

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

Office of the County Clerk, November 7, 2011

The Board met pursuant to adjournment and was called to order by Board Chairperson Helen Nagler at 5:30 p.m.

ROLL CALL of the Board of Supervisors: 32 present, 4 absent. Members present: C. Schmidt, Nagler, Mahan, Iverson, Rabec, Mueller, Beckley, Strauch, Groat, Gosse, Buechel, Pleuss, Callies, Duncan, De Groot, VandenHeuvel, Trentlage, Hammen, Hirte, Schommer, McDaniel McAndrews, Vander Heiden, Kramer, Austin, Schuette, Weyenberg, A. Schmidt, Culbertson, Griesbach, Thern, Anthony. Member absent: Defferding, Stueck, Janssen, Hofacker.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Defferding and Janssen and Supervisor Nick Hofacker for the first hour. No objections; so ordered.

The Pledge of Allegiance was led by Chairperson Nagler.

Board Chairperson Nagler announced that the annual meeting for purposes of budget adoption would recess and reconvene subject to confirmation by the Board.

SPECIAL ORDER OF BUSINESS – None

ESTABLISH ORDER OF THE DAY

Board Chairperson Nagler reported the following correspondence was placed on the desks relative to the budget:

- 2012 Budget Breakdown of BOW Expenditures & Revenues for Landfill Operations
- Outagamie County Board Annual Budget Procedures
- 2012 Finance Committee Budget Review Final Finance Committee Adjustments as of 10-27-11.
- Updated Position Requests Table - 2012 Budget.

Supervisor Beckley moved, seconded by Supervisor VandenHeuvel, for adoption of the 2012 County Executive Budget and amendments as recommended by the Finance Committee, October 27, 2011, placed on the desks at the Board meeting.

The budgets were taken up by committee in the order as listed below:

**Highway and Solid Waste Committee** - Chairperson Nagler asked the Board if there were any amendments by the Highway and Solid Waste Committee. Supervisor Schuette stated there were no amendments.

**Property, Airport, Recreation & Economic Development Committee** - Chairperson Nagler asked the Board if there were any amendments by the Property, Airport, Recreation & Economic Development Committee. Supervisor Culbertson stated there were no amendments.

**Legislative/Audit and Human Resources Committee** - Chairperson Nagler asked the Board if there were any amendments by the Committee. Supervisor Pleuss stated there were no amendments.

Resolution No. 56—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Sheriff Cost Center, 1008007, by eliminating (1) one full-time Patrol Officer position effective January 1, 2012.

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

ROLL CALL for adoption: 29 aye, 3 nay, 4 absent. RESOLUTION NO. 56—2011-12 IS ADOPTED.

Resolution No. 57—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the UW-Extension Cost Center, 1008500, by eliminating (1) one part-time Four-H Program Assistant position effective December 31, 2011.

Supervisor Weyenberg moved, seconded by Supervisor Griesbach, for adoption.

ROLL CALL for adoption: 32 aye, 4 absent. RESOLUTION NO. 57—2011-12 IS ADOPTED.

Resolution No. 58—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Treasurer/Property Listing Cost Center, 1002411, by eliminating (1) one full-time Cartographer position effective January 1, 2012.

Supervisor Pleuss moved, seconded by Supervisor Griesbach, for adoption.

ROLL CALL for adoption: 32 aye, 4 absent. RESOLUTION NO. 58—2011-12 IS ADOPTED.

Resolution No. 59—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Health and Human Services Cost Center, 2061010, by eliminating (1) one full-time Bilingual Health Aide position effective January 2, 2012.

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

ROLL CALL for adoption: 32 aye, 4 absent. RESOLUTION NO. 59—2011-12 IS ADOPTED.

Resolution No. 60—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Treasurer/Property Listing Cost Center, 1002411, by eliminating (1) one full-time Tax Assessment & Billing Coordinator position effective January 1, 2012.

