1) full-time Paralegal position effective July 1, 2020 and by creating (1) full-time Office Manager/Paralegal position effective July 2, 2020, as described in the attachments.

Supervisor T. Thyssen moved, seconded by Supervisor Konetzke, for adoption.

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. 86—2019-20 IS ADOPTED.

District Attorney:

Resolution No. 87—2019-20 – Legislative/Audit & Human Resources Committee. Amend the District Attorney Table of Organization, cost center 1003400, by creating (1) Full-time Legal Assistant II

position effective January 1, 2020, as described in the attachments.

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

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. 87—2019-20 IS ADOPTED.

Health & Human Services:

Resolution No. 88—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Children, Youth and Families Division Table of Organization, cost center 2062040, by eliminating (1) full-time Social Worker position and by creating (2) part-time Social Worker positions effective January 1, 2020, as described in the attachments.

Resolution No. 89—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Developmental Disabilities Unit Table of Organization, cost center 2063090, by creating (1) full-time Community Support Specialist position effective January 1, 2020, as described in the attachments.

Resolution No. 90—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Mental Health Table of Organization, cost center 2066090, by creating (1) full-time Clinical Therapist position effective January 1, 2020, as described in the attachments.

Resolution No. 91—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Mental Health Table of Organization, cost center 2066090, by creating (1) full-time Community Support Specialist position effective January 1, 2020, as described in the attachments.

Resolution No. 92—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Mental Health Table of Organization, cost center 2066090, by creating (1) full-time Community Support Specialist position effective January 1, 2020, as described in the attachments.

Resolution No. 93—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Children, Youth and Families Table of Organization, cost center 2062040, by creating (2) full-time Human Service Specialist positions (sunset positions) effective January 1, 2020, as described in the attachments.

Resolution No. 94—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Children, Youth and Families Table of Organization, cost center 2062040, by creating (1) full-time Human Service Specialist I position (sunset position) effective January 1, 2020, as described in the attachments.

Resolution No. 95—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Children, Youth and Families Table of Organization, cost center 2062040, by creating (2) full-time Social Worker Positions (sunset positions) effective January 1, 2020, as described in the attachments.

Resolution No. 96—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Children, Youth and Families Table of Organization, cost center 2062040, by creating (1) full-time Senior Support Specialist Position (sunset position) effective January 1, 2020, as described in the attachments.

Resolution No. 97—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Mental Health Table of Organization, cost center 2066090, by creating (1) full-time Senior Support Specialist-Mental Health Position effective January 1, 2020, as described in the attachments.

Resolution No. 98—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Department of Health and Human Services, Children, Youth and Families Division Table of

Organization, cost center 2062040, by creating (1) full-time Supervisor: Child & Family Unit V Position (sunset position) effective January 1, 2020, as described in the attachments.

Supervisor Konetzke moved, seconded by Supervisor Krueger, for adoption of Resolution Nos. 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, and 98.

ROLL CALL: 34 aye, 2 absent. RESOLUTION NOS. 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, AND 98—2019-20 ARE ADOPTED.

Highway:

Resolution No. 99—2019-20 – Legislative/Audit & Human Resources Committee Amend the Highway Department Table of Organization, cost center 6005000, by creating (1) full-time Assistant Highway Engineer position effective January 1, 2020, as described in the attachments.

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

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. 99—2019-20 IS ADOPTED.

Information Technology:

Resolution No. 100—2019-20 -- Legislative/Audit & Human Resources Committee. Amend the Information Technology Table of Organization, cost center 6040100, by eliminating (1) IT Seasonal position and creating (1) Part-time IT Technician (Casual Call) position effective January 1, 2020, as described in the attachments.

Resolution No. 101—2019-20 -- Legislative/Audit & Human Resources Committee. Amend the Information Technology Table of Organization, cost center 6040100, by creating (1) Full-time Network Engineer position effective January 2, 2020, as described in the attachments.

Supervisor T. Thyssen moved, seconded by Supervisor Miller, for adoption of Resolution Nos. 100 and 101.

