

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

Office of the County Clerk, January 8, 2013

The Board met pursuant to adjournment and was called to order by Chairperson Schuette at 6:30 p.m. in the County Board Room, located in the City Center East, 122 East College Avenue, Appleton, WI.

ROLL CALL: 34 present, 2 absent. Members present: Rabec, Nagler, C. Schmidt, Patience, Iverson, Mahan, Hammen, Krueger, Trentlage, Karl, L. DeGroot, Van Asten, D. De Groot, Vanden Heuvel, Lemanski, Groat, Stueck, Thomas, Thyssen, Hagen, Hofacker, Pleuss, Nooyen, Duncan, Culbertson, Sturn, Buchman, Griesbach, Thern, Rahmlow, Austin, Rettler, Schuette, Anthony. Member absent: McDaniel and Gosse.

Board Chairperson Schuette requested the Board's confirmation to excuse Supervisors Mc Daniel and Gosse. No objections; so ordered.

Board Chairperson Schuette requested a roll call of those supervisors who parked in the parking ramp.

ROLL CALL for parking: 24 aye, 10 nay, 2 absent.

The Pledge of Allegiance was offered by Chairperson Schuette.

MINUTES OF DECEMBER 8, 2012

Supervisor Duncan moved, seconded by Supervisor Nooyen, to approve the minutes of the December 8, 2012, County Board meeting.

ROLL CALL: 33 aye, 1 abstain, 2 absent. MINUTES OF THE DECEMBER 8, 2012, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY

Supervisor D. DeGroot requested Resolution No. 117—2012-2013 be withdrawn. No objections; so ordered.

COMMUNICATIONS

Communication Referral List – None

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

APPOINTMENTS

A letter was received from County Executive Nelson recommending the appointment of Julie Loeffelholz as the Outagamie County Emergency Management Coordinator effective January 14, 2013.

Supervisor Mahan moved, seconded by Supervisor Pleuss, for approval of the appointment listed above.

ROLL CALL: 33 aye, 1 nay, 2 absent. APPOINTMENT OF JULIE LOEFFELHOLZ AS THE OUTAGAMIE COUNTY EMERGENCY MANAGEMENT COORDINATOR IS APPROVED.

A letter from County Board Chairperson Judith Schuette for appointment of Helen Nagler to the Mississippi Valley Health Services.

Supervisor Stueck moved, seconded by Supervisor Rettler, for approval of the appointment listed above.

ROLL CALL: 31 aye, 1 nay, 2 abstain, 2 absent. APPOINTMENT OF HELEN NAGLER TO THE MISSISSIPPI VALLEY HEALTH SERVICES IS APPROVED.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated the following supervisors on their birthdays: Dan Rettler, January 5, and Dean Culbertson, January 19. A round of applause was given. County Executive Nelson reported the following:

- Finance – The County received the Government Finance Officers Association Certificate of Achievement for Excellence in financial reporting for the County’s Comprehensive Annual Financial Report for the fiscal year ended December 31. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting. Executive Nelson thanked the County Board, Finance Director Brian Massey and his staff, department heads and their support staff, who made the achievement possible. Further, the department was completing year-end tasks, including W-2’s and 1099’s, as well as continuing the major upgrade to JD Edwards (general ledger accounting system).
- Highway – Staff are continuing work with state and local officials on the details of a jurisdictional transfer of STH “15” upon construction of the Hortonville bypass. Staff is meeting with engineers, property owners, businesses, utilities, etc. regarding 2013 construction projects. Executive Nelson shared an e-mail received by the Highway Department from Timm and Deb McCormick, Kaukauna, commending the department on their snow plowing efforts on county and state roads following the December blizzard event. Executive Nelson also thanked staffs in the Sheriff’s Department, Airport, Maintenance/Facilities, and Emergency Management departments for their professional and efficient response to the severe winter weather.
- Solid Waste – The Tri-County Recycling Center is busy with increased volume from the holidays. For supervisors who attended a tour held prior to the December meeting, tip floors were emptied of recyclables before Christmas, but were filled due to the holiday season. Consequently, two shifts were running at maximum capacity. The Tri-County Partnership was evaluating the need for a long-term second shift.
- Brewster Village – Flu season entered Wisconsin, which impacts hardest those 65+ followed by children ages birth to 4. Locally, three nursing homes suspended admissions due to outbreaks among their residents. Suspending admissions is consistent with CDC and state guidelines. Two staff members and one resident had tested positive at Brewster Village. The three cases were not related.
- Parks – Continued interest by local education institutions was expressed for usage of the Plamann Center facility. A second site visit was conducted. Staff members continue to work with interested parties with the goal of leasing the facility this year.
- Airport – Gulfstream reported that they were adding 100 new jobs within the next 90 days, with an average annual wage of \$60,000. Executive Nelson applauded Director Marty Lenss and his staff for efforts in working with corporate tenants to make these types of announcements possible. In addition, Board members were applauded for extra efforts such as calling Board meetings for exclusive Airport business. Executive Nelson thanked all board members for accommodating those needs. Progress was continuing on the General Aviation facility with the roof nearly completed and interior work underway. The project is on schedule for completion in June so it can be operational for the EAA by end of July.
- Maintenance – The County Administration Building project remains on schedule and on budget. Bids for the County Board room renovations are expected in early February.

