

RESOLUTION NO.: 46—2014-15

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

2/3 MAJORITY – 24 VOTES

1 The Brown County Library Board has an outstanding claim against Outagamie County
2 for payment of invoices for services provided to Outagamie County residents. The
3 invoices are as follows: \$33,281.00 for 2011, \$34,562.00 for 2012, and \$31,977.00 for
4 2013. There has been an ongoing dispute as to the equity of the Brown County Library
5 Board’s fees. Brown County can statutorily invoice Outagamie County for the services
6 provided. Unfortunately, the state statutes prior to 2014 provided counties with a
7 consolidated library system to charge neighboring counties for services, but did not allow
8 counties with a federated system to do the same. As such, although municipal libraries
9 within Outagamie County provided services to similar numbers of Brown County
10 residents as Brown provided to Outagamie County residents, there was no commensurate
11 ability to offset Brown County’s invoiced amount.

12
13 Effective March of 2014, the legislature enacted a revision of the fee formula. Although
14 there continues to be an imbalance under the new law, a federated county is now at least
15 able to invoice and recover a portion of the services it renders to out of county residents.
16 Outagamie County has resisted paying the full amount of the Brown County Library
17 Board’s claim due to the inequity of the outcome, although the outcome is legal. As a
18 means of settling this ongoing dispute, the Brown County Library Board, as a result of
19 protracted negotiations, has tendered the following final offer: 75% of the outstanding
20 bills for 2011 and 2012. Full payment of the 2013 invoice and all subsequent invoices
21 that are consistent with the fee formula set forth in the revised statute. Funding will be
22 transferred from the Contingency Fund to the Library Aids Fund.

23
24 NOW THEREFORE, the undersigned members of the Finance Committee recommend denial of
25 the following resolution.

26 BE IT RESOLVED, that the Outagamie County Board of Supervisors accepts the offer to fully
27 resolve the claim for outstanding invoices from the Brown County Library Board by paying 75% of the
28 2011 and 2012 invoices along with full payment of the 2013 invoice and further agrees to pay all future
29 invoices in full, as long as the billing is accurate and consistent with State Statute 43.12(1), as noted on
30 the attached fiscal note, which by reference is made a part hereof, and

1 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
2 of this resolution to the Outagamie County Finance Director, the Outagamie County Corporation
3 Counsel, the OWLS Director, and the Brown County Library Board.

4 Dated this ____ day of November, 2014

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Respectfully Submitted,
FINANCE COMMITTEE

Peter Stueck

Kathy Groat

Kevin Sturn

Jeff Nooyen

Norman Austin

Duly and officially adopted by the County Board on: _____

Signed: _____
Board Chairperson County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive

OUTAGAMIE COUNTY FISCAL NOTE

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Request for Transfer from Contingency Fund to fund Outstanding Library Bills from Brown County

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

As per the resolution and negotiations with the Brown County Library Board, the Library Board has tendered the final offer to Outagamie County for the County to pay 75% of the 2011 outstanding invoice of \$33,281, 75% of the 2012 outstanding invoice of \$34,562 and 100% of the 2013 outstanding invoice of \$31,977. The total of these outstanding invoices is \$99,820 of which Outagamie would settle with a total payment of \$82,860. The funding would be provided by a transfer from the Contingency fund to the Library Aids budget in purchased services for the \$82,860 as none of these funds are currently budgeted.

Current Year Budget Impact (Check one or more of the following boxes)

Revenues Expenses (Cost) None

3. Is the specific cost or revenue included in the current year's budget? yes () no (X) partially ()
4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes () no (X) n/a ()
5. Is the proposal to accept additional revenues only? yes () no (X)
6. Does this request modify/adjust the current year budget? yes (X) no ()
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

<u>COST CENTER NAME</u>	<u>LINE ITEM</u> <small>(i.e. Salaries, Supplies, Etc.)</small>	<u>ACCOUNT NUMBER INCLUDING COST CENTER</u> <small>(i.e. 1004100.5100, 1004100.5400, etc.)</small>	<u>INCREASE (DECREASE) AMOUNT</u>
Reserve for Contingency	Purchased Services	1002247.5500	(82,860)
Library Aids	Purchased Services	1002239.5500	82,860

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (X) no () n/a ()
9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Brian Massey / Joe Guidote

For Financial Services purposes only	
Reviewed By: <i>Bm</i>	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: <u>Detail Expenditure Account Number</u> <u>Amount</u> _____ _____ _____ _____
Date: <i>10/8/14</i>	
Comments:	