

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

Office of the County Clerk, September 27, 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: 34 present, 2 absent. C. Schmidt, Nagler, Mahan, Defferding, Iverson, Rabec, Mueller, Beckley, Stueck, Strauch, Groat, Gosse, Janssen, Buechel, Pleuss, Duncan, De Groot, VandenHeuvel, Trentlage, Hammen, Hirte, Schommer, McDaniel, McAndrews, Vander Heiden, Kramer, Austin, Schuette, Weyenberg, Hofacker, A. Schmidt, Griesbach, Thern, Anthony. Member absent: Callies, Culbertson.

The Board Chairperson requested the Board's confirmation to excuse Supervisor Callies and Supervisor Culbertson. No objections; so ordered.

The Invocation and Pledge of Allegiance were led by Supervisor Anthony.

MINUTES OF SEPTEMBER 13, 2011

Supervisor Mueller moved, seconded by Supervisor Defferding, to approve the minutes of the September 13, 2011, County Board meeting.

ROLL CALL: 32 aye, 2 abstain, 2 absent. MINUTES OF SEPTEMBER 13, 2011, ARE ADOPTED.

SPECIAL ORDER OF BUSINESS - None

ESTABLISH ORDER OF THE DAY

Supervisor Griesbach requested permission to distribute information relative to Resolution 40—2011-12.

Supervisor Pleuss moved, seconded by Supervisor Defferding, to suspend the rules to allow Supervisor Griesbach to distribute the information

ROLL CALL: 25 aye, 9 nay, 2 absent. MOTION CARRIED – RULES SUSPENDED TO ALLOW DISTRIBUTION OF INFORMATION FROM SUPERVISOR GRIESBACH.

Supervisor Stueck reported that Resolution No. 45—2011-12 was held in committee. Supervisor Hirte requested Resolution No. 41—2011-12 be held in committee. No objection; so ordered.

COMMUNICATIONS

Communication Referral List – Sent out in the packet.

Chairperson Nagler reported that distributed on the desks was a press release from County Executive Nelson regarding a response to an article on the Fox Cities Exhibition Center.

PUBLIC PARTICIPATION FOR A PERIOD OF FIFTEEN MINUTES (PERTINENT TO THE RESOLUTIONS OF THE DAY) – No requests were made to speak.

APPOINTMENTS – No appointments.

REPORT BY THE COUNTY EXECUTIVE

County Executive Thomas Nelson introduced newly appointed Circuit Court 4 Judge Greg Gill Jr. A round of applause was given. County Executive Thomas Nelson reported no recent supervisor birthdays have occurred. Executive Nelson reported the following:

- Press Release – A press release was issued regarding the Fox Cities Exhibition Center that the County has not committed to donating land as reported in an article.
- Highway Department – CTH JJ between STH 15 and STH 76 will be wrapping up road construction this week with paving starting next month. CTH GV and CTH CB roundabout right-of-way acquisition has begun. CN Railway has indicated that railroad crossing repairs at CTH J will be completed by October 14. CTH B railroad repairs are scheduled to begin later this year and should be completed by December 2011.
- Solid Waste & Recycling – Holland Road reconstruction has begun and will be completed in approximately six weeks. As part of that reconstruction, the County must now pay \$300,000 into the Landfill Trust Fund for the Villages of Little Chute, Town of Vandebroek, and Town of Grand Chute for Holland Road. The agreement that was signed in 2005 will pay the communities \$1.5 million in total over the life of the NE landfill site for those communities for infrastructure. Once the NE landfill becomes operational, the County will need to pay \$187,500 annually into that trust fund until the cap of \$1.5 million is reached.
- Airport – Vinton Construction has started to mobilize for a terminal apron replacement project. The project is funded 95% FAA funds, 2.5% State Bureau of Aeronautics, and 2.5% of Airport funds. The project will be completed by mid-November. An Old Glory Honor Flight will occur on October 8 with the plane scheduled to return to Outagamie County at 8:15 p.m.
- Brewster Village – The Sunshine Club had a great time at Octoberfest and sold 248 dog bones completed by the residents. Also, the food stand did well. Brewster Village marks its 10th anniversary on October 1, and they are planning an open house/celebration on October 19. More details to follow.
- Land Conservation – Kudos to Greg Baneck and his staff on Conservation Field Days recently held. Approximately 700 students attended. Executive Nelson served as a tour guide and he thanked Supervisors Anthony and Hammen for their participation as well as UW-Extension and Planning Departments.
- UW-Extension – Kudos to 4H for their Volunteer Leader Banquet held last week. The Executive attended.
- OWLS Board – The Executive still needs a County Board member to serve on the OWLS Board. The term expires December 31, 2011. If interested, please contact Executive Nelson.

