

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

Office of the County Clerk, October 11, 2011

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 in the Administrative Building, 410 S. Walnut Street, Appleton, WI.

ROLL CALL of the Board of Supervisors: 33 present, 3 absent. C. Schmidt, Nagler, Mahan, Defferding, Iverson, Mueller, Beckley, Stueck, Strauch, Groat, Gosse, Janssen, Buechel, Callies, Duncan, De Groot, VandenHeuvel, Trentlage, Hammen, Hirte, Schommer, McDaniel, McAndrews, Vander Heiden, Kramer, Austin, Schuette, Weyenberg, Hofacker, A. Schmidt, Griesbach, Thern, Anthony. Member absent: Culbertson, Pleuss, Rabec.

The Board Chairperson requested the Board's confirmation to excuse Supervisors Culbertson and Pleuss. No objection; so ordered.

The Pledge of Allegiance was led by Supervisor Trentlage.

MINUTES OF SEPTEMBER 27, 2011

Supervisor Duncan moved, seconded by Supervisor Schommer, to approve the minutes of the September 27, 2011, County Board meeting.

Supervisor Rabec arrived at the meeting.

ROLL CALL: 33 aye, 1 abstain, 2 absent. MINUTES OF SEPTEMBER 27, 2011, ARE ADOPTED.

SPECIAL ORDER OF BUSINESS - None

ESTABLISH ORDER OF THE DAY - No changes to the order of the day.

COMMUNICATIONS

Communication Referral List - None.

Memo from Supervisor Paul Hirte regarding radio communications and a summary of FoxComm and radio project highlights. Supervisor Hirte reported that the communication gives an update of the radio project. Specific questions should be directed to Legislative Services by October 17 so that those questions could be presented to the Sheriff, MIS, or Motorola. Supervisors may also contact Supervisor Hirte. A Special Order of Business could be held on October 25, if necessary, for follow-up to questions.

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY) - No one requested to speak.

APPOINTMENTS

A letter was received from County Executive Nelson requesting the appointment of Deputy Administrator Craig Moser to the Sustainability Committee.

Supervisor Mahan moved, seconded by Supervisor Griesbach, to approve the above listed appointment.

ROLL CALL: 33 aye, 1 abstain, 2 absent. MOTION CARRIED – APPOINTMENT OF CRAIG MOSER TO THE SUSTAINABILITY COMMITTEE IS APPROVED.

A letter was received from County Executive Nelson requesting the appointment of Deputy Administrator Craig Moser, County Executive representative, to the Coordinating Council, said term expiring April 2012.

Supervisor Strauch moved, seconded by Supervisor Mahan, to approve the above listed appointment.

ROLL CALL: 33 aye, 1 nay, 2 absent. MOTION CARRIED – APPOINTMENT OF CRAIG MOSER TO THE COORDINATING COUNCIL IS APPROVED.

A letter was received from County Executive Nelson requesting the re-appointment of Robert Schuh as alternate on the Board of Adjustment Zoning Ordinance, said term expiring June 30, 2014.

Supervisor Trentlage moved, seconded by Supervisor Defferding, to approve the above listed re-appointment.

ROLL CALL: 31 aye, 3 nay, 2 absent. MOTION CARRIED – RE-APPOINTMENT OF ROBERT SCHUH AS ALTERNATE ON THE BOARD OF ADJUSTMENT ZONING ORDINANCE IS APPROVED.

A letter was received from County Executive Nelson requesting the re-appointment of Michael Spurlock to the Loan Review Committee, said term expiring January 2014.

Supervisor Groat moved, seconded by Supervisor Beckley, to approve the above listed re-appointment.

ROLL CALL: 33 aye, 1 nay, 2 absent. MOTION CARRIED – RE-APPOINTMENT OF MICHAEL SPURLOCK TO THE LOAN REVIEW COMMITTEE IS APPROVED.

A letter was received from County Executive Nelson requesting the appointment of Nick Cluppert, community group/VOAD representative, and the re-appointment of Gary Schmidt, community group representative, to the Local Emergency Planning Committee, said terms expiring June 2014.