**REPORT AND PRESENTATION OF COUNTY LOBBYIST**

County Lobbyist Mark Wadium reported (website links in parenthesis):

- State – The Legislature held their inauguration. Senate Majority Leader Fitzgerald was predicting a vote in early March on mining legislation. Public hearings are possible throughout the state, but definitely will be held in the Capitol. Right to work legislation may be introduced by some legislators, but it will not be taken up by majority. The Legislature will be working to help create private sector jobs. Regulatory reforms will be addressed by standing committees; an informative package will be released soon. Speaker Vos is also quoted as proposing a state income tax cut.
- Legislative Fiscal Bureau –The Bureau released the Overview of State Agency Major Request Items for the 2013-15 Wisconsin State Budget ([http://legis.wisconsin.gov/lfb/publications/budget/2013-15%20Budget/Documents/2013-15\\_LFB%20SUMMARY\\_Agency%20Request.pdf](http://legis.wisconsin.gov/lfb/publications/budget/2013-15%20Budget/Documents/2013-15_LFB%20SUMMARY_Agency%20Request.pdf))
- Revenue Numbers Released - The Department of Revenue has released the revenue collections for November FY2013. The release shows an increase of 2.8% in Individual Income taxes and a decrease of 8.5% in Corporate Income taxes. Overall revenue collections were up 1.0%. ([http://www.revenue.wi.gov/news/20121212\\_01.pdf](http://www.revenue.wi.gov/news/20121212_01.pdf))
- Comprehensive Annual Financial Report Released - The Department of Administration has released the report for fiscal year that ended June 30, 2012, which was subsequently reviewed by the Legislative Audit Bureau. According to the report in FY2012: Total General Fund revenues increased by 4.7% over FY2011 tax collections; Individual Income Tax revenues increased 5.1%; Sales and Use Tax revenues increased 4.4%; Corporate Tax revenues increased 6.3%.; Wisconsin deposited \$108.7 million into the Budget Stabilization Fund. Looking forward, the report estimates: Wisconsin's gross domestic product is expected to increase 3.6% in 2012 and 3.0% in 2013; total nonfarm employment is expected to increase 0.5% in 2012 and 1.8% in 2013; personal income growth should increase 3.2% in 2012 and 3.7% in 2013. ([ftp://doaftp1380.wi.gov/doadocs/2012%20CAFR\\_Linked.pdf](ftp://doaftp1380.wi.gov/doadocs/2012%20CAFR_Linked.pdf))
- Audit Released on Rehiring Retired Government Employees - The Legislative Audit Bureau completed an audit to determine the number of individuals who terminated employment from state and local government between January 2007 through December 2011, who began receiving WRS annuities, and then returned to work for state or local governments through March 2012. The audit raised items for the Legislature to consider, including whether to make no changes, whether to prohibit individuals to be re-hired specifying certain wait periods, requiring employees who retire to sign an agreement regarding returning to work in WRS, and/or whether to limit the length of time annuitants are allowed to work for WRS-participating employers. The audit recommends Department of Employee Trust Funds (ETF) develop written procedures for conducting investigations to determine if good-faith terminations from employment had occurred. Highlights: <http://legis.wisconsin.gov/lab/reports/12-17highlights.pdf> Full Report: <http://legis.wisconsin.gov/lab/reports/12-17full.pdf>
- ETF Effective Rates Announced for 2013 – ETF has announced the preliminary effective rates and annuity adjustments for 2013. The projections are: SWIB Investment Return: Core Fund 12.10%, Variable Fund 14.7%; Effective Rate: Core Fund 1.8%-2.2%, Variable Fund 13%-15%; Annuity Adjustment: Core Fund 0%- negative 13%, Variable 7%-9%. (<http://etf.wi.gov/news/ht-20121227.htm>)
- DHS Requests Proposals for Non-Emergency Medical Transportation - The Department of Health Services released a request for proposals (RFP) for a statewide Medicaid and BadgerCare Plus Non-Emergency Medical Transportation (NEMT) manager. Proposals are due Monday, February 21, 2013. This is a new RFP to replace the contract formerly held by LogistiCare. (<http://www.dhs.wisconsin.gov/news/PressReleases/2013/010313.htm>) (RFP: <http://www.dhs.wisconsin.gov/rfp/>)
- Federal Actions - The Federal Reserve announced Wednesday it would take unprecedented steps to bolster the economy, saying it will continue to stimulate growth unless the