During the question and answer period following Executive Nelson's report, the following information was shared:

- County Executive Nelson endorses Resolution 42 and he agreed that additional presentation for information purposes might be necessary for clarity for the County Board.
- County Executive Nelson reported an update on the Fox Cities Exhibition Center that he reported to Property/Airport Committee Chair Culbertson that he desired to report to the Committee. However, Supervisor Culbertson was leaving on vacation. An appraisal has been returned and discussions have been held with Mayor Hanna and other parties involved. Property will not be donated. The Mayor is very interested in moving forward the project quickly. An offer may be forthcoming within the next couple of weeks. The process is that the County Executive is the party to negotiate and those negotiations must be brought back to the County Board for decision. Discussions not only include the sale of the parking area but will also address future parking issues for the County.

REPORT AND PRESENTATION OF COUNTY LOBBYIST

Chairperson Nagler reported that County Lobbyist Mark Wadium would not report out at the meeting due to the recent WCA Convention reports given to supervisors.

UNFINISHED BUSINESS - None

NEW BUSINESS

Resolution No. Z-25—2011-12 – Agriculture, Extension Education, Zoning and Land Conservation Committee. Approve of a proposed rezoning in the Town of Grand Chute from Two-Family Residence to Single Family District for lot 11 of Geo Grimmer Subdivision.

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

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. Z-25—2011-12 IS ADOPTED

Resolution No. 39—2011-12 – Finance Committee. Approve of calling the 2012 through 2016 maturities of the 2011 A Bonds and the 2012 to 2016 maturities of the 2011 B Bonds for redemption on November 1, 2011, with County funds on hand.

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

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. 39—2011-12 IS ADOPTED.

Supervisor Beckley moved, seconded by Supervisor Groat, to reconsider Resolution 39—2011-12 for the purpose of locking in the resolution.

ROLL CALL for reconsideration: 33 aye, 1 nay, 2 absent. MOTION CARRIED.

ROLL CALL to adopt and lock in: 33 aye, 1 abstain, 2 absent. RESOLUTION NO. 39—2011-12 IS ADOPTED AND LOCKED IN.

Resolution No. 40—2011-12 – Highway and Solid Waste Committee. Authorize the Highway Department to complete paving of various access roads for the Solid Waste Department with the total amount projected to be \$114,000.

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

Supervisor Griesbach explained the handout given to the County Board (a copy available in the County Clerk's Office). The information contained bids and Highway proposal prices for work for local municipalities.

Supervisor Beckley requested clarification from Corporation Counsel Guidote on bids versus proposals given by the Highway Department. Corporation Counsel Guidote reported that he would need to consider the question for a proper reply and that would take some time. Supervisor Beckley requested the information be given via the Highway/Solid Waste Committee.

ROLL CALL: 30 aye, 2 nay, 2 abstain, 2 absent. RESOLUTION NO. 40—2011-12 IS ADOPTED

Supervisor Schuette moved, seconded by Supervisor A. Schmidt, to reconsider Resolution 40—2011-12 for the purpose of locking in the resolution.

ROLL CALL for reconsideration: 29 aye, 5 nay, 2 absent. MOTION CARRIED.

ROLL CALL to adopt and lock in: 28 aye, 4 nay, 2 abstain, 2 absent. RESOLUTION NO. 40—2011-12 IS ADOPTED & LOCKED IN.