Supervisor Pleuss moved, seconded by Supervisor C. Schmidt, for adoption.

ROLL CALL for adoption: 32 aye, 4 absent. RESOLUTION NO. 60—2011-12 IS ADOPTED.

Resolution No. 61—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Treasurer/Property Listing Cost Center, 1002411, by eliminating (1) one full-time Map Maker position effective January 1, 2012.

Supervisor Pleuss moved, seconded by Supervisor Griesbach, for adoption.

ROLL CALL for adoption: 32 aye, 4 absent. RESOLUTION NO. 61—2011-12 IS ADOPTED.

Resolution No. 62—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Family Court Commissioner Cost Center, 1003800, by creating (1) one part-time Self Help Center Coordinator position effective January 1, 2012.

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

ROLL CALL for adoption: 30 aye, 2 nay, 4 absent. RESOLUTION NO. 62—2011-12 IS ADOPTED.

Resolution No. 63—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Health and Human Services Cost Center, 2061010, by creating (1) one full-time Emergency Preparedness Planner position effective January 2, 2012.

Supervisor Pleuss moved, seconded by Supervisor A. Schmidt, for adoption.

ROLL CALL for adoption: 28 aye, 4 nay, 4 absent. RESOLUTION NO. 63—2011-12 IS ADOPTED.

Resolution No. 64—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Health and Human Services Cost Center, 2100800, by creating (1) one full-time Mental Health Court Coordinator position effective January 2, 2012.

Supervisor Pleuss moved, seconded by Supervisor A. Schmidt, for adoption.

ROLL CALL for adoption: 28 aye, 4 nay, 4 absent. RESOLUTION NO. 64—2011-12 IS ADOPTED.

Resolution No. 65—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the District Attorney Cost Center, 1003400, by creating (1) one full-time Law Clerk position effective January 2, 2012.

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

ROLL CALL for adoption: 30 aye, 2 nay, 4 absent. RESOLUTION NO. 65—2011-12 IS ADOPTED.

Resolution No. 66—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Sheriff Cost Center, 1008007, by creating (1) one part-time Patrol Officer position effective January 1, 2012.

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

ROLL CALL for adoption: 30 aye, 2 nay, 4 absent. RESOLUTION NO. 66—2011-12 IS ADOPTED.

Resolution No. 67—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Treasurer/Property Listing Cost Center, 1002411, by creating (1) one full-time Property Lister position effective January 1, 2012.

Supervisor Pleuss moved, seconded by Supervisor Mahan, for adoption.

ROLL CALL for adoption: 29 aye, 3 nay, 4 absent. RESOLUTION NO. 67—2011-12 IS ADOPTED.

Resolution No. 68—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Solid Waste Cost Center, 5039000, by creating (1) one full-time Maintenance Technician position effective January 1, 2012.

Supervisor Pleuss moved, seconded by Supervisor Schuette, for adoption.

ROLL CALL for adoption: 25 aye, 7 nay, 4 absent. RESOLUTION NO. 68—2011-12 IS ADOPTED.

Resolution No. 69—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Solid Waste Cost Center, 5039000, by creating (1) one full-time Equipment Operator position effective April 1, 2012.

Supervisor Pleuss moved, seconded by Supervisor Schuette, for adoption.

ROLL CALL for adoption: 25 aye, 7 nay, 4 absent. RESOLUTION NO. 69—2011-12 IS ADOPTED.

Resolution No. 70—2011-12 – Legislative/Audit & Human Resources Committee. Approve of amending the Table of Organization for the Treasurer/Property Listing Cost Center, 1002411, by creating (1) one full-time Property Listing Specialist position effective January 1, 2012.

Supervisor Pleuss moved, seconded by Supervisor A. Schmidt, for adoption.

ROLL CALL for adoption: 28 aye, 4 nay, 4 absent. RESOLUTION NO. 70—2011-12 IS ADOPTED.

