

**WAUPACA COUNTY BOARD OF SUPERVISORS
ANNUAL SESSION
NOVEMBER 17, 2000**

County Board Chair Brown called the meeting to order at 9:00 a.m. with 24 members present.

	Supervisors entitled to seats:
District 1:	Rose Mary Sasse
District 2:	Dennis Kussmann
District 3:	Dick Koeppen
District 4:	Donald L. Steenbock
District 5:	James Flink
District 6:	Lloyd Mares
District 7:	Raymond M. Arndt
District 8:	Donald Aasen
District 9:	Donald J. Peterson
District 10:	Gene Sorensen
District 11:	Fred J. Rasmussen
District 12:	Robert H. Whitman
District 13:	Eunice Lawrence
District 14:	Donald E. Fabricius
District 15:	Kenneth Hurlbut
District 16:	John F. Penney
District 17:	Dale Bonikowske
District 18:	Patricia Craig
District 19:	Kay Hillskotter
District 20:	William Jonely
District 21:	Carl Kietzmann
District 22:	G. Robert Flease
District 23:	Dona Gabert
District 24:	Jack Algiers
District 25:	Duane R. Brown
District 26:	James Loughrin
District 27:	Gary Barrington

Supr. Barrington was excused. Supr. Steenbock arrived at 9:10 a.m.

County Board Chair Brown made the opening statement that this meeting and all other meetings of this board are open to the public. Proper notice has been posted and given to the press, in accordance with Wisconsin Statutes so the citizenry may be aware of the time, place and agenda of this meeting.

Pledge of Allegiance was said by all followed by a moment of silence.

Supr. Rasmussen moved and Supr. Koeppen seconded the motion to approve the agenda as amended. Motion carried 25-0.

Supr. Flink moved and Supr. Arndt seconded the motion to approve the minutes from the previous meeting. Motion carried 25-0.

**INTRODUCTION OF FAMILY LIVING EDUCATOR
Kelly Cole**

Supr. Lawrence introduced Kelly Cole. Kelly is originally from southwest Missouri and graduated from the University of Missouri-Columbia. Kelly will familiarize herself with what has been done in the past and what she will do in the future and getting to know people. Kelly is glad to be here.

**PUBLIC HEARING FOR THE 2001 BUDGET
AND
TRANSPORTATION SERVICES PROGRAM 85.21**

Supr. Mares moved and Supr. Kussmann seconded the motion to open the public hearing for the 2001 budget. Motion carried 25-0.

Chair Brown called 3 times for any public input. Supr. Rasmussen commented that since we are constantly striving to lower the cost to the taxpayers, we should look at some of the one-man departments that we have in the County. The costs keep going up and the service back to the county going down. Supr. Rasmussen did not want to mention any specifics at this time because Supr. Rasmussen felt you've done a good job on working through this 2001 budget. Supr. Rasmussen would like to see the following year that some of these one-man departments be looked at and looked at very closely when you are paying somebody a couple thousand dollars a month to do practically nothing and suggests that in the 2002 budget this be looked at for a long period of time before there are constant wage adjustments made in this position for a part-time employee.

Supr. Rasmussen moved and Supr. Sasse seconded the motion to close the public hearing and reconvene into regular session. Motion carried 26-0.

COMMITTEE REPORTS

Supr. Loughrin, Chair of the Finance Committee, thanked the Committee, Jim Bernhagen, and Mary Robbins for the time spent in deliberations on the budget. There were 7 or 8 meetings and many very hard decisions to make because of the jail construction and beginning operation of the jail along with the budget cap. Thank goodness for the increase in valuation which averaged 7-8% per year and this has given us some breathing room. Some departments feel they have been short changed and the Committee is sure that things will work out over the long haul. We all know that these next few years will be difficult until the jail is in full operation. Special thanks to Jim Bernhagen for his organization of the budget process because it makes the Committee's job much easier. Thanks to all the department heads for their help and consideration. Dick Koeppen is a new member of the Committee and this is his first trip through the budget process and he has been a fine addition.

