

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

Office of the County Clerk, June 23, 2015.

The Board met pursuant to adjournment, and was called to order by Chairperson Nagler at 6:30 p.m. in the County Board Room, located at 410 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 32 present, 4 absent. Members present: Rabec, Nagler, Grady, Patience, Iverson, Strenn, Trentlage, Meyer, McDaniel, Van Asten, De Groot, VandenHeuvel, Lemanski, Groat, Spears, Stueck, Thomas, Thyssen, Hagen, Klemp, Pleuss, Nooyen, Duncan, Culbertson, Sturn, Griesbach, Thern, VanderHeiden, Austin, Rettler, Melchert, Suprise. Members absent: Hammen, Krueger, Behnke, Buchman.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Hammen, Behnke, Krueger and Buchman. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nagler.

MINUTES OF JUNE 9, 2015

Supervisor Patience moved, seconded by Supervisor Trentlage, to approve the minutes of the June 9, 2015, County Board meeting. Chairperson Nagler noted that on page 2 under Appointments, the appointment of Jon LiDonne should be to the Veterans Service Commission rather than Veterans Service Committed. Nagler requested unanimous consent to make the correction. No objections to correction; so ordered.

ROLL CALL: 28 aye, 3 abstain, 5 absent. MINUTES OF THE JUNE 9, 2015, BOARD MEETING ARE APPROVED AS CORRECTED.

SPECIAL ORDER OF BUSINESS

2014 Audit Presentation, Schenck SC – Bryan Grunewald.

The audit has been complete and reports were submitted (copies available in the County Clerk's Office for review). Mr. Grunewald's report included:

- Comprehensive Annual Financial Report (CAFR), Year Ended December 31, 2014. The report was reviewed by the Finance Committee at their meeting on June 16.
- Report on Internal Control, December 31, 2014. This report relates to the financial portion of the audit and goes through several phases of the audit during the year to review internal controls. There were no material weaknesses, significant deficiencies or material noncompliance found.
- As pertains to auditor communications, there were no audit adjustments that needed to be made, no disagreements with management and an excellent audit support from County personnel.
- The working capital in the General Fund Balance is between 10 and 16% of designated expenditures. This policy is reasonable to similar sized counties and has resulted in consistent general fund balances. The General Fund Balance is consistent with past years.

A question was directed to Mr. Grunewald regarding his overall opinion of the county's fiscal

policies and fund balances. Mr. Grunewald feels that the fund balance policy is fair in that there is fiscal responsibility to the taxpayers by not having too much in the fund; yet, there is a comfortable amount. The fund balance has shown consistency.

There was an inquiry about the dollar amounts in the General Fund Balance to which Mr. Grunewald responded that the drop in nonspendables is due to delinquent taxes, which are coming down due to increased economic growth.

ESTABLISH ORDER OF THE DAY

Resolution Nos. 31—2015-16 and 32—2015-16 require a Suspension of the Rules as they did not meet the timing of Ordinance Sec. 2-50 Rule 7 – Timing for submission to Board.

Chairperson Nagler asked for unanimous consent to suspend rules in order to act on Resolution Nos. 31 and 32 at this meeting. No objections, so ordered.

COMMUNICATIONS

Communications Referral List (sent in packet)

Chairperson Nagler requested that a roll call vote be taken for those Supervisors that are interested in attending the WCA Convention in LaCrosse in September.

ROLL CALL: 16 aye, 16 nay, 4 absent.

Chairperson Nagler noted the following communications that were handed out on the supervisor's desks:

- E-mail from Venture Architects representative John Cain regarding the misuse of the word “coached” during his May 12 presentation to the County Board.
- Possible new building project timetable from Supervisor Culbertson.
- Memo from County Executive Nelson regarding relocation of the Sheriff's administration and patrol functions.
- Property Committee amendment to Resolution No. 30—2015-16.

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

Tommy Thompson, Town of Freedom resident, spoke against Resolution No. 30—2015-16. Mr. Thompson stated that he has been an Outagamie county resident for 47 years, and the space needs is the worst political proposal that he has witnessed. Thompson encouraged the members to follow the opinion of the Sheriff who knows his department the best.

Mary Hopfensperger, City of Appleton resident, spoke against Resolution No. 30—2015-16, stating that she is not for spending money on building new buildings.

Ruth Elmer, Village of Combined Locks resident, spoke against Resolution No. 30—2015-16. Ms. Elmer stated that a recent report shows that 54% of large companies move out of their respective states due to high taxes. Ms. Elmer encouraged the board members to think of future generations and the amount of taxes they will be paying when making decisions that involve

large amounts of money. Ms. Elmer reflected on the response time of the various law enforcement agencies in the county, stating that their response time is sufficient.