unemployment rate falls to 6.5 percent or the inflation rate reaches 2.5 percent. For the first time, the Fed's explicitly spelled out goals for the economy and how it would respond to changing economic conditions. The Fed reported it would begin purchasing \$45 billion in Treasury bonds a month, on top of \$40 billion a month it already was buying in mortgage bonds. The statement amounts to a major new commitment to reducing unemployment but also shows that Fed officials remain concerned about the long-term prospects for the U.S. economy. ([http://www.washingtonpost.com/business/federal-reserve-wraps-up-2012-still-facing-high-unemployment-and-sub-par-economic-growth/2012/12/12/cea83aee-4419-11e2-8c8f-fbebf7ccab4e\\_story.html](http://www.washingtonpost.com/business/federal-reserve-wraps-up-2012-still-facing-high-unemployment-and-sub-par-economic-growth/2012/12/12/cea83aee-4419-11e2-8c8f-fbebf7ccab4e_story.html))

- Fannie, Freddie May Libor Fiasco - U.S. mortgage finance giants Fannie Mae and Freddie Mac may have suffered more than \$3 billion in losses due to manipulation of the benchmark interest rate known as Libor, according to an internal memo by a federal watchdog. Dozens of U.S. and European banks are under scrutiny for allegedly rigging the London interbank offered rate, known as Libor, which has an impact on borrowing costs throughout the global economy. Swiss bank UBS on Wednesday agreed to a \$1.5 billion fine, the second-largest ever levied on a bank after admitting to fraud and bribery as the Libor scandal deepened. ([http://www.moneynews.com/FinanceNews/fannie-freddie-libor-lost/2012/12/20/id/468476?s=al&promo\\_code=112A4-1#ixzz2GbEYeNR7](http://www.moneynews.com/FinanceNews/fannie-freddie-libor-lost/2012/12/20/id/468476?s=al&promo_code=112A4-1#ixzz2GbEYeNR7))
- Seniorcare Waiver Approved - The Centers for Medicare and Medicaid Services (CMS) has granted the renewal of the SeniorCare Waiver until December 31, 2015 for Wisconsin. (<http://www.wisgov.state.wi.us/Default.aspx?Page=544e88b8-8c41-4ccf-a538-c12a40acf41f>)
- HR-5949 Foreign Intelligence Surveillance Act (FISA) - The Senate voted in December against the act, but later approved a reauthorizing bill. The bill will extend for five years the ability of U.S. intelligence authorities to conduct surveillance of suspected terrorists overseas without first getting permission from a court. The House previously approved the legislation, meaning the Senate vote sent the bill to President Obama's desk. The president was expected to sign the bill. (<http://thehill.com/blogs/floor-action/senate/274743-senate-votes-to-reauthorize-intelligence-surveillance-programs>)
- U.S. Debt – The U.S. might default on its debt as soon as Feb. 15. Analysis by the Bipartisan Policy Center reports the government will be unable to pay all its bills starting sometime between Feb. 15 and March 1. The government hit the \$16.4 trillion statutory debt limit on Dec. 31, but the Treasury Department is able to undertake a number of accounting schemes to delay when the government runs into funding problems. ([http://www.washingtonpost.com/business/fiscal-cliff/us-may-default-on-its-debt-a-half-month-earlier-than-expected-new-analysis-shows/2013/01/07/6c3b3b26-590a-11e2-9fa9-5fbd9530eb9\\_story.html?wpisrc=nl\\_politics](http://www.washingtonpost.com/business/fiscal-cliff/us-may-default-on-its-debt-a-half-month-earlier-than-expected-new-analysis-shows/2013/01/07/6c3b3b26-590a-11e2-9fa9-5fbd9530eb9_story.html?wpisrc=nl_politics))

A question and answer period followed. Discussion took place on the State budget, the WCA Legislative Forum and possible trip to Madison for discussion with legislators outside of the Forum, and the Fox Valley RTA funding.

