

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

Office of the County Clerk, July 10, 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 320 South Walnut Street, Appleton, Wisconsin.

Members present: Thompson, Miller, Grady, Patience, Gabrielson, Konetzke, Hammen, N. Thyssen, Krueger, Lamers, Dillenberg, Mc Daniel, Wegand, De Groot, Peterson, Schroeder, Spears, Marcks, Thomas, T. Thyssen, Klemp, Iverson, Nooyen, Culbertson, Sturn, Buchman, Woodzicka, Clegg, O'Connor-Schevers, Rettler, Melchert, and Surprise. Member absent: Croatt, Hagen, Duncan, VanderHeiden.

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

The Pledge of Allegiance was led by Chairperson Nooyen.

Chairperson Nooyen welcomed newly appointed District 8 Supervisor Nick Thyssen to the meeting.

MINUTES OF THE JUNE 12, 2018 COUNTY BOARD MEETING

Supervisor Buchman moved, seconded by Supervisor Klemp, to approve the minutes of the June 12, 2018, County Board meeting.

ROLL CALL: 31 aye, 1 abstain, 4 absent. MINUTES OF THE JUNE 12, 2018, BOARD MEETING ARE APPROVED.

SPECIAL ORDER OF BUSINESS

2017 Audit Presentation – David Maccoux and Josh Swanson, Shareholders, Schenck SC

David Maccoux thanked the County Board for the opportunity to report to the County Board on the Schenck SC 2017 Audit. Their report and Comprehensive Annual Financial Report (CAFR) 2017 financial documents were distributed to the Board. The documents were reviewed with the Finance Committee in June.

The CAFR represents the County's financial statements for year-end 2017. The CAFR is prepared by Financial Services. Page 10 of the CAFR provides the independent auditor's report. Page 2 reports that this is an unmodified opinion, with no necessary modifications to the CAFR. Page 6 reports that the County's CAFR consistently receives the Certificate of Achievement for Financial Reporting, which is the Government Finance Officers Association's highest standard of financial reporting, and this document has been submitted as well. On pages 13-25, management discussion and analysis is provided with significant changes in 2017 compared to prior year. This analysis includes major items that occurred in 2017. Page 26 and 27 provide financial statements. Assets under management is over \$510 million and approximately \$324 million of those assets have been paid for through taxes, user fees, and other revenues. Going into the 2018 budget year (page 29), fund financials and financial statements are provided. From the auditor's perspective, the County is in a good financial position.

The second document is Schenck's communication document, comparing fund balances with the

current activities of the county. In reviewing all comparative balances, the county continues to be in a strong financial position going into 2018. One comment was made for future reporting purposes, which is an insignificant item. The audit went well, both with Financial Services and other county departments within the county. No reportable conditions or compliance issues were noted; so, the audit was very clean from Schenck's perspective.

No questions were addressed.

ESTABLISH ORDER OF THE DAY – No changes

COMMUNICATIONS

Communication Referral List – provided in the packet.

Chairperson Nooyen reported the following additional communications:

- Harassment Training: 24 supervisors have completed necessary training, but 12 other supervisors need to complete that training by the end of July. Supervisors Grady, Lamers, Dillenberg, Wegand, Schroeder, Spears, Thomas, Klemp, Iverson, Culbertson, N. Thyssen, and T. Thyssen need to complete. If no WIFI is available in the office, Legislative Services does have the necessary WIFI available during normal business hours. Staff requests a call in advance.
- iPad Connection: If help is needed as the iPad is not automatically connecting to the WIFI, see Legislative Services.

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

APPOINTMENTS

County Executive Nelson nomination of re-appointment for Bill Calaway and Mike DeBruler to the Local Emergency Planning Committee (LEPC); said terms expiring June 30, 2021, and appointment of Dan Mokrzycki; said term expiring June 30, 2019.

Supervisor T. Thyssen moved, seconded by Supervisor Spears, for confirmation of the above-listed re-appointments and appointment.

