

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

Office of the County Clerk, December 10, 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: 31 present, 1 vacant, 4 absent. Members present: Thompson, Miller, Renteria, Patience, Gabrielson, Konetzke, Hammen, Krueger, Lamers, Dillenberg, Mc Daniel, Wegand, De Groot, Peterson, Schroeder, Croatt, Marcks, Thomas, T. Thyssen, Hagen, Iverson, Nooyen, Culbertson, Sturn, Buchman, Woodzicka, Clegg, VanderHeiden, O'Connor-Schevers, Rettler, and Surprise. District vacant: District 26. Member absent: N. Thyssen, Spears, Klemp, and Melchert.

The Board Chairperson requested the Board's confirmation to excuse Supervisors N. Thyssen, Spears, Klemp, and Melchert. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF NOVEMBER 12, 2019

Supervisor Mc Daniel moved, seconded by Supervisor Patience, to approve the minutes of the November 12, 2019, County Board meeting.

ROLL CALL: 31 aye, 1 vacant, 4 absent. MINUTES OF THE NOVEMBER 12, 2019, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Supervisor Gabrielson requested that both Resolution Nos. 79 and 115 be held in committee for amendments. No objection; so ordered.

Chairperson requested a voice vote to have voice votes (unanimous) for reconsideration and lock-in of all business (appointments and resolutions/ordinance) passed at the meeting. The purpose is for year-end lock-in. If an item has objections from a supervisor, the Chair will ask for that item to be removed from the group lock-in vote. VOICE VOTE CARRIED UNANIMOUSLY.

COMMUNICATIONS - Communication Referral List (included in the packet).

Chairperson Nooyen reported that the payroll schedule for 2020 was being placed on the desks. Thanks were extended to: Vice Chairperson Hagen for putting together the Christmas dinner celebration, Legislative Services staff in assisting with the event, and Supervisors Miller and O'Connor-Schevers for desserts.

Chairperson Nooyen announced that there will be no second meeting in December as the schedule placed the meeting on December 24, 2019, and the courthouse is closed. The next meeting will be Tuesday, January 14, 2020, at 7:00 p.m.

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

APPOINTMENTS

County Executive Nelson nomination for appointments of Pafoua Her, PhD and Susan O'Neill to the Health & Human Services Board; said terms expiring Dec. 31, 2023.

Supervisor Gabrielson moved, seconded by Supervisor Iverson, for confirmation of the above-listed appointments.

ROLL CALL: 31 aye, 1 vacant, 4 absent. APPOINTMENTS OF HER & O'NEILL TO THE HEALTH & HUMAN SERVICES BOARD ARE CONFIRMED.

County Executive Nelson nomination for appointment of John Rathman as the Health & Human Services Director; effective the pay period beginning December 9, 2019.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. APPOINTMENT OF JOHN RATHMAN AS THE HEALTH & HUMAN SERVICES DIRECTOR IS CONFIRMED.

County Executive Nelson nomination for re-appointment of Willis Bloedow as the Outagamie Waupaca Library System Board Trustee; said term expiring December 2022.

Supervisor Croatt moved, seconded by Supervisor Hagen, for confirmation of the above-listed re-appointment.

ROLL CALL: 31 aye, 1 vacant, 4 absent. RE-APPOINTMENT OF BLOEDOW TO THE OUTAGAMIE WAUPACA LIBRARY SYSTEM BOARD OF TRUSTEES IS CONFIRMED.

County Executive Nelson nominations for appointment of Amie Bastian, Bonne Elias Planner, Mary Dorn, Kara Homan, Bradley Shipps, Karen Nelson, Melissa Kraemer-Badtke, Josh Dukelow, Julie Schroeder, Oladimeji Tomori, Christyn Abaray and Jerry Iverson to the Complete Census Count Committee.

Supervisor Croatt moved, seconded by Supervisor Marcks, for confirmation of the above-listed appointments.

ROLL CALL: 30 aye, 1 abstain, 1 vacant, 4 absent. APPOINTMENTS OF BASTIAN, ELIAS PLANNER, DORN, HOMAN, SHIPPS, NELSON, KRAEMER-BADTKE, DUKELOW,

SCHOREDER, TOMORI, ABARAY, AND IVERSON TO THE COMPLETE CENSUS COUNT COMMITTEE ARE CONFIRMED.