Resolution No. 71—2011-12 – Legislative/Audit & Human Resources Committee. Authorize a 1.0% wage adjustment to all AS&P employees effective January 2, 2012.

Supervisor Mahan moved, seconded by Supervisor Griesbach, for adoption.

Supervisor Groat moved, seconded by Supervisor Schuette, to amend the resolution for a 1.5% wage adjustment.

ROLL CALL on amendment: 24 aye, 8 nay, 4 absent. AMENDMENT CARRIED.

ROLL CALL for adoption as amended: 26 aye, 6 nay, 4 absent. RESOLUTION NO. 71—2011-12 IS ADOPTED AS AMENDED.

Resolution No. 72—2011-12 – Legislative/Audit & Human Resources Committee. Authorize a 1.0% increase for the half-day and full-day per diem rates for the Deputy Coroners effective January 1, 2012.

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

Supervisor Groat moved, seconded by Supervisor Pleuss, to amend the resolution for a 1.5% increase.

ROLL CALL on amendment: 15 aye, 17 nay, 4 absent. AMENDMENT IS DEFEATED.

ROLL CALL for adoption: 26 aye, 6 nay, 4 absent. RESOLUTION NO. 72—2011-12 IS ADOPTED.

Ordinance D—2011-12 – Legislative/Audit & Human Resources Committee. Establish compensation for the County Board of Supervisors for the 2012-2014 term of office.

Supervisor A. Schmidt moved, seconded by Supervisor Schuette, for adoption.

Supervisor Kramer moved, seconded by Supervisor C. Schmidt, to amend the resolution on line 14 to reduce the annual compensation to \$4,500 from \$5,000.

ROLL CALL on amendment: 7 aye, 25 nay, 4 absent. AMENDMENT IS DEFEATED.

ROLL CALL for adoption: 27 aye, 5 nay, 4 absent. ORDINANCE D—2011-12 IS ADOPTED.

**Agriculture, Extension Education, Zoning and Land Conservation Committee** - Chairperson Nagler asked the Board if there were any amendments by the Agriculture, Extension Education, Zoning and Land Conservation Committee. Supervisor Anthony stated there were no amendments.

**Public Safety Committee**- Chairperson Nagler asked the Board if there were any amendments by the Public Safety Committee. Supervisor Hirte stated there were no amendments.

**Health and Human Services Committee** - Chairperson Nagler asked the Board if there were any amendments by the Health and Human Services Committee. Supervisor A. Schmidt stated there were no amendments.

**Finance Committee** - Chairperson Nagler asked the Board if there were any amendments by the Finance Committee. Supervisor Beckley stated there were no additional amendments than what was moved with adoption.

*Consider recommendations or amendments from individual Supervisors.*

Supervisor Griesbach moved, seconded by Supervisor Kramer, to include membership in the WCA for 2012 with money to come out of the Contingency Fund, total \$13,000, and transferred into the County Board Operations. Purchased Services, page 5, of the budget.

Supervisor A. Schmidt questioned the ability for a supervisor to take money out of a line account. Corporation Counsel Guidote reported that as this is a County Board budget issue, adding money in would be allowable from the Contingency Fund.

Supervisor Nick Hofacker entered the meeting at 6:07 p.m.

ROLL CALL on amendment: 2 aye, 31 nay, 3 absent. AMENDMENT IS DEFEATED.

Supervisor C. Schmidt moved, seconded by Supervisor Mahan, to pull out all monies associated with the lobbyist in the County Board Operations budget.

ROLL CALL on amendment: 5 aye, 28 nay, 3 absent. AMENDMENT IS DEFEATED.

Supervisor C. Schmidt moved, seconded by Supervisor Kramer, to amend page 475 to pull the funding for East Central Wisconsin Regional Planning Commission out of the budget, \$224,905 from the budget.

ROLL CALL on amendment: 4 aye, 29 nay, 3 absent. AMENDMENT IS DEFEATED.