ROLL CALL: 32 aye, 4 absent. RE-APPOINTMENTS OF CALAWAY AND DEBRULER AND APPOINTMENT OF MOKRZYCKI TO THE LOCAL EMERGENCY PLANNING COMMITTEE ARE CONFIRMED.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated Supervisor Spears on her birthday, July 21. A round of applause was given. Executive Nelson reported the following:

- District 8 Appointment - Nick Thyssen, Village of Little Chute native, was welcomed to the County Board.
- Parks & Development & Land Services – Plamann Lake has had a banner year so far. County Executive thanked members for attending meetings on the Plamann Park Master/Dog Park Plan meetings.

- Airport - \$78,000 was raised by the recent Pulling for Honor event, which provides funding for Old Glory Honor flights. This year, the Highway Department took second place. Air Wisconsin hangar (200 more jobs) and Gulfstream announcements were made.
- UW Extension – The agriculture educators have been very busy with a challenging spring as well as the dairy industry coming upon tough times due to weather and pricing. The county fair is at the end of this month.
- IT & Sheriff – CAD/RMS project is up and running; started the end of June.
- Maintenance – Maintenance and IT have worked through some last minute glitches with the opening of the Government Center. Health & Human Services departments are transitioning to the building.
- Recycling & Solid Waste – The website is up and running with a number of topics for the public to explore. China's national restriction on receiving recycling goods from U.S. has adversely impacted markets. Markets down as much as 60% and the MRF is down 40% from year to date.

During question and answer, discussion took place on Outagamie County's MRF having some of the cleanest recycling materials available (residuals are only 5-6% compared to 20% nationwide); local markets utilized for selling recyclables; possible use of plastics in asphalt; difficulties with use of recyclables in roadways (aggregate/asphalt); and glass use in local foundries.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported:

- June 19 – Airport – Lobbyist secured Governor and Senator Roth for the unveiling of the new Air WI Maintenance facility, or North West Hangar Project, on June 26, 2018.
- NACIRO policy discussion [National Farm Bill](#) - June 19 – Lobbyist participated in policy discussion along with NACo staff. Discussions also included other topics: [Medicaid](#) and [County Jail report](#) (provided in Dropbox and placed on Legislative Services bulletin board). Included by Lobbyist is link on [NACo analysis of changes to Nutrition Assistance Program](#).
- June 20 – Board Chair and Lobbyist participated in conference call with WCA to send an advisory email to all counties for holding a Dark Store Referendum for November. A follow-up [Kenosha news article](#) was provided by Lobbyist.
- June 21 Joint Audit Committee – Lobbyist attended meeting, which included a discussion on the Department of Corrections (DOC) audit. The audit will attempt to look at the relationship of the DOC and DHS and issues driving costs. Lobbyist discussed with state representatives on juvenile corrections reforms. Adult corrections reform is also a topic of discussion.
- June 25 WI County Utility Tax Association meeting – Lobbyist attending meeting. The association is looking at changes in law as counties are compensated on a declining revenue streams from utilities. Two counties are looking at solar panels in farm fields and are thus removed from the local property tax levy.
- State CJCC meeting – A series of meeting on Evidence Based Decision Making in September-October including a meeting in Appleton will occur. Each county can send up to eight people for free diversion standards training. Training will be available October 3 & 4 at Fox Valley Technical College for people interested in starting or improving diversion programs.
- June 9 WCA SRCCCY juvenile correction meeting. Lobbyist attended with a number of counties interested in the new Adjudicated Youth Detention facilities. There were multiple concerns expressed during the meeting with start-up costs for host counties, the need for the host counties to have contracts and revenue from other counties wishing to reserve bed space, concern about the state timeline which is considered ambitious and is not necessarily in line with county budgets, and

lastly, concern that if new facilities are built judges will fill them quickly or as attendee's at the meeting called, the "field of dreams" concern. After the meeting, the Lobbyist visited legislative staff and found out the names of the new committee members of the State Committee charged with drafting the rules that SRCCCY will follow will include Outagamie County DA.