**UNFINISHED BUSINESS** – None.

### **NEW BUSINESS**

Note: Large colored maps were posted in the County Board room for viewing for the first two items listed as follows.

**Ordinance No. Z-3—2012-2013** – Agriculture, Extension Education, Zoning, & Land Conservation Committee. Amend the Outagamie County Zoning Ordinance Chapter 54, Zoning, Division 2, AED Exclusive Agriculture District as listed and referenced in the map, and further amend the zoning maps for the Towns of Deer Creek, Cicero, Seymour, and Maple Creek to reflect their exclusive agriculture zoning as submitted in the Farmland Preservation Plan.

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

ROLL CALL: 31 aye, 3 nay, 2 absent. ORDINANCE NO. Z-3—2012-2013 IS ADOPTED.

Resolution No. Z-5—2012-2013 - Agriculture, Extension Education, Zoning, & Land Conservation Committee. Approve the proposed amendments to the Comprehensive Plan, which includes revisions to the Farmland Preservation Plan for the Town of Black Creek as listed in the resolution and map.

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

ROLL CALL: 31 aye, 3 nay, 2 absent. RESOLUTION NO. Z-5—2012-2013 IS ADOPTED.

Resolution No. 113—2012-2013 - Public Safety Committee. Approve the Sheriff's Department applying for, accepting, and expending the 2013 County/Tribal Enforcement Grant.

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

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. 113—2012-2013 IS ADOPTED.

Resolution No. 114—2012-2013 – Property, Airport, Recreation and Economic Development Committee. Approve reassignment of lease agreement with Tailwind Flight Charter ATW to Maxair Inc.

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

ROLL CALL: 33 aye, 1 nay, 2 absent. RESOLUTION NO. 114—2012-2013 IS ADOPTED.

Supervisor Thyssen moved, seconded by Supervisor Culbertson, for reconsideration of Resolution No. 114—2012-2013 for the purpose of lock in of the resolution.

ROLL CALL for reconsideration: 29 aye, 5 nay, 2 absent. RESOLUTION NO. 114—2012-2013 IS RECONSIDERED.

ROLL CALL to adopt and lock in: 29 aye, 4 nay, 1 abstain, 2 absent. RESOLUTION NO. 114—2012-2013 IS ADOPTED AND LOCKED IN.

Resolution No. 115—2012-2013 – Property, Airport, Recreation and Economic Development Committee. Approve transfer of \$115, 000 from the Airport Fund Balance to Capital Outlay for the design of a new office/hangar facility.

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

ROLL CALL: 32 aye, 1 nay, 1 abstain, 2 absent. RESOLUTION NO. 115—2012-2013 IS ADOPTED.

Resolution No. 116—2012-2013 – Property, Airport, Recreation and Economic Development Committee. Approve the Inter-County Consortium Agreement for the Local Elected Officials of the Bay Area Workforce Development Consortium.

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

ROLL CALL: 30 aye, 2 nay, 2 abstain, 2 absent. RESOLUTION NO. 116—2012-2013 IS ADOPTED.

Resolution No. 117—2012-2013 – Highway and Solid Waste Committee. Authorize lobbying the State of Wisconsin to develop policies to assist local units of government with costs associated with the expansion of frac sand mining and other industry.

*This resolution was withdrawn; see Establish Order of the Day.*

Resolution No. 118—2012-2013 – Finance Committee. Go on record in support of the City of Kaukauna proposed TIF Plan Amendment to Tax Incremental District No. 6.

Supervisor Nagler moved, seconded by Supervisor Groat, for adoption.

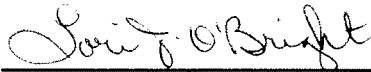
ROLL CALL: 27 aye, 5 nay, 2 abstain, 2 absent. RESOLUTION NO. 118—2012-2013 IS ADOPTED.

REPORTS

Supervisor Mahan reported that on January 10, 2013, at 9:45 a.m. in Circuit Court Branch V, a Treatment Court graduation would be held. Supervisors were welcomed to attend the event.

Supervisor Hammen moved, seconded by Supervisor Nagler, to adjourn until Tuesday, January 22, 2013 at 6:30 p.m. VOICE VOTE CARRIED.

The meeting adjourned at 7:02 p.m.

  
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Lori J. O'Bright, County Clerk