County Board Chair Nooyen nomination for appointment of Eric Davidson as the District 26 County Board Supervisor on the Public Safety Committee; said term expiring April 20, 2020.

Chairperson Nooyen reported that with approval, Mr. Davidson would be sworn in after January 1, 2020.

Supervisor Patience moved, seconded by Supervisor Wegand, for confirmation of the above-listed appointment.

VOICE VOTE CARRIED UNANIMOUSLY. APPOINTMENT OF ERIC DAVIDSON AS COUNTY BOARD DISTRICT 26 SUPERVISOR ON THE PUBLIC SAFETY COMMITTEE IS CONFIRMED.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated Supervisors O'Connor-Schevers (Dec. 19) and Miller (Dec. 31) on their birthdays. A round of applause was given.

Executive Nelson reported the following:

- John Rathmann Health & Human Services (HHS) Director Appointment – He thanked the Board for their confirmation and reported that John has done an excellent job as interim director and was exceptional as the HHS Deputy Director.
- HHS - Aging & Development Disability directories for 2020 are now available. The directories are available both in print and online at the County's website. Open enrollment for Marketplace ends Dec. 15. HHS staff work with clients to get them signed up for health insurance. State auditors recertified the crisis and mental health clinics. Surveyors found no issues.
- Airport – The regional ARFF training facility is almost complete. The concourse restaurant will be improved with updates to features.
- Human Resources - Morgan Hinkley announced she will be resigning as Brewster Village Administrator effective January 3, 2020. She passed along a message to the County Board expressing her thanks for the opportunity to serve as the Brewster Village Administrator for five years, noting accomplishments that have occurred.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported:

- Airport – [AB611/SB 577](#) - Aircraft Mechanics Lien – After several years of lobbying, it appears this legislation may be moving forward. Airport managers have wanted law change for 3-4 years; bills have been introduced in both houses and public hearings were held in both the Assembly and Senate. Airport Director Weber testified as did Gulfstream executives. The Assembly version is being voted out next Wednesday. The Senate is doing a paper

ballot. An amendment on the bill has been added. Also, discussions have been held with the Governor's office

- Juvenile Corrections – Lobbyist is awaiting to see State action on juvenile corrections. At some point, Joint Finance will meet on legislation and then things will progress. Lobbyist will keep County Board informed of updates.
- In Dropbox and on the Legislative Services, items of interest were posted including:
  - [DHS May Require US Citizens Be Photographed At Airports.](#)
  - [Supreme Court confronts homeless crisis and whether there's a right to sleep on the sidewalk.](#)
  - List of LRBs out and circulating.
  - An additional LRB was just circulated - LRB2142 relating to hearing timelines for juveniles in custody – A copy was sent to the D.A., chief judge, and HHS, all of which expressed positive comments on the legislation.

During Q&A, discussion took place on the clarification of the aircraft mechanic liens legislation, discussion of FBOs and the resolution to write-offs bad debts (Resolution No. 127—2019-20).

### 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, November 4, and November 12, 2019 County Board Meetings, Resolution No. 79 was held in the Health and Human Services Committee and Public Safety Committee.

At the December 10, 2019 Meeting, Resolution No. 79 was held in committee (see Establish Order of the Day.

### NEW BUSINESS

Resolution No. Z-9—2019-20 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the rezoning request for Davel Engineering & Environmental, Inc., agent for Russell L. Obermeier, owner, for parcel 101086300, 3.4 acres, in the Town of Grand Chute from Local Commercial to Multi-Family Residence District.

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

ROLL CALL: 30 aye, 1 nay, 1 vacant, 4 absent. RESOLUTION NO. Z-9—2019-20 IS ADOPTED.

Resolution No. 113—2019-20 – Finance Committee. Approve supporting legislation as follows: Limit the amount of cash grants to 20 percent of a Tax Increment District's (TID) expenditures; require that the project plan adopted by the TID's governing Joint Review Board (JRB) include alternative economic projections to highlight the potential financial scenarios in the event of more modest economic growth; clarify a majority vote as specified in the resolution; and remove the statutory limit on the number of territorial amendments allowed, as noted on the attachments.

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

ROLL CALL: 27 aye, 4 nay, 1 vacant, 4 absent. RESOLUTION NO. 113—2019-20 IS ADOPTED.