Supervisor Griesbach moved, seconded by Supervisor DeGroot, to approve the above listed appointment and re-appointment.

ROLL CALL: 33 aye, 1 abstain, 2 absent. MOTION CARRIED – APPOINTMENT OF NICK CLUPPERT AND RE-APPOINTMENT OF GARY SCHMIDT TO THE LOCAL EMERGENCY PLANNING COMMITTEE ARE APPROVED.

A letter was received from County Executive Nelson requesting the re-appointment of Bruce Siebers to the Heart of the Valley Metropolitan Sewerage Commission, said term expiring October 1, 2016.

Supervisor DeGroot moved, seconded by Supervisor Hammen, to approve the above listed re-appointment.

ROLL CALL: 34 aye, 2 absent. MOTION CARRIED – RE-APPOINTMENT OF BRUCE SIEBERS TO HEART OF THE VALLEY METROPOLITAN SEWERAGE COMMISSION IS APPROVED.

A letter was received from County Executive Nelson requesting the appointments of Chris Lashock, Non-Profit representative; Lisa Schneider, Non-Profit alternate representative; Brandt Swardenski, Public Defenders Office representative; and Jon Padgham, Public Defenders Office alternate representative, to the Coordinating Council, said terms expiring April 2012.

Supervisor Groat moved, seconded by Supervisor Duncan, to approve the above listed appointments.

ROLL CALL: 34 aye, 2 absent. MOTION CARRIED – APPOINTMENTS OF CHRIS LASHOCK, LISA SCHNEIDER, BRANDT SWARDENSKI, AND JON PADGHAM TO THE COORDINATING COUNCIL ARE APPROVED.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson congratulated the following supervisors on birthdays: Marcia Trentlage – October 13, John Mueller – October 15, Tanya Rabec – October 21, and Daniel Buechel – October 23. A round of applause was given each supervisor.

County Executive Nelson reported on the following:

- Parks - Mosquito Hill held their annual Harvest Moon Festival this weekend and the weather cooperated, resulting in over 900 in attendance. Reservations are now completed for the season and parks staff is winterizing.
- MIS - An upgrade to the e-mail server will be completed in the next week.
- Maintenance - The elevator project at the Justice Center was completed on September 30. Work is underway at the UW-Fox Valley Engineering Building.
- Highway - Work continues on CTH JJ near Hortonville and should be completed in three weeks. Wisconsin Central has begun work on the railroad crossing upgrade on the Kaukauna CTH J crossing, which should be completed by the end of the week. Wisconsin Central will also be upgrading the CTH BB crossing in Grand Chute next week.
- Airport – The final 2011 Old Glory Honor Flight occurred October 8.
- Brewster Village – Supervisors were invited to join Brewster Village in celebrating their 10th anniversary October 19. There will be tours, refreshments entertainment & speakers. The Open House begins at 5:30 p.m. with the program beginning at 6 p.m.
- Health & Human Services - Staff participated in the Convoy of Hope event October 8 at Fox Valley Technical College. They provided 65 bike helmets to children, vaccinated 30 individuals and had a very well-received hand washing station. Information and resources

were provided on various county programs and services. Outagamie County was well represented.

- Lean Government Conference – Executive Nelson led a delegation of five department heads and one supervisor to the Wisconsin Lean Government Conference October 10 in Madison. He thanked Supervisor Duncan for his encouragement on this issue and reported that he will work with department heads to implement some Lean pilot projects in Outagamie County.