Supervisor C. Schmidt moved, seconded by Supervisor Kramer, to amend on page 499, the Capital Improvements Program, by reducing \$615,000 for a building addition and parking lot at the Highway Department.

ROLL CALL on amendment: 7 aye, 26 nay, 3 absent. AMENDMENT IS DEFEATED.

ROLL CALL on budget as amended by Finance Committee: 24 aye, 9 nay, 3 absent. MOTION APPROVED – 2012 BUDGET IS ADOPTED AS AMENDED.

Supervisor Schuette moved, seconded by Supervisor Trentlage, to reconsider the budget.

ROLL CALL to reconsider: 25 aye, 8 nay, 3 absent. MOTION CARRIED – 2012 BUDGET IS RECONSIDERED.

ROLL CALL to adopt the budget and lock it in: 25 aye, 8 nay, 3 absent. MOTION CARRIED – 2012 BUDGET IS ADOPTED AS AMENDED AND LOCKED IN.

Resolution No. 73—2011-12 – Finance Committee. Enabling Tax Levy Resolution for 2011, collected in 2012.

Supervisor Gosse moved, seconded by Supervisor Beckley, for adoption.

ROLL CALL for adoption: 27 aye, 6 nay, 3 absent. RESOLUTION NO. 73—2011-12 IS ADOPTED.

Supervisor Groat moved, seconded by Supervisor A. Schmidt, to reconsider the resolution for the purpose of lock in.

ROLL CALL on reconsideration: 25 aye, 8 nay, 3 absent. MOTION CARRIED-RESOLUTION NO. 73-2011-12 IS RECONSIDERED.

ROLL CALL to adopt and lock in: 25 aye, 8 nay, 3 absent. RESOLUTION NO. 73 IS ADOPTED AND LOCKED IN.

Supervisor Beckley requested to suspend the rules to take a 10 minute break and then reconvene to continue the remainder of the business. No objections; so ordered.

The Board reconvened at 7:00 p.m.

**The following items are pertinent to regular business and the 2011 budget.**

MINUTES OF OCTOBER 24 & 25, 2011

Approval of the minutes of October 24, 2011, County Board Meeting Public Hearing on the 2012 Budget.

Supervisor Mueller moved, seconded by Supervisor Vander Heiden, to approve the minutes as presented.

ROLL CALL to approve: 31 aye, 0 nay, 2 abstain, 3 absent. MINUTES OF OCTOBER 24, 2011, ARE APPROVED.

Approval of the minutes of October 25, 2011, County Board Meeting.

Supervisor Strauch moved, seconded by Supervisor Vanden Heuvel, to approve the minutes as presented.

Supervisor C. Schmidt noted a correction on page 7 that the roll call for adoption of Ordinance C should be “5 nay” instead of “5 abstain” as listed. Board Chairperson Nagler asked unanimous consent for approval of the change. VOICE VOTE CARRIED UNANIMOUSLY-MINUTES OF OCTOBER 25, 2011, ARE CORRECTED.

ROLL CALL to approve as corrected: 33 aye, 3 absent. MINUTES OF OCTOBER 25, 2011, ARE APPROVED AS CORRECTED.

#### COMMUNICATIONS

Communications Referral List – None

APPOINTMENTS - None

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY) – No public participation was given at the meeting.

#### REPORT BY THE COUNTY EXECUTIVE

Board Chairperson Nagler reported that the County Executive reported he had nothing additional to report with the budget.

#### REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported the following:

- AB 152, Airport Improvement Program – The Assembly passed the bill on Tuesday and it is now in the Senate Transportation Committee.
- SB 125, Pothole Liability bill – Passed the Senate and the bill is now awaiting Assembly floor action.
- SB 212, Nursing Home Regulation Changes – Brewster Village is in favor of the bill, but no position has been approved by the County Board. This bill passed both houses and is awaiting the Governor’s signature.
- List of Current Bills - On the desks was a list of bills that Lobbyist Wadium is currently monitoring.
- Department of Administration (DOA) fiscal analysis of State fiscal situation – The DOA came out with a report for the Joint Finance Committee. The six month projection is that the State will be in the red. The link to the analysis is:  
[http://legis.wisconsin.gov/lfb/jfc/Reports/2011\\_10\\_31\\_DOA%20Report%20on%20general%20fund%20and%20quarter%20report\(10.31.2011\).pdf](http://legis.wisconsin.gov/lfb/jfc/Reports/2011_10_31_DOA%20Report%20on%20general%20fund%20and%20quarter%20report(10.31.2011).pdf)
- Department of Health Services (DHS) – DHS gave a briefing to members of the Joint Finance Committee and another briefing for other Legislators and staff on pending cuts to Medicaid benefits. The link is:  
<http://www.dhs.wisconsin.gov/mareform/FinalJFCSubmission10.31.11.pdf>.
- Attorney General (AG) Opinion on Highway Competitive Bidding – An opinion was requested by Brown County regarding this issue. The AG concluded that a county board in a county with a county executive cannot enact an ordinance requiring competitive bidding on a joint county-municipal highway project.
- HR 674 - Federal legislation amending the IRS Code to eliminate the current requirement that government at all levels withhold 3 percent of payments to government contractors in order to ensure proper tax payments. This legislation has moved out of the House and is being considered in the Senate. It passed the House 405-16.

- Federal Joint Budget Reduction Committee – The supercommittee has 16 days to reach an agreement for the federally mandated cuts. If an agreement is not reached, the federal government should not have their bond rating reduced because of automatic cuts that will occur.

A question and answer period followed the report.

UNFINISHED BUSINESS

Resolution No. 45—2011-12 – Property, Airport, Recreation and Economic Development Committee. Require that the Airport Director only pursue land acquisition of property within the boundaries of County Highway BB, State Highway 76, State Highway 96 and County Highway CB.

Supervisor Stueck requested at the September 27, 2011, Board meeting that Resolution No. 45—2011-12 be held in committee. No objection; so ordered. The Property/Airport Committee held the resolution until November 7, 2011. At the November 7, 2011, Meeting, Supervisor Culbertson withdrew the main resolution and recommended proceeding with Substitute Resolution No. 45-2011-12. No objections; so ordered.

Substitute Resolution No. 45—2011-12 - Property, Airport, Recreation and Economic Development Committee. Establish a policy for property acquisition for the airport outside of the boundaries of County Highway BB, State Highway 76, State Highway 96 and County Highway CB.

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

ROLL CALL for adoption: 30 aye, 3 nay, 3 absent. RESOLUTION NO. 45—2011-12 IS ADOPTED.

NEW BUSINESS

Resolution No. 74—2011-12 – Highway & Solid Waste Committee. Authorize the Highway Department to work with the City of Appleton on the reconstruction of County E from an existing four-lane facility to a three-lane roadway with the City of Appleton agreeing to accept the jurisdiction of County E between Highway 96 and County OO, and authorize the Highway Commissioner to execute the contract for the aforementioned reconstruction. NOTE: A large map was posted relative to Resolution No. 74—2011-12 the evening of the Board meeting.

Supervisor Schuette moved, seconded by Supervisor A. Schmidt, for adoption.

ROLL CALL for adoption: 30 aye, 3 nay, 3 absent. RESOLUTION NO. 74—2011-12 IS ADOPTED.

Resolution No. 75—2011-12 – Public Safety Committee. Approve a budget transfer of \$7,000 from Clerk of Courts Purchased Services and \$4,700 from Circuit Court Systems Purchased Services to the Clerk of Courts and Circuit Court System Capital Outlay accounts, as listed on the fiscal note, to procure different copy machines.

Supervisor Strauch moved, seconded by Supervisor Hirte, for adoption.

ROLL CALL for adoption: 32 aye, 1 nay, 3 absent. RESOLUTION NO. 75—2011-12 IS ADOPTED.