Resolution No. 114—2019-20 – Health and Human Services Committee. Approve urging the Governor and Legislature to submit an application for a waiver from Centers for Medicare and Medicaid Services of the Medicaid Institute for Mental Disease exclusion to allow federal reimbursement of short term acute care and transition planning for persons with serious and persistent mental illness.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 114—2019-20 IS ADOPTED.

Resolution No. 115—2019-20 – Health and Human Services Committee. Authorize the County Health and Human Services Department to enter into a Memo of Understanding and Agreement with the Oneida Nation Indian Child Welfare Department (the Nation) clarifying the relationship between Outagamie County and the Nation in regard to providing for the health, safety, and welfare of children of the Nation residing within Outagamie County as noted in the resolution and on the attachments.

At the December 10, 2019 Meeting, Resolution No. 115 was held in committee; see Establish Order of the Day.

Resolution No. 116—2019-20 – Health and Human Services Committee. Approve various budget transfers and alterations in the 2019 Health and Human Services budget, as noted on the attachments.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 116—2019-20 IS ADOPTED.

Resolution No. 117—2019-20 – Highway, Recycling and Solid Waste Committee. Authorize the County Highway Commissioner to execute an Intergovernmental Agreement between the County and the City of Appleton for jurisdictional transfer of County KK from John Street to WIS 441, effective on December 31, 2019, as noted on the attachments.

Supervisor Mc Daniel moved, seconded by Supervisor Peterson, for adoption.

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 117—2019-20 IS ADOPTED.

Resolution No. 118—2019-20 – Highway, Recycling and Solid Waste Committee. Authorize the County Highway Commissioner to execute an Intergovernmental Agreement between the County, City of Appleton, and the Town of Grand Chute for the jurisdictional transfer of County BB from Seminole Road to Bartell Drive, effective December 31, 2020, which includes concrete pavement, curb & gutter, driveway aprons, and sidewalks, as noted on the attachments.

Supervisor De Groot moved, seconded by Supervisor Clegg, for adoption.

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 118—2019-20 IS ADOPTED.

Resolution No. 119—2019-20 – Highway, Recycling and Solid Waste Committee. Approve the various budget transfers and alterations in the 2019 Highway Department budgets and approve of a budget adjustment of \$290,000 for state maintenance, as noted on the attachments.

Supervisor Peterson moved, seconded by Supervisor Buchman, for adoption.

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 119—2019-20 IS ADOPTED.

Resolution No. 120—2019-20 – Highway, Recycling and Solid Waste Committee. Authorize the County Highway Department to complete the Highway Department LED Facility Renovation Project at the Appleton facility; estimated total project cost \$110,000, with \$55,000 from the 2019 adopted budget and \$55,000 from the 2020 adopted budget, as noted on the attachments.

Supervisor De Groot moved, seconded by Supervisor Dillenberg, for adoption.

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 120—2019-20 IS ADOPTED.

Resolution No. 121—2019-20 – Property, Airport, Recreation & Economic Development Committee. Approve various budget transfers in the Appleton International Airport budget in order to align the budget to the actual expenses incurred and anticipated on existing Airport capital improvements and operations, as noted on the attachments.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 121—2019-20 IS ADOPTED.

Resolution No. 122—2019-20 – Public Safety Committee. Approve accepting and expending an unsolicited donation from Keller Inc. of \$2,500 for the purchase of an Automated External Defibrillator for the Sheriff's Office and increase the cost centers for Patrol Miscellaneous Revenue and Patrol Supplies by \$2,500 each, as noted on the attached fiscal note.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 122—2019-20 IS ADOPTED.

Resolution No. 123—2019-20 – Public Safety Committee. Approve various budget transfers and alterations in the 2019 Sheriff's Office budget, as noted on the attachments.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 123—2019-20 IS ADOPTED.

Resolution No. 124—2019-20 – Public Safety Committee. Approve the County Sheriff to apply for, accept and expend the 2020 County/Tribal Law Enforcement Grant of \$31,313, split equally with the Oneida Tribe of Indians, and increase the following Patrol cost centers: Intergovernmental Revenue \$31,313, Supplies \$15,656, and Purchased Services \$15,657, as noted on the attached fiscal note.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 124—2019-20 IS ADOPTED.