Dave Murphy, 56th Assembly District Representative and Town of Greenville resident, spoke against Resolution No. 30—2015-16. Representative Murphy encouraged the board members to consider moving the Sheriff's Department out of the downtown area, possibly closer to Highway 41.

Ed Perkins, Town of Grand Chute resident, spoke against Resolution No. 30—2015-16. Mr. Perkins reminded the board members that there have been many space needs studies conducted in the county since 2000, and all studies have suggested that the Sheriff's Department move out of the downtown area with now being the time to make the move. Mr. Perkins reported the Brown County Sheriff's Department moved out of their downtown area with success. Mr. Perkins expressed serious concern about railroads in the downtown area that could adversely impact Sheriff's patrol vehicle movement in emergency situations. He also stated that board members should consider interest rates when making this type of decisions because they currently are very low, but the trend will not continue forever.

APPOINTMENTS – None.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated the following supervisors on their birthdays: Supervisor Duncan, June 28. A round of applause was given. Executive Nelson reported:

- GFOA Finance Award - The Government Finance Officers Association recently issued its *Distinguished Budget Presentation Award* to Outagamie County. The certificate is the organization's highest accolade and requires rigorous standards for accounting and financial reporting. Congratulations were extended to Finance Director Brian Massey and his staff.
- SWANA Award - The *Solid Waste Association of North America* named Outagamie County Recycling & Solid Waste the winner of its *Bronze Excellence Award* in the Landfill Management category. The Excellence Awards Program recognizes programs and facilities that advance environmentally and economically sound solid waste management through effective technologies and processes in system design and operations, as well as worker and community health and safety, and implement successful public education and outreach. Kudos was given to Brian Van Straten and his team.
- Resolution No. 30 - Nelson addressed Resolution No. 30 which would move forward addressing the county's longstanding security and space issues. The following comments were shared:
 - Nelson believes he and the board share a common purpose – solving as many problems as possible, at the lowest cost, while maximizing efficiency and convenience to the citizens served.
 - When it comes to public safety, Nelson and Sheriff Gehring have a strong record of cooperation and Nelson plans to continue to work with the Sheriff in support of any and all public safety improvements. Administration is taking immediate steps to address unproductive travel to and from the Justice Center by patrol deputies. Meetings will be held with municipal leaders in two communities planning new public safety facilities in order to improve efficiency, enhance public safety, and lower costs. Resolution No. 30 includes 100% of the identified space needs of the Sheriff's Department, including an

expanded evidence storage area and facilities for video visitation. Building a new Sheriff's Administration facility will cost taxpayers up to an additional \$6 million and that doesn't include operational costs.

- Nelson does not support a parking structure as part of the space needs project. He has directed the administrative team to pursue cost-effective alternatives that respect the neighbors of the county buildings and safeguard the historic nature of the neighborhood.
- Nelson suggested during review that Health and Human Services (HHS) be relocated. However, it was determined that moving HHS would be more expensive than Resolution No. 30 without factoring in operational costs.
- Nelson emphasized being mindful of county clients. Citizens know they need to go to "the county" but don't necessarily know specifically to which office. Having two campuses will not only be inefficient for staff; it will confuse and inconvenience the public.
- Nelson feels fiscal responsibility has been Outagamie County's hallmark. Administration and County Board have worked together to provide the highest levels of service at the lowest cost. The County's levy has been restrained and credit protected. Resolution No. 30 represents the first step toward real progress in terms of security, space, and a new Center for Innovative Justice.

During question and answer, discussion took place on cost savings if the Sheriff's Department were to remain in its current location; space that would be freed up if the Sheriff's Department were to move out; reasons for Executive Nelson's new approach to the parking needs of the downtown campus; what if's with the Sheriff's Department staying downtown; the 11% space needs calculation from the Sheriff's Department move; and whether Venture Architects analyzed a Sheriff's Department move from its current location.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported the following state updates:

- AB-57 - Wadium met with the Governor's staff and discussed the history of AB-57 regarding methods of establishing proof of financial responsibility for the closure and long-term care of a landfill.
- Design Build Legislation - Wadium met with Assembly and Senate staff on Design Build Legislation.
- LRB-0863 - Lobbyist shared Outagamie County's opposition to LRB-0863, making first offense OWI a criminal offense.
- Railroad Policing - Some legislators are working on a concern that railroad police are enforcing trespass laws and limiting public access to state lands and waters with the exemption for pedestrians walking directly across the track. Lawmakers removed that exemption in 2006. http://lacrossetribune.com/news/local/strict-enforcement-of-trespass-law-by-bnsf-could-put-wisconsin/article_4c799ab9-34ad-5ef2-b65f-4901142e4fc5.html
- State Budget Issues – Wadium has had discussions with legislators and their staff on remaining State Budget issues pertaining to prevailing wage and the Transportation Budget. A group of 33 members of the Assembly's 63-member Republican caucus is calling for any transportation cuts to be spread equally around the state. Assembly Republicans are holding a caucus June 24 to discuss issues. http://www.thewheelerreport.com/wheeler_docs/files/0622czaja.pdf
- Federal issues:
- Pollution legislation:

- President Obama is moving to slash truck pollution. <http://thehill.com/policy/energy-environment/245526-obama-seeks-24-percent-cut-in-trucks-fuel-use>
- GOP lawmakers are looking to block the EPA from the ozone rule. <http://thehill.com/policy/energy-environment/245605-gop-lawmaker-looks-to-block-epa-ozone-rule>
- American recycling is stalling. <http://www.msn.com/en-us/news/us/american-recycling-is-stalling-and-the-big-blue-bin-is-one-reason-why/ar-AAAbTqGM?ocid=mailsignout>
- Senators Unveil 6-Year Transportation Bill. <http://blogs.rollcall.com/wgdb/bipartisan-senators-unveil-6-year-transportation-bill/?dcz=emailalert>

During question and answer, discussion took place on the status of the Joint Finance Committee as pertains to the resolutions that were adopted by the Health and Human Services Committee and the possibility of a federal gas tax for transportation purposes.

UNFINISHED BUSINESS

A letter was received from County Executive Nelson nominating Jon LiDonne for re-appointment to the Veterans Service Committee, said term expiring September of 2017.

At the June 9, 2015 County Board meeting, Supervisor Thyssen moved that the second appointment letter (County Executive Nelson nomination of Jon LiDonne for re-appointment to the Veterans Service Commission) be held in the Human Resources/Legislative/Audit Committee. No objection; so ordered.

At the June 23, 2015 County Board meeting, Supervisor McDaniel moved, seconded by Supervisor VandenHeuvel, to confirm the above re-appointment.

ROLL CALL: 32 aye, 4 absent. RE-APPOINTMENT OF JOHN LIDONNE TO THE VETERANS SERVICE COMMISSION IS CONFIRMED.

NEW BUSINESS

Resolution No. Z-4—2015-16 - Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve of a proposed text amendment in the Town of Grand Chute Municipal Code regarding the regulations governing small-scale beekeeping operations within residential areas of the Town.

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

ROLL CALL: 29 aye, 3 nay, 4 absent. RESOLUTION NO. Z-4—2015-16 IS ADOPTED.

Resolution No. 25—2015-16 – Finance Committee. Approve an increase in fees for food safety licenses as noted on the attached fee schedule and fiscal note.

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

ROLL CALL: 29 aye, 2 nay, 1 abstain, 4 absent. RESOLUTION NO. 25—2015-16 IS ADOPTED.

Supervisor Iverson moved, seconded by Supervisor Lemanski, to reconsider Resolution No. 25 for the purpose of locking it in.

ROLL CALL: 28 aye, 3 nay, 5 absent. RESOLUTION NO. 25—2015-16 IS RECONSIDERED.

Supervisor Griesbach reported that he accidentally pushed the “absent” vote rather than “nay.” Unanimous consent was obtained by Chairperson Nagler to change Supervisor Griesbach’s vote to “nay.”

ROLL CALL (after change): 28 aye, 4 nay, 4 absent. RESOLUTION NO. 25—2015-16 IS RECONSIDERED.

ROLL CALL to lock in: 29 aye, 3 nay, 4 absent. RESOLUTION NO. 25—2015-16 IS ADOPTED AND LOCKED IN.

Resolution No. 26—2015-16 – Finance Committee. Approve the Coroner’s cremation fee increase to \$200 as noted on the attached fiscal note.

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

ROLL CALL (24 votes required): 19 aye, 13 nay, 4 absent. RESOLUTION NO. 26 IS DEFEATED.

Resolution No. 27—2015-16 – Public Safety Committee. Authorize the Sheriff’s Department to apply for, accept and expend the 2015 Edward Byrne Memorial Justice Assistance Grant funds of \$21,389, as noted on the attached fiscal note.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 27—2015-16 IS ADOPTED.

Resolution No. 28—2015-16 – Property, Airport, Recreation & Economic Development Committee. Authorize granting WE Energies an easement for the area described in Warranty Deed No. 1646192, recorded in the Outagamie County Register of Deeds Office, as noted on the attached Distribution Easement Gas and temporary Exhibit “A”.