- June 9 Legislative Study Committee on the Identification and Management of Dyslexia – Lobbyist was unable to attend, but [document link](#) provides documents available.
- No. of articles of interest:
 - Supreme Court declined a review of political gerrymandering. Two links were provided: [Link 1](#) and [link 2](#). The county has a number of resolutions on this issue (Resolution Nos. 14—17-18, 155—13-14, 128—14-15)
 - Giant wave of plastic garbage could flood the US according to a [Washington Post article](#).
 - Supreme Court dealt with [State collection on internet sales](#). Technically in WI law, taxpayers are to pay use tax, but many people forget to pay the tax. WI estimates a collection of approximately \$186 million/annually. Current law would require those funds to reduce income tax, but a legislature cannot bind a future legislature. Some legislators may consider eliminating the personal property tax, which is approximately the same amount of funds.
 - Supreme Court rules – [warrant necessary for phone location data](#).
- NACo Conference - July 13-17 – Lobbyist reported he will be attending the conference.
- Legislative Study Committee upcoming include:
 - Study Committee on Direct Primary Care, 10 am, Tue, July 24, 412-E
 - Study Committee on Minor Guardianship, 10:30 am, Tue, July 24, 411-S
 - Study Committee on Alcohol Beverages Enforcement, 10 am, Wed, July 25, 411-S
 - Study Committee on the Use of Police Body Cameras, 10 am, Thu, July 26, 411-S
 - Study Committee on Property Tax Assessment Practices, 10 am, Tue, Aug 7, 412-E
 - Study Committee on the Investment and Use of the School Trust Funds, 10 am, Thu, Aug 16, 411-S
 - Study Committee on the Identification and Management of Dyslexia, 10 am, Wed, Aug 29, 411-S

During questions and answer, discussion took place on recent WDOR tax collections revenue estimate (Lobbyist reported previous revenue estimates are reported larger than anticipated budgetary numbers) and the diversion training at FVTC.

Chairperson Nooyen reported that there will probably not be a July 24 County Board meeting. Therefore, several resolutions will need to be locked in and he will call for unanimous consent on the reconsideration and lock in votes, unless an objection is noted, in which case a roll call will be taken.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Resolution No. Z-5—2018-19 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the proposed rezoning request for the Town of Greenville (United Cooperative, applicant) in the Town of Greenville from General Agriculture District & Industrial District to General Commercial District, said property description provided in the resolution.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. Z-5—2018-19 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor Melchert, to reconsider Resolution No. Z-5 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-5—2018-19 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-5—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. Z-6—2018-19 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the proposed 14.49 acre rezoning request for the Town of Greenville (All World Ford, applicant) in the Town of Greenville from General Agriculture District to General Commercial District, said property description provided in the resolution.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. Z-6—2018-19 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor Grady, to reconsider Resolution No. Z-6 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-6—2018-19 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-6—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. Z-7—2018-19 – Agriculture, Extension Education, Zoning & Land Conservation Committee. Approve the proposed 1.86 acre rezoning request for the Town of Greenville (Matthew Reis, applicant) in the Town of Greenville from General Agriculture District to Residential Single Family District, said property description provided in the resolution.

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

ROLL CALL: 34 aye, 4 absent. RESOLUTION NO. Z-7—2018-19 IS ADOPTED.

Supervisor Rettler moved, seconded by Supervisor T. Thyssen, to reconsider Resolution No. Z-7 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-7—2018-19 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. Z-7—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. 22—2018-19 – Finance Committee. Approve going on record in support of the Village of Little Chute Tax Incremental District No. 6 Project Plan Amendment, as noted in the resolution and attachments.

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

ROLL CALL: 34 aye, 4 absent. RESOLUTION NO. 22—2018-19 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Grady, to reconsider Resolution No. 22 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 22—2018-19 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 22—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. 23—2018-19 – Finance Committee. Approve going on record in opposition to the Village of Little Chute Tax Incremental District No. 7 Project Plan, as noted in the resolution and attachments.

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

ROLL CALL: 30 aye, 2 nay, 4 absent. RESOLUTION NO. 23—2018-19 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Culbertson, to reconsider Resolution No. 23 for the purpose of lock in.

VOICE VOTE CARRIED did not pass unanimously.

ROLL CALL to reconsider: 30 aye, 2 nay, 4 absent. RESOLUTION NO. 23—2018-19 IS RECONSIDERED.

ROLL CALL: 30 aye, 2 nay, 4 absent. RESOLUTION NO. 23—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. 24—2018-19 – Finance Committee. Approve going on record in support of the Village of Little Chute Tax Incremental District No. 8 Project Plan, as noted in the resolution and attachments.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 24—2018-19 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Spears, to reconsider Resolution No. 24 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 24—2018-19 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 24—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. 25—2018-19 – Legislative/Audit & Human Resources Committee. Approve the request for elimination of one full time Equipment Operator II and creation of one full-time Maintenance Worker on the Highway Department Table of Organization, as noted on the attachments.