ROLL CALL: 34 aye, 2 absent. RESOLUTION NOS. 100 & 101—2019-20 ARE ADOPTED.

Parks:

Resolution No. 102—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Parks Department Table of Organization, cost center 1006200, by creating (1) Full-time Parks Foreman position effective January 1, 2020, as described in the attachments.

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

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. 102—2019-20 IS ADOPTED.

Recycling & Solid Waste Dept.:

Resolution No. 103—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Recycling and Solid Waste Table of Organization, cost center 5039000, by creating (1) Full-time Equipment Operator I position effective January 1, 2020, as described in the attachments.

Resolution No. 104—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Recycling and Solid Waste Table of Organization, cost center 5039000, by creating (1) Full-time Maintenance Technician (Solid Waste) position effective January 1, 2020, as described in the attachments.

Resolution No. 105—2019-20 – Legislative/Audit & Human Resources Committee. Amend the Recycling and Solid Waste Table of Organization, cost centers 5039000 - 5049000, by creating (1) Full-time Maintenance Worker position effective January 1, 2020, as described in the attachments.

Supervisor De Groot moved, seconded by Supervisor Mc Daniel, for adoption of Resolution Nos. 103, 104, and 105.

ROLL CALL: 34 aye, 2 absent. RESOLUTION NOS. 103, 104, & 105—2019-20 ARE ADOPTED.

Agriculture, Extension Education, Zoning and Land Conservation Committee

No amendments were offered.

Public Safety Committee

No amendments were offered.

Health and Human Services Committee

No amendments were offered.

Finance Committee

No additional amendments (other than previously presented) were offered.

Independent Supervisor Amendments to the 2020 County Executive Budget.

No individual amendments.

Supervisor Sturn moved, seconded by Supervisor Miller, for adoption of the 2020 County Executive Budget as amended by the Finance Committee.

ROLL CALL to adopt the 2020 County Executive Budget as amended: 33 aye, 1 nay, 2 absent.
2020 COUNTY EXECUTIVE BUDGET IS ADOPTED AS AMENDED BY THE FINANCE COMMITTEE.

ROLL CALL for County Board Supervisors who would like a printed final 2020 Adopted Budget.

Chairperson Nooyen called for a roll call for those who are interested in a print version of the 2020 Adopted Budget. He reported that the budget will be available online.

ROLL CALL for printed budget: 3 aye, 29 nay, 2 abstain, 2 absent.

VETO OF 2020 BUDGET BY COUNTY EXECUTIVE

November 4, 2019

To the Outagamie County Board of Supervisors:

I am issuing a partial veto of the 2020 budget by cutting \$5 million from the sales tax for capital projects. The intended effect is to directly reduce property taxes by \$5 million. This would save the average property tax payer an additional \$50.

However, I am limited in my partial veto authority; I cannot reallocate the \$5 million for another purpose – even for levy reduction. Therefore, in addition to my partial veto, I am recommending that the board allocate \$5 million to the cities, villages, townships and school districts of the county for the purpose of direct property tax reduction. This is similar to my compromise proposal offered to you on October 22, 2019 – tripling the amount given to municipalities and school districts.

It is not right that the budget sets aside \$5 million for future projects while cities, towns, villages and school districts will continue to carry debt. Many of our smaller townships have \$200,000 or more of debt for essential equipment like fire trucks and apparatus. Shouldn't that be a priority? If we truly believe that we share the same challenges and problems, then the proceeds should be split evenly. Lastly, the provision is the subject of a pending lawsuit in Brown County. At the very least, we should hold off until the matter is fully resolved – that includes appeals by either party.

It is for these reasons that I ask the board to reconsider this portion of the budget and vote to uphold this veto.

Sincerely,

/s/ Thomas Nelson
County Executive

Supervisor Culbertson moved, seconded by Supervisor Marcks, to override the veto.