Resolution No. 76—2011-12 – Public Safety Committee. Approve of the Sheriff's Department applying for, accepting and expending the 2012 Speed Enforcement grant in the amount of \$30,000, as noted on the fiscal note attached to the resolution, with this grant requiring a \$7,500 County match that is budgeted, and approve of adjusting the 2011 Budget as the grant is from October 2011 through September 2012.

Supervisor McAndrews moved, seconded by Supervisor Hirte, for adoption.

ROLL CALL for adoption: 30 aye, 3 nay, 3 absent. RESOLUTION NO. 76—2011-12 IS ADOPTED.

Resolution No. 77—2011-12 – Public Safety Committee. Approve of the Sheriff's Department applying for, accepting and expending the 2012 Alcohol Enforcement grant in the amount of \$30,000, as noted on the fiscal note attached to the resolution, with this grant requiring a \$7,500 County match that is budgeted, and approve of adjusting the 2011 Budget as the grant is from October 2011 through September 2012.

Supervisor Hirte moved, seconded by Supervisor Strauch, for adoption.

ROLL CALL for adoption: 31 aye, 2 nay, 3 absent. RESOLUTION NO. 77—2011-12 IS ADOPTED.

Resolution No. 78—2011-12 – Public Safety Committee. Approve of the Sheriff's Department applying for, accepting and expending the 2012 Seat Belt Enforcement grant in the amount of \$30,000, as noted on the fiscal note attached to the resolution, with this grant requiring a \$7,500 County match that is budgeted, and approve of adjusting the 2011 Budget as the grant is from October 2011 through September 2012.

Supervisor Hirte moved, seconded by Supervisor McAndrews, for adoption.

ROLL CALL for adoption: 30 aye, 3 nay, 3 absent. RESOLUTION NO. 78—2011-12 IS ADOPTED.

Resolution No. 79—2011-12 – Legislative/Audit & Human Resources Committee. Approve and adopt the County Supervisory Plan for Outagamie County apportioned into 36 supervisory districts as noted on Map 36 A. *NOTE:* A large version of Map 36 A was posted in the County Board Room the evening of the meeting.

Supervisor Pleuss moved, seconded by Supervisor Mahan, for adoption.

ROLL CALL for adoption: 28 aye, 5 nay, 3 absent. RESOLUTION NO. 79—2011-12 IS ADOPTED.

Supervisor Callies moved, seconded by Supervisor Pleuss, to reconsider Resolution No. 79—2011-12 for the purpose of lock in.

ROLL CALL: 29 aye, 4 nay, 3 absent. MOTION CARRIED-RESOLUTION NO. 79—2011 IS RECONSIDERED.

ROLL CALL to adopt and lock in: 29 aye, 4 nay, 4 absent. RESOLUTION NO. 79—2011-12 IS ADOPTED AND LOCKED IN.

## REPORTS

County Clerk O'Bright reported County Board supervisory election nomination papers and paperwork would be prepared and ready for supervisor pickup in the office Friday, November 18, 2011. The Clerk's Office was awaiting new maps from redistricting, which the Planning Department was preparing and would have available by that date. Supervisors can begin circulating nomination papers for signatures on December 1, 2011, and nomination papers are due to be filed in the County Clerk's Office by 5:00 p.m. on January 3, 2012.

Supervisor Callies moved, seconded by Supervisor Kramer, to suspend County Board Rule, Section 2-20 – Meetings of the County Board (c) to not hold a second meeting in November. VOICE VOTE CARRIED – RULES ARE SUSPENDED TO NOT HOLD A SECOND MEETING IN NOVEMBER.

Supervisor Hofacker moved, seconded by Supervisor Vander Heiden, to adjourn until December 13, 2011. VOICE VOTE CARRIED.

The meeting adjourned at 7:32 p.m.

\s\ Lori O'Bright  
County Clerk