Supervisor T. Thyssen moved, seconded by Supervisor De Groot, for adoption.

ROLL CALL: 31 aye, 1 nay, 4 absent. RESOLUTION NO. 25—2018-19 IS ADOPTED.

Supervisor T. Thyssen moved, seconded by Supervisor Thomas, to reconsider Resolution No. 25 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 25 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 25—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. 26—2018-19 – Legislative/Audit & Human Resources Committee. Authorize and order a special election to be held concurrently with the spring 2019 election to fill the remainder of the unexpired term of Outagamie County Board Supervisor District 8.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 26—2018-19 IS ADOPTED.

Resolution No. 27—2018-19 – Property, Airport, Recreation & Economic Development Committee. Authorize granting We Energies an easement for Outagamie County's land located at the Airport; property described in Warranty Deed recorded in the Register of Deeds as Document No. 559206, and as noted on the attachments to the resolution.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 27—2018-19 IS ADOPTED.

Supervisor Culbertson moved, seconded by Supervisor Spears, to reconsider Resolution No. 27 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 27—2018-19 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 27—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. 28—2018-19 – Public Safety Committee. Approve of changing the name of Coordinating Council to Criminal Justice Coordinating Council.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 28—2018-19 IS ADOPTED.

Resolution No. 29—2018-19 – Public Safety Committee. Approve going on record in support of a defendant’s constitutional right to a fair and speedy trial and representation without infringements on their ability to pay.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 29—2018-19 IS ADOPTED.

Resolution No. 30—2018-19 –Finance Committee. Approve going on record in support of the City of Kaukauna Tax Incremental District No. 10 Project Plan, as noted in the resolution and attachments.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 30—2018-19 IS ADOPTED.

Supervisor Sturn moved, seconded by Supervisor Marcks, to reconsider Resolution No. 30 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 30—2018-19 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 30—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. 31—2018-19 – Legislative/Audit & Human Resources Committee. Grant departments the ability to hire as many seasonal employees as needed in order to maintain customer service, accomplish the tasks needed to perform required services, and to meet necessary business needs, and require that costs for hiring seasonal employees be included in the adopted budget.

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

ROLL CALL: 31 aye, 1 nay, 4 absent. RESOLUTION NO. 31—2018-19 IS ADOPTED.

Supervisor T. Thyssen moved, seconded by Supervisor Spears, to reconsider Resolution No. 31 for the purpose of lock in.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 31—2018-19 IS RECONSIDERED.

VOICE VOTE CARRIED UNANIMOUSLY. RESOLUTION NO. 31—2018-19 IS ADOPTED & LOCKED IN.

Resolution No. 32—2018-19 – Public Safety Committee. Approve transferring \$7,500 from the Small Department Vacation/Sick Leave Payout fund to the Outagamie County District Attorney's Office Salaries (\$6,500) and Fringe Benefits (\$1,000) as noted on the attached fiscal note.

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

ROLL CALL: 32 aye, 4 absent. RESOLUTION NO. 32—2018-19 IS ADOPTED.

Ordinance No. C—2018-19 – Highway, Recycling and Solid Waste Committee. Amend Section 36-91 of the Code of Ordinances to extend the 45 miles per hour speed limit on County Highway KK from 240 feet east of Hopfensperger Road to the intersection of State Highway 55.

Supervisor De Groot moved, seconded by Supervisor Mc Daniel, to reconsider Ordinance No. C for the adoption.

ROLL CALL to adopt: 31 aye, 1 nay, 4 absent. ORDINANCE NO. C—2018-19 IS ADOPTED.

REPORTS

Chairperson Nooyen reported that a second meeting in July is not anticipated. Therefore, adjournment is to the first meeting in August, unless a meeting is required due to unforeseen business.

Supervisor T. Thyssen moved, seconded by Supervisor Buchman, to adjourn until August 14, 2018, at 7:00 p.m. (unless a second meeting in July is required, which would be held July 24, 2018, at 7:00 p.m.) VOICE VOTE CARRIED.

The meeting adjourned at 7:57 p.m.



Lori O'Bright, County Clerk