During discussion, Corporation Counsel explained the Executive veto purpose (reduce \$5 million in sales tax revenue for *future* capital projects with a recommendation to the Board that the \$5 million be reallocated to local municipalities (cities, villages, townships, and school districts)). If the Board does not override the veto, then the \$5 million in sales tax revenue for future capital projects is out of that line item and the Board would need to take future action on where to allocate that anticipated revenue.

Corporation Counsel also responded to questions regarding future impacts to local municipalities if that funding were provided and then subsequently taken away from them by subsequent County Boards (noted that it would be difficult for them) and that he believes use of the sales tax proceeds for future capital projects in the upcoming budget is a legal use of the sales tax proceed. He explained his reasoning on that in that there are costs that include the project (principal), interest, and financing fees for bonding that will impact the levy.

ROLL CALL to override the veto: 33 aye, 1 nay, 2 absent. **EXECUTIVE VETO OF \$5 MILLION SALES TAX PROCEEDS FOR FUTURE CAPITAL PROJECTS IS OVERRIDEN.**

Supervisor Rettler left the meeting.

Supervisor T. Thyssen was going to request Ordinance No. E be locked in, but Chairperson Nooyen questioned whether that was necessary with the budget approval. Corporation Counsel reported that locking in the enabling resolution, the vote essentially locks in all the other actions related to the 2020 Budget.

Resolution No. 106—2019-20 – Finance Committee. Enabling Tax Levy Resolution for 2019, collected in 2020.

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

ROLL CALL: 32 aye, 1 nay, 3 absent. RESOLUTION NO. 106—2019-20 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor T. Thyssen, for reconsideration for the purpose of lock in.

ROLL CALL to reconsider: 33 aye, 3 absent. RESOLUTION NO. 106—2019-20 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 33 aye, 3 absent. RESOLUTION NO. 106—2019-20 IS ADOPTED & LOCKED IN.

Chairperson Nooyen thanked County Executive for issuing his veto early, Finance staff and departments for their work on the budget, Committee Chairs and Board members for attending both County Executive preliminary budget meetings and the Finance Committee meetings on budget review.

The following items are pertinent to regular business and the 2019 budget.

MINUTES OF THE OCTOBER 22, 2019 PUBLIC BUDGET HEARING AND COUNTY BOARD MEETING

Supervisor Woodzicka moved, seconded by Supervisor Wegand, for approval of the minutes.

ROLL CALL: 29 aye, 4 abstain, 3 absent. MINUTES OF THE OCTOBER 22, 2019 PUBLIC BUDGET HEARING AND COUNTY BOARD MEETING ARE APPROVED.

COMMUNICATIONS

Chairperson Nooyen noted a Health & Insurance Waiver form was placed on the supervisor desks of those supervisors who were absent from the October 22, 2019 Meeting. He requested that they fill out the form this evening and turn into Legislative Services or Sara Hickey this evening.

Other announcements made by Chairperson Nooyen:

- Deputy Jeff King would be available after the meeting in the County Clerk's Office to assist supervisors interested in starting their paperwork for running for office for 2020. Also, any current supervisors who are not running, should file the "Notice of Noncandidacy" form no later than December 27, 2019, at 5 p.m.
- Former Supervisor Marv Obry passed away on November 2, 2019. He served as County Board Supervisor from 1996-2008. Condolences were given to those who knew him and the family.
- Condolences were also extended Supervisor Donald De Groot whose son passing away on October 25.

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

APPOINTMENTS – None.

REPORT BY THE COUNTY EXECUTIVE – No report given.

REPORT AND PRESENTATION OF COUNTY LOBBYIST – No report given.

UNFINISHED BUSINESS

Resolution No. 79—2019-20 – Health and Human Services Committee and Public Safety Committee. Support legislation for the following: change any act of sexual misconduct that is currently a second degree sexual assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or not the offender knew the victim's age; create the crime of physical abuse of a person that is 60 years of age or older that is modeled after the current law prohibition of physical abuse of a child regardless of whether or not the offender knew the victim's age; create a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is at least 60 years old; allow anyone who is 60 years or older who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or live audiovisual means, as noted on the attachments.