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

Held in committee under Establish Order of the Day.

Resolution No. 42—2011-12 – Public Safety Committee. Approve of the County Board going on record supporting the multi-county 700 MHz project and request that the County Sheriff continue to pursue a joint public safety answering point (PSAP) with Winnebago County.

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

Supervisor McAndrews moved, seconded by Supervisor Mueller, to refer Resolution 42—2011-12 back to committee for further information.

Chairperson Nagler requested Vice Chairperson A. Schmidt to take the chair.

Supervisor Mahan moved, seconded by Supervisor C. Schmidt, to cut off debate.

ROLL CALL: 19 nay, 15 aye, 2 absent. MOTION DEFEATED.

Chairperson Nagler retook the Chair.

Supervisor A. Schmidt moved, seconded by Supervisor Mahan, to cut off debate.

ROLL CALL to cut off debate: 30 aye, 4 nay, 2 absent. MOTION CARRIED.

ROLL CALL on referral: 8 aye, 25 nay, 1 abstain, 2 absent. MOTION DEFEATED.

The time was 8 p.m. and a normally scheduled break was required according to rules. Supervisor A. Schmidt moved, seconded by Supervisor Hirte, to suspend the rules to continue business and not take a break.

ROLL CALL: 28 aye, 6 nay, 2 absent. MOTION CARRIED – RULES SUSPENDED TO CONTINUE BUSINESS.

Supervisor Beckley moved, seconded by Supervisor Duncan, to amend Resolution #42 as follows: on line 7 and line 15 after the words “Winnebago County,” add “and other counties with compatible radio equipment as their interest indicates” and on line 18 after the words “County Clerk,” add “other counties who express interest.”

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

ROLL CALL to adopt as amended: 31 aye, 3 nay, 2 absent. RESOLUTION NO. 42—2011-12 IS ADOPTED AS AMENDED.

Resolution No. 43—2011-12 – Property, Airport, Recreation and Economic Development Committee. Approve of a five year lease agreement with Bemis Company for the use of airport hanger and office space for an annual lease rate of \$76,047.96.

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

ROLL CALL: 34 aye, 2 absent. RESOLUTION NO. 43—2011-12 IS ADOPTED

Resolution No. 44—2011-12 – Highway and Solid Waste Committee. Authorize transferring the following funds: \$89,000 from the STH S Bridge Project, \$30,000 from the CTH CE & HH Intersection project and \$6,000 from the CTH KK & DeBruin project for a total of \$125,000, to purchase right of way at the intersection of CTH CB & GV.

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

ROLL CALL: 32 aye, 2 nay, 2 absent. RESOLUTION NO. 44—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.

Held in committee under Establish Order of the Day.

Resolution No. 46—2011-12 – Public Safety Committee. Authorize the creation of a mental health court to be funded with grant monies and accept and expend the Mental Health Collaboration Program Grant in the amount of \$250,000.

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

ROLL CALL: 30 aye, 4 nay, 2 absent. RESOLUTION NO. 46—2011-12 IS ADOPTED

REPORTS

County Clerk O'Bright reported that the Legislative Services Office requested those supervisors who attended the WCA Convention turn into their office their expenses and hotel invoices.

Clerk O'Bright further reported that she attended the Wisconsin County Clerks Fall Conference. At the Conference, the State Government Accountability Board (GAB) reported to the clerks for four hours. The report included that the GAB is providing speakers to discuss Act 23 (also known as Photo ID legislation) to discuss the legislation with community groups. The GAB requests a period of 90 minutes for their presentation on the legislation. Supervisors were encouraged to let community groups in their districts know of this resource, and the County Clerk would be willing to connect those groups with the GAB.

Supervisor Defferding moved, seconded by Supervisor Rabec, to adjourn until October 11, 2011, at 6:30 p.m. VOICE VOTE CARRIED.

The meeting adjourned at 8:17 p.m.

\s\ Lori O'Bright
County Clerk