Budget Summary Message: Executive Nelson acknowledged all those who collaborated with the budget effort. Also, he acknowledged the sacrifice of employees for their pension contributions, which approximate 6% reimbursement of their salary. Highlights to the budget include: 1) Lowest levy adjustment in twenty years; if the FamilyCare unfunded liability had not been needed to be funded, the budget would have contained a tax cut; 2) the budget is \$1.7 million under the levy limit; 10% increase in general fund working fund capital balance and 180% cash investment in capital projects; 3) a segregated cost center for undetermined expenses related to FamilyCare is established with projected costs of \$1-2.4 million for court-order or mandated services. The budget includes \$2.4 million to cover the projected costs from county levy dollars and Fund Balance Applied funding; excess will lapse to reserves to reduce the levy in future budgets; 4) Graphs on pages 4 and 5 of the 2012 Budget capture the state of the County finances and include the tax levy adjustments over time and the price change between inflation and the year-to-year impact on the average homeowner. Following are some selection highlights: Fund Balance Applied/Delinquent Taxes: \$6.7 million of fund balance is applied. \$5.5 million is being used to fund one-time capital improvements; \$325,000 is utilized for the Other Insurance Risk Fund; and \$850,000 to reduce the tax levy. Delinquent taxes increased 42 percent and stand at \$8.4 million. General Administration – The contingency fund is set for \$453,954, the same as last year. The budget includes a \$22.9 million debt issuance for funding highway construction, solid waste equipment, airport general aviation improvements, the mandated 700 Mhz. public safety radio system and infrastructure and mechanical retrofitting of the County Administration Building. Health & Human Services (HHS) – The 2012 budget is projected to decrease by \$2.3 million for expenditures other than family care. A statistic of concern is a 91% increase in foster care and residential care services for children; largely due to growing economic downturn. Brewster Village - includes a 9.6 percent, or \$397,503, tax levy decrease. The tax levy is \$3.747 million or 19 percent of total funding for the facility. Solid Waste – Next year Outagamie will host landfilling for the Brown, Outagamie, Winnebago (BOW) consortium. The new Northeast Landfill will serve BOW for 10-13 years. Landfill fees were not increased.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

County Lobbyist Mark Wadium reported the following:

- County Supported AB-180/SB-125 Pothold Bills – Both bills have had public hearings. SB 125 is most likely to get voted out of committee first. Similar bills have passed and been vetoed before. Lobbyist Wadium met with the Governor's office on the bills, but he is not sure the outcome should they be forwarded.
- County Supported AB152- State aid for airport improvement projects – A public hearing has been held. The road builders have opposed the legislation. Lobbyist Wadium continues to try to get the vote out of the Assembly Transportation Committee.
- Court Administrative Rule on Civil Gideon – Lobbyist Wadium testified before the Supreme Court on this rule. He will post information on the bulletin board and information is available at: <http://www.wicourts.gov/scrules/1008.htm>. This rule provides right to counsel

for civil cases of individuals who are up to 200% of federal poverty be provided an attorney if they cannot afford one, and the county would have to provide the funding. The projection is that will cost \$56 million statewide and approximately \$1.68 million for Outagamie County. An administrative review will occur on October 18 and Lobbyist Wadium will attend to monitor the decision.

- Overweight Trucks – Lobbyist Wadium held a meeting recently on overweight trucks, which the County has a position again granting further exemptions. Bills are scheduled for floor action October 18 with one of them taking the current 80,000 lb. limit to 90,000 lbs. by increasing axles from five to six. Current federal law prohibits those trucks from driving on interstate, which would then require them to drive on state and county roads.
- Chapter 51 changes – Two LRB drafts deal with emergency detentions. Lobbyist Wadium and a number of police chiefs attended a meeting regarding these detentions. Current law has problems and a Legislative Study Committee reviewed the law for re-write, but no consensus was reached. Some groups want the ability to detain, but the costs would be a county burden.
- Federal Hwy and Airport funding – A stop gap bill was completed.
- President's job proposal had a concern with a change to tax exempt bonds that local government issues, which could drive up borrowing costs.
- Surface Transportation – The House GOP agreed to fully funding the surface transportation, which is paid for by federal gas tax. An additional annual \$15 billion in funding needs to be determined. Otherwise, the State of Wisconsin would face a 35 percent cut.

UNFINISHED BUSINESS

Resolution No. 41—2011-12 – Public Safety Committee. Support criminalizing violation of the 72 hour no-contact condition for domestic abuse offenders.