At the October 22, 2019 County Board Meeting, Resolution No. 79 was held in the Health and Human Services Committee and Public Safety Committee.

At the November 4, 2019 County Board Meeting, Resolution No. 79 was held in the Health and Human Services Committee and Public Safety Committee. See Establish Order of the Day.

NEW BUSINESS

Ordinance No. Z-8—2019-20 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the proposed amendment to the County Comprehensive Plan for parcel numbers 200008308, 200008700 and part of 200008307, changing the Future Land Use Map classification from Future Agriculture, Woodlands, and Open Other Land to Future Residential, totaling 32.83 acres, in the Town of Vandenbroek, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. ORDINANCE NO. Z-8—2019-20 IS ADOPTED.

Supervisor Suprise moved, seconded by Supervisor O'Connor-Schevers, for reconsideration for the purpose of lock in.

ROLL CALL to reconsider: 33 aye, 3 absent. ORDINANCE NO. Z-8—2019-20 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 33 aye, 3 absent. ORDINANCE NO. Z-8—2019-20 IS ADOPTED & LOCKED IN.

Ordinance No. Z-7—2019-20 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the petition of Jim Sehloff, Davel Engineering & Environmental, Inc., agent for Van Handel Homestead, LLC, owner, to rezone parcels 200008308, 200008700 and part of 200008307, totaling 32.83 acres from General Agriculture to Single-Family Residential in the Town of Vandenbroek, as noted on the attachments.

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

ROLL CALL: 33 aye, 3 absent. ORDINANCE NO. Z-7—2019-20 IS ADOPTED.

Supervisor Surprise moved, seconded by Supervisor T. Thyssen, for reconsideration for the purpose of lock in.

ROLL CALL to reconsider: 33 aye, 3 absent. ORDINANCE NO. Z-7—2019-20 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 33 aye, 3 absent. ORDINANCE NO. Z-7—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 107—2019-20 – Finance Committee. Approve increasing the WMMIC Purchased Services cost center and WMMIC Fund Balance Applied cost center each by \$100,000.

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 107—2019-20 IS ADOPTED.

Resolution No. 108—2019-20 – Finance Committee. Authorize execution of the “Resolution Awarding the Sale of \$6,620,000 General Obligation Promissory Notes, Series 2019A.”

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

ROLL CALL: 32 aye, 1 nay, 3 absent. RESOLUTION NO. 108—2019-20 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Marcks, for reconsideration for the purpose of lock in.

ROLL CALL to reconsider: 33 aye, 3 absent. RESOLUTION NO. 108—2019-20 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 33 aye, 3 absent. RESOLUTION NO. 108—2019-20 IS ADOPTED & LOCKED IN.

Resolution No. 109—2019-20 – Finance Committee. Authorize execution of the "Resolution Awarding the Sale of \$1,355,000 Taxable General Obligation Airport Refunding Bonds, Series 2019B".

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

ROLL CALL: 33 aye, 3 absent. RESOLUTION NO. 109—2019-20 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Klemp, for reconsideration for the purpose of lock in.

ROLL CALL to reconsider: 33 aye, 3 absent. RESOLUTION NO. 109—2019-20 IS RECONSIDERED.

ROLL CALL to adopt & lock in: 33 aye, 3 absent. RESOLUTION NO. 109—2019-20 IS ADOPTED & LOCKED IN.

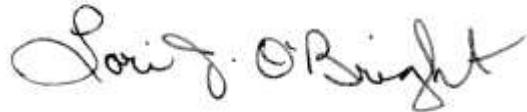
REPORTS

ADJOURNMENT

Supervisor Patience moved, seconded by Supervisor McDaniel, to adjourn until November 12, 2019, at 7:00 p.m. **VOICE VOTE CARRIED UNANIMOUSLY.**

Chairperson Nooyen encouraged Board members to watch their emails whether there will be a meeting on November 12, 2019. Otherwise, the next meeting will be December 10, 2019, at 7:00 p.m.

The meeting adjourned at 7:30 p.m.



Lori J. O'Bright, Outagamie County Clerk