

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

Office of the County Clerk, January 23, 2018.

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 410 South Walnut Street, Appleton, Wisconsin.

ROLL CALL: 31 present, 2 vacant, 3 absent. Members present: Thompson, Miller, Grady, Patience, Gabrielson, Foss, Hammen, T. Krueger, J. Krueger, Lamers, Meyer, McDaniel, De Groot, Croatt, Stueck, Thomas, Thyssen, Hagen, Klemp, Pleuss, Nooyen, Culbertson, Sturn, Buchman, Griesbach, Clegg, VanderHeiden, O'Connor-Schevers, Rettler, Melchert, and Suprise. Vacancies: Districts 15 and 16. Member absent: Wegand, Spears, and Duncan.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Wegand, Spears, and Duncan. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nooyen.

MINUTES OF THE JANUARY 9, 2018 COUNTY BOARD MEETING

Supervisor Croatt moved, seconded by Supervisor Culbertson, to approve the minutes of the January 9, 2018, County Board meeting.

ROLL CALL: 29 aye, 2 abstain, 2 vacant, 3 absent. MINUTES OF THE JANUARY 9, 2018, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS – None.

ESTABLISH ORDER OF THE DAY – No changes.

COMMUNICATIONS

Chairperson Nooyen noted that there is an Ad Hoc Notification test tomorrow evening. Supervisors were alerted that they could expect to receive the notification. If a supervisor did not receive notification, they were told to contact Legislative Services so that Emergency Management could be notified of the issue.

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

APPOINTMENTS

County Executive Nelson nomination for appointment of David Yurk to the Land Information Council, set term to expire April 1, 2018.

Supervisor Griesbach moved, seconded by Supervisor Foss, for confirmation of the above appointment.

ROLL CALL: 31 aye, 2 vacant, 3 absent. APPOINTMENT OF DAVID YURK TO THE LAND INFORMATION COUNCIL IS CONFIRMED.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated Supervisor Cathy Thompson on her birthday January 29. A round of applause was given. Executive Nelson reported the following:

- Airport – Checkpoint Expansion/Terminal Remodel Project: Demolition continues with Phase I of the project. While that is occurring, the contractor has started framing the new restaurant and gift shop. Next, they will be installing the new mechanicals (plumbing, HVAC, electrical). Contractor is also working on the exterior of the building, preparing the foundation for the new automated exit lane. Solar Carport: A grant was received from FAA for \$562,500 to design/construct additional solar carports. The project will be administered through the WI Bureau of Aeronautics (WI-BOA). Currently, WI-BOA is working with Meade & Hunt (design team) on the contract design so that design can get started and the project bid for a goal to have the work done this summer. Airport statistics: December stats. were completed showing an 11% month over month increase, and a 4.6% year over year increase in activity. Pulling for Honor: The Airport was granted the opportunity for another fundraising event from FedEx, which will be held June 23. The previous even netted \$75,000 for Old Glory Honor Flights. Wings for Autism: The next even will be May 19, partnering with Allegiant along with all local Autism advocacy organizations. The Airport is forming partnerships to promote the new Denver service, giving away tickets as prize packages.
- Recycling & Solid Waste – NE Landfill (NELF): Over 685,000 tons of material were brought to NELF. Even with the large tonnage volume, the NELF gained an additional two years of landfill life and is projected out to 2024. Brown, Outagamie, and Winnebago (BOW) Landfill Operations: Between the three counties, 32,000 tons of Construction & Demolition (C&D) materials were diverted away from the landfill in 2017. Outagamie County’s diversion tonnage was over 14,000 or 45% of diverted materials. Outagamie County’s internal C&D landfill diversion rate with our incoming material was 68%. Northwest Landfill Permitting: Process is progressing with the start of the development of WDNR Feasibility Report and Wetlands Delineation permit process underway. Outagamie County Clean Energy Project Co-Gen Performance (OCEP) – The preliminary revenue totals indicates gross electrical energy sales of \$3.3 million in 2017 and Outagamie County’s net revenue share over \$670,000. MRF: On behalf of BOW, the MRF process over 115,000 tons of material in 2017. The holidays brought in 110 tons from the Milwaukee MRF; the MRF worked two double shifts and two single shifts on Saturdays since Dec. 30. The crew has since cleared out the transfer station of all material and was completely caught up this past weekend.
- Parks – Plamann Lake Inflatable Project: Staff is working on specifications for the project. Children’s Farm: Staff is working on putting new siding on the rabbit building. Northeast WI Parks & Rec Organization: Parks hosted the monthly meeting on Jan. 18 at the Airport’s Platinum Flight Center. Outdoor Rec Plan: Staff has begun with Planning preliminary discussion on updates to the County’s Plan. Plamann Master Plan & Dog Park Study – the County Planner and Loren Dieck also have started work on the Study. Baseball/Pop Warner: Parks will be conducting year-end meetings with Grand Chute Youth Baseball and Pop Warner Football over concerns/issues they may have moving forward.
- Human Resources – A new performance evaluation process in Tyler is going live by the end of January. Recruiting activity is very active filling new positions and position changes approved for 2018. Aurora has been selected as the vendor the County will partner with for the implementation of Health Risk Assessments. There will be a soft rollout of this process in 2018-2019 with plans for this to become part of the data used to calculate healthcare costs in coming year.
- WHBY – Executive Nelson was guest on Chairman Jeff Nooyen show with WHBY Josh Dukelow. The two discussed lobbying on the dark stores bills. The impact is estimated at \$180,000 in 2018 to Outagamie County for dark store challenges.

#### REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported the following:

- Wisconsin's Financial Picture - Lobbyist reported he would be posting detailed information on the Legislative Services bulletin board. The State has a surplus larger than originally calculated. The Legislative Fiscal Bureau (LFB) increased its projected ending balance for the 2017-19 budget by \$137.5 million with revenue projections for the two-year period improving slightly. That's less than 0.4 percent of the overall GPR spending projected for the full two-year budget. Along with the increase of \$76.3 million in tax collections and another \$1.7 million more in departmental revenues, the nonpartisan LFB is projecting a \$97.7 million drop in appropriations. The majority of the spending decrease, the agency said, is due to re-estimates on the necessary amount to fund general fund debt service. Of the projected increase in tax collections, \$38.2 million would be transferred to the budget stabilization fund.  
[http://docs.legis.wisconsin.gov/misc/lfb/revenue\\_estimates/155\\_january\\_17\\_2018.pdf](http://docs.legis.wisconsin.gov/misc/lfb/revenue_estimates/155_january_17_2018.pdf)
- [Governor Walker](#) (1/17/18) pushed the Legislature to approve a slew of welfare bills that would add work requirements for food stamps, require able-bodied adults to comply with child support orders to receive Medicaid and impose drug screening for public housing. Ten bills are included in the special session call. Among them: the photo ID FoodShares proposal, which had been working its way through the Legislature as a separate bill. The new bill is identical to AB 702. Meanwhile, six of the proposals would need a change in federal law or a waiver, and the Governor's office said no fiscal estimates have been done for any of the bills. The package includes:
  - LRB-5218/5282, which would allow DOA to contract with a private vendor to create a "pay for success trust fund." Those with a proposal to address an issue with social, employment or correctional services provided to individuals could bring it to the state and then negotiate an incentive based on the expected budget savings. That money would be set aside and the state would only pay the vendor if the goal was achieved.
  - LRB-5207/5276, which would create a pilot program to make monthly payments to those who received the Earned Income Tax Credit rather than waiting until after they've filed their tax returns to send them a lump sum. The two-year program, which would include 100 participants, would require IRS approval.
  - LRB-5217/5279, which would require DHS and DCF to create performance-based payment systems for W-2 and food stamps vendors.
  - LRB-5214/5258, which would move the work requirement for FoodShares to 30 hours from the current requirement of 20 hours and expand it to able-bodied adults with dependents, if the feds approve. That requirement is now 20 hours and only applies to able-bodied adults without dependents.
  - LRB-5213/5286m, which would require expansion of work requirements for food stamps that now apply only to able-bodied adults to those have school-aged dependents. It would begin Oct. 1, 2019.
  - LRB-5222/5287, which would ban anyone from qualifying for food stamps, W-2 or Wisconsin Shares if their home is worth twice the statewide median value -- which is now \$321,000 -- or they have a car that's worth more than \$20,000. There is an exemption for agricultural land included in the bill, and W-2 would retain current law banning ownership of cars worth more than \$10,000. Agencies could write rules creating hardship exemptions, and some provisions would require a federal law change.
  - LRB-5216/5288, which would cut off from Medicaid those able-bodied adults who refuse to cooperate with a paternity test or comply with a child support order. Federal approval could be required.
  - LRB-5223/5289, which would add drug screening to the application process for those seeking public housing. It would require a federal law change.
  - LRB-5246/5290, which would create a savings account program for Medicaid. It would require federal approval.

- [Koch's Mark Holden Talks Criminal Justice Reform at the White House article](#) (1/12/2018) - Washington, D.C., is buzzing over renewed efforts to reform the United States' criminal justice system. Prominent organizations and business leaders, including Koch Industries, attended meetings on Capitol Hill and at the White House to talk through prisoner reentry. Mark Holden, Koch Industries' general counsel and senior vice president, attended meetings with lawmakers and participated in a listening session that included President Donald Trump, Attorney General Jeff Sessions, and White House Adviser Jared Kushner, among others.
- Dark Stores Bills – Lobbyist continues to discuss with interested parties, assembly and senate members encouraging passage.
- WI Ethics Commission – A meeting was held by the Commission on unauthorized lobbying. The Association of WI Lobbyist refuted some of what the Ethics Commission discussed.
- Airport Concerns – Tomorrow (1-24-18), Lobbyist will be meeting on LRB 3627/1 and 5272/1 relating to: licensing and regulation of taxicab companies and taxicab dispatch services. Rep. Knodl & Sen. Nass. Circulating 1-18 to 1-24-18.
- [State of the State Speech](#) – Tomorrow (1-24-18), at 3 p.m., the Governor will be giving his State of the State.