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

ROLL CALL: 30 aye, 2 abstain, 4 absent. RESOLUTION NO. 28—2015-16 IS ADOPTED.

Supervisor Rabec then moved, seconded by Supervisor Thyssen, to reconsider Resolution No. 28—2015-16 for the purpose of locking it in.

ROLL CALL: 27 aye, 4 nay, 1 abstain, 4 absent. RESOLUTION NO. 28—2015-16 IS RECONSIDERED.

ROLL CALL to lock in: 29 aye, 1 nay, 2 abstain, 4 absent. RESOLUTION NO. 28—2015-16 IS ADOPTED AND LOCKED IN.

Resolution No. 29—2015-16 – Property, Airport, Recreation & Economic Development Committee. Approve the second addendum to the DMH Inc. lease agreement for a kiosk relocation, as noted on the attached Second Addendum to General Concession Agreement.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 29—2015-16 IS ADOPTED.

Resolution No. 30—2015-16 – Property, Airport, Recreation & Economic Development Committee. Conceptually approve of Option D, as identified by Venture Architects, at a projected cost of \$36.7 million, and conceptually approve of building a four level parking structure at a projected cost of \$9.5 million.

Supervisor Culbertson requested that Resolution No. 30—2015-16 be replaced with Substitute Resolution No. 30—2015-16 which was placed on the supervisors' desks. No objections, so ordered.

Substitute Resolution No. 30—2015-16 – Property, Airport, Recreation & Economic Development Committee. Conceptually approve of Option D, as identified by Venture Architects, at a projected cost of \$36.7 million.

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

Supervisor Culbertson requested that the following words be stricken on page 1, line 7: “and a four level parking structure projected to cost \$9.5 million.” No objections, so ordered. CORRECTION APPROVED.

Supervisor Rabec moved, seconded by Supervisor Spears, to amend page 1, line 13, by adding “BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does conceptually approve the relocation and building of Sheriff’s Department at a projected cost of \$6 million.”

After some discussion, Supervisor Lemanski moved, seconded by Supervisor Pleuss, for the previous question.

ROLL CALL (22 votes required): 12 aye, 20 nay, 4 absent. DEBATE IS NOT CUT OFF.

ROLL CALL to amend page 1, line 13: 11 aye, 21 nay, 4 absent. AMENDMENT FAILED.

Supervisor Spears moved, seconded by Supervisor Duncan, to refer this resolution back to the Property Committee.

After some discussion, Supervisor Groat moved, seconded by Supervisor Patience, to call for the question.

ROLL CALL (22 votes required): 18 aye, 14 nay, 4 absent. DEBATE IS NOT CUT OFF.

ROLL CALL to refer: 18 aye, 14 nay, 4 absent. RESOLUTION NO. 30—2015-16 IS REFERRED BACK TO THE PROPERTY, AIRPORT, RECREATION & ECONOMIC DEVELOPMENT COMMITTEE.

Resolution No. 31—2015-16 – Finance Committee. Approve the Fuel Safety Training Course fee of \$200 to \$600 per person as noted on the attached fiscal note.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 31—2015-16 IS ADOPTED.

Resolution No. 32—2015-16 – Legislative/Audit & Human Resources Committee. Authorize and approve of amending the TABLE OF ORGANIZATION FOR THE HEALTH & HUMAN SERVICES COST CENTER, 2061050, by creating (1) full-time Environmental Health Sanitarian position effective July 1, 2015, with the attendant budget expenses and revenues as are included in the attached fiscal note.

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

ROLL CALL: 31 aye, 1 nay, 4 absent. RESOLUTION NO. 32—2015-16 IS ADOPTED.

Supervisor Lemanski moved, seconded by Supervisor Nooyen, to reconsider Resolution No. 32 for the purpose of locking it in.

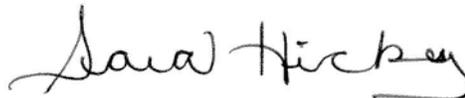
ROLL CALL: 30 aye, 2 nay, 4 absent. RESOLUTION NO. 32—2015-16 IS RECONSIDERED.

ROLL CALL to lock in: 30 aye, 2 nay, 4 absent. RESOLUTION NO. 32—2015-16 IS ADOPTED AND LOCKED IN.

REPORTS – None.

Supervisor Griesbach moved, seconded by Supervisor Grady, to adjourn until July 14, 2015, at 6:30 p.m. Voice vote carried.

The meeting adjourned at 9:08 p.m.



Sara Hickey, Deputy County Clerk