Supervisor Hirte requested at the September 27, 2011, Board meeting that Resolution No. 41—2011-12 be held in committee. No objection; so ordered.

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

ROLL CALL: 30 aye, 4 nay, 2 absent. RESOLUTION NO. 41—2011-12 IS ADOPTED.

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 motion approved holding the resolution in committee until October 25, 2011.

NEW BUSINESS

Resolution No. 47—2011-12 – Property, Airport, Recreation and Economic Development Committee. Approve of a one-year extension of the Development Agreement between Outagamie County and Casaloma Holdings, LLC: Rollie Winter & Associates, Bomier Properties and Keller, Inc. to expire December, 2012.

Supervisor Stueck moved, seconded by Supervisor Rabec for adoption.

ROLL CALL: 32 aye, 2 nay, 2 absent. RESOLUTION NO. 47—2011-12 IS ADOPTED.

Resolution No. 48—2011-12 – Finance Committee. Authorize a transfer of \$41,700 from the 2010 Capital Projects cost center (4390200) to the Capital Projects cost center (4390400), as noted on the attached fiscal note, for funding Continuity of Operations equipment of an Uninterruptable Power Supply unit and environmental controls.

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

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. 48—2011-12 IS ADOPTED.

REPORTS

The following rezoning petition has been received by Timothy P. Roach, Zoning Administrator:

From the Town of Center

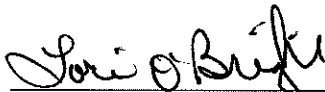
- Petitioner: Robert Peterson
- Proposed rezoning from General Agricultural District to Local Commercial District

Chairperson Nagler announced the following upcoming meetings:

- Monday, October 24 – 6:00 p.m. – Public Hearing on the 2012 Budget
- Tuesday, October 25 – 6:30 p.m. – Regular County Board Meeting
- Monday, October 31 – 5:00 p.m. – Public Hearing on the Final Redistricting Plan

Supervisor Hirte moved, seconded by Supervisor Defferding, to adjourn until October 24, 2011, at 6:00 p.m. VOICE VOTE CARRIED.

The meeting adjourned at 7:25 p.m.



County Clerk

ROLL CALL SUMMARY September 27, 2011 COUNTY BOARD MEETING

DIST. NO.	NAME	NO. OF ROLL	NO. VOTES	CUMULATIVE	NO. VOTES
		CALLS TAKEN	CAST THIS	CALLS TAKEN	CAST THIS
		THIS MEETING	MEETING	THIS TERM	TERM
1	C. Schmidt	18	18	135	135
2	Nagler	18	18	135	135
3	Mahan	18	18	135	135
4	Defferding	18	18	135	135
5	Iverson	18	18	135	127
6	Rabec	18	18	135	135
7	Mueller	18	18	135	135
8	Beckley	18	18	135	127
9	Stueck	18	18	135	113
10	Strauch	18	18	135	128
11	Groat	18	18	135	115
12	Gosse	18	18	135	127
13	Janssen	18	18	135	129
14	Buechel	18	18	135	135
15	Pleuss	18	18	135	113
16	Callies	18	0	135	117
17	Duncan	18	18	135	127
18	DeGroot	18	18	135	135
19	VandenHeuvel	18	18	135	135
20	Trentlage	18	18	135	112
21	Hammen	18	18	135	135
22	Hirte	18	18	135	128
23	Schommer	18	18	135	127
24	McDaniel	18	18	135	135
25	McAndrews	18	18	135	100
26	Vander Heiden	18	18	135	135
27	Kramer	18	18	135	135
28	Austin	18	18	135	135
29	Schuette	18	18	135	135
30	Weyenberg	18	18	135	113
31	Hofacker	18	18	135	135
32	A. Schmidt	18	18	135	135
33	Culbertson	18	0	135	117
34	Griesbach	18	18	135	135
35	Thern	18	18	135	135
36	Anthony	18	18	135	135