During question and answer, discussion took place the dark store bills and efforts for passage. The League of Municipalities has been sending out to various assembly offices effects on a tax bill if the changes do not go through.

UNFINISHED BUSINESS – None.

#### NEW BUSINESS

Resolution No. 135—2017-18 – Highway, Recycling & Solid Waste Committee. Approve of transferring \$80,000 from the CTH E & CTH N/Vine Street Intersection project in the Town of Freedom to the CTH CE & Railroad Street project in the Village of Kimberly as noted on the attached fiscal note and Attachment A.

Supervisor DeGroot moved, seconded by Supervisor McDaniel, for adoption.

ROLL CALL: 31 aye, 2 vacant, 3 absent. RESOLUTION NO. 135—2017-18 IS ADOPTED.

Resolution No. 136—2017-18 – Legislative/Audit & Human Resources Committee. Support legislation to create an independent prosecutor board that oversees and sets policies for a state prosecutor's office, and support legislation that requires the Department of Administration to provide the State Prosecutors Office with general access to a case management system currently used by the Department of Justice.

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

ROLL CALL: 31 aye, 2 vacant, 3 absent. RESOLUTION NO. 136—2017-18 IS ADOPTED.

Supervisor Thyssen moved, seconded by Supervisor Grady, to have Resolution Nos. 136-139—2017-18 locked in jointly after the adoption of Resolution No. 139—2017-18. Chairperson Nooyen requested unanimous consent. VOICE VOTE CARRIED-MOTION CARRIED.

Resolution No. 137—2017-18 – Legislative/Audit & Human Resources Committee. Support legislation to create the definition of an autocycle as a three-wheeled motor vehicle and classify it as a

“Class D” vehicle that may be operated with a regular license issued by the Department of Transportation.

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

ROLL CALL: 31 aye, 2 vacant, 3 absent. RESOLUTION NO. 137—2017-18 IS ADOPTED.

Resolution No. 138—2017-18 – Legislative/Audit & Human Resources Committee. Support legislation that makes changes to the requirements for claims for state compensation by wrongfully imprisoned persons.

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

ROLL CALL: 31 aye, 2 vacant, 3 absent. RESOLUTION NO. 138—2017-18 IS ADOPTED.

Resolution No. 139—2017-18 – Public Safety Committee. Oppose all legislative proposals that would make changes to the conditions of liability for worker’s compensation benefits for a law enforcement officer, a fire fighter, or a member of emergency services personnel who is diagnosed with post-traumatic stress disorder by presuming that a diagnosis of PTSD in a public safety employee arises out of the employee’s employment.

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

ROLL CALL: 31 aye, 2 vacant, 3 absent. RESOLUTION NO. 139—2017-18 IS ADOPTED.

Supervisor Thyssen moved, seconded by Supervisor T. Krueger, to reconsider Resolutions Nos. 136-139—2018 for the purpose of locking them in.

ROLL CALL to reconsider: 30 aye, 1 nay, 2 vacant, 3 absent. RESOLUTION NOS. 136-139—2017-2018 ARE RECONSIDERED.

ROLL CALL to adopt & lock in: 31 aye, 2 vacant, 3 absent. RESOLUTION NOS. 136-139—2017-2018 IS ADOPTED & LOCKED IN.

Resolution No. 140—2017-18 – Finance Committee. Deny the claim submitted by Nicholas M. McLeod, attorney, on behalf of his client Susan Bahrami, as has been placed on file in the office of the County Clerk, and that no action on this claim may be brought against Outagamie County after six months from the date of service of this notice.

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

ROLL CALL: 31 aye, 2 vacant, 3 absent. RESOLUTION NO. 140—2017-18 IS ADOPTED.

Resolution No. 141—2017-18 – Finance Committee. Deny the claim submitted by John Miller Carroll, attorney, on behalf of his client Ryan R. Losse, as has been placed on file in the office of the County Clerk, and that no action on this claim may be brought against Outagamie County after six months from the date of service of this notice.

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

ROLL CALL: 31 aye, 2 vacant, 3 absent. RESOLUTION NO. 141—2017-18 IS ADOPTED.

Ordinance No. J—2017-18 – Finance Committee. Recommend adoption of the list of depositories.

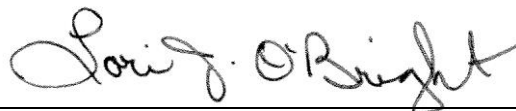
Supervisor Stueck moved, seconded by Supervisor Patience, for adoption.

ROLL CALL: 30 aye, 1 abstain, 2 vacant, 3 absent. ORDINANCE NO. J—2017-18 IS ADOPTED.

REPORTS

Supervisor Buchman moved, seconded by Supervisor Patience, to adjourn until February 13, 2018, at 7:00 p.m.

The meeting adjourned at 7:30 p.m.



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Outagamie County Clerk