Resolution No. 125—2019-20 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve various budget transfers and alterations in the 2019 Land Conservation Grant budget, as noted on the attachments.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 125—2019-20 IS ADOPTED.

Resolution No. 126—2019-20 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve changing Land Conservation cost centers as follows: Increase Fringe Benefits \$27,000 and decrease Miscellaneous Revenue \$25,000, Supplies \$10,000, and Contingency Purchased Services \$42,000, as noted on the attached fiscal note.

Supervisor O'Connor-Schevers moved, seconded by Supervisor Suprise, for adoption.

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 126—2019-20 IS ADOPTED.

Resolution No. 127—2019-20 – Finance Committee. Authorize writing off the 2019 Accounts Receivables and authorize the Finance Director to remove these receivables from the County records and deem them no longer collectible, as noted on the attachments.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 127—2019-20 IS ADOPTED.

Resolution No. 128—2019-20 – Public Safety Committee and Legislative/Audit and Human Resources Committee. Urge the Legislature to revise state statutes for consistency by requiring fees and costs charged by the Register in Probate office and Clerk of Circuit Court office to be

identical for the same item or service, as noted on the attached Fee Structure for Court Fees and Costs in Probate and Juvenile Cases.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. RESOLUTION NO. 128—2019-20 IS ADOPTED.

Ordinance No. F—2019-20 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve amending the County Code of Ordinances, Chapter 2 – Administration Sec 2-616, by establishing a cutoff time for filing and recording of real estate documents in the Register of Deeds office to 4:00 p.m.

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

ROLL CALL: 31 aye, 1 vacant, 4 absent. ORDINANCE NO. F—2019-20 IS ADOPTED.

RECONSIDERATION OF ALL APPOINTMENTS & NEW BUSINESS ADOPTED AT THE DECEMBER 10, 2019, MEETING

Supervisor Wegand moved, seconded by Supervisor Schroeder, to reconsider all appointments and adopted New Business at the December 10, 2019, Meeting for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. ALL DECEMBER 10, 2019, APPROVED APPOINTMENTS/REAPPOINTMENTS AND ADOPTED NEW BUSINESS IS RECONSIDERED.

LOCK IN OF ALL APPOINTMENTS & NEW BUSINESS ADOPTED AT THE DECEMBER 10, 2019, MEETING

Chairperson Nooyen called for any appointments or adopted New Business resolutions/ordinance to be removed from a combined vote lock in vote. No requests were made.

VOICE VOTE CARRIED UNANIMOUSLY. ALL DECEMBER 10, 2019, APPROVED APPOINTMENTS/REAPPOINTMENTS AND ADOPTED NEW BUSINESS IS LOCKED IN.

CLOSED SESSION PURSUANT TO SECTION 19.85(1)(e) WISCONSIN STATUTES FOR THE PURPOSE OF DELIBERATING OR NEGOTIATING THE TERMS AND CONDITIONS OF A PUBLIC AGREEMENT.

Supervisor Culbertson moved, seconded by Supervisor T. Thyssen, to enter into Closed Session as noted above.

ROLL CALL: 31 aye, 1 vacant, 4 absent. MOTION CARRIED – COUNTY BOARD ENTERS CLOSED SESSION.

END CLOSED SESSION.



Supervisor Patience moved, seconded by Supervisor Renteria, to end Closed Session and resume normal business.

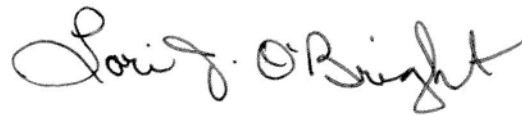
ROLL CALL: 31 aye, 1 vacant, 4 absent. MOTION CARRIED – COUNTY BOARD ENDS CLOSED SESSION.

REPORTS – None.

ADJOURNMENT

Supervisor Peterson moved, seconded by Supervisor Buchman, to adjourn until January 14, 2020, at 7:00 p.m. VOICE VOTE CARRIED UNANIMOUSLY.

The meeting adjourned at 9:08 p.m.

A handwritten signature in cursive script, reading "Lori J. O'Bright". The signature is written in dark ink and is positioned above a horizontal line.

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Lori J. O'Bright, Outagamie County Clerk