Supr. Bonikowske wanted to emphasize that CAP Services patterned their job descriptions after the Arthur Young study. CAP Services has updated since they started the study.

**AMENDMENT TO WAUPACA COUNTY CODE OF ORDINANCES CHAPTER 25
AND SECTION 9.06A OF WAUPACA COUNTY CODE OF ORDINANCES**

Whereas, the Bond Schedule for County Ordinance violations has not been amended since the mid 1990's; and

Whereas, court costs and other related fees have increased over the last several years; and

Whereas, in reviewing the bond schedule it was determined that several of the county ordinances needed to be adjusted; and

Whereas, the Legislative and Judicial Committee has reviewed this amendment and bond schedule and plans to continue to review said bond schedule on an annual basis and make changes as needed for consistency.

Now, Therefore Be It Resolved that the attached bond schedule is hereby adopted and incorporated into Chapter 25 of the Waupaca County Code of Ordinances.

Be It Further Resolved that section 9.06A of Chapter 9 of the Code of Ordinances is amended as follows:

- The possession, delivery, or advertising of drug paraphernalia –3rd offense is repealed
- The possession, delivery, or advertising of drug paraphernalia – 1st offense forfeiture amount is amended to \$100.00
- The possession, delivery, or advertising of drug paraphernalia – 2nd offense forfeiture amount is amended to \$200.00

Where existing Waupaca County Ordinances conflict with this bond schedule, this schedule shall be controlling over other conflicting forfeiture amounts.

This bond schedule becomes effective upon passage and publication by the Waupaca County Board of Supervisors.

BOND SCHEDULE
Waupaca County Ordinances

Ordinance	State Statute	Description	Forfeiture	Total	Juv.*
9.01(4)	125.08(3)	ID card violations	100.00	212.00	50.00
9.01(6)	12532(3)	Closing Hours Class B	100.00	212.00	50.00
9.01(7)	125.68(4)	Closing Hours Class A	100.00	212.00	NA
9.01(8)	940. 19(1)	Battery	150.00	298.50	100.00
9.01(10)	948.51	Hazing	200.00	360.00	100.00
9.01(11)	940.01	Negligent operation of motor vehicle	200.00	360.00	100.00
9.01(12)	941.10	Negligent handling of burning materials	200.00	360.00	100.00
9.01(13)	941.13	False Alarm	200.00	360.00	50.00
9.01(14)	941.20	Reckless Use of a Weapon	200.00	360.00 note 385.00 after 1/1/01**	100.00
9.01(16)	941.23	Carrying a Concealed Weapon	200.00	360.00 note 385.00 after 1/1/01**	100.00
9.01(17)	941.235	Carrying Weapon in a Public Building	200.00	360.00 note 385.00 after 1/1/01**	50.00
9.01(21)	943.01(1)	Damage to property (\$500 < in damage)	100.00	237.00	50.00
9.01(25)	943.13	Trespass to Land	100.00	237.00	50.00
9.01(26)	943.14	Trespass to Dwelling	100.00	237.00	50.00
9.01(31)	943.21	Fraud on Hotel or Restaurant	75.00	210.30	50.00
9.01(33)	943.50	Retail Theft (Shoplifting)	100.00	237.00	50.00
9.01(38)	946.40	Refusing to Aid an Officer	100.00	237.00	50.00
9.01(39)	946.41	Resist or Obstructing an Officer	100.00	237.00	50.00
9.01(42)	947.01	Disorderly Conduct	100.00	237.00	50.00
9.01(45)	947.02	Vagrancy	50.00	150.50	25.00
9.05		Littering	25.00	119.75	25.00
9.07		Possession of Controlled Substance	100.00	237.00 note 262.00	50.00

				after 1/1/01**	
9.08	29.314(5)	Shining Wild Animals (after 10 p.m.)	150.00	273.50	50.00
9.09		Loitering/prowling	100.00	212.00	50.00
9.12		D C w/vehicle	50.00	150.50	NA
9.15		Curfew	50.00	150.50	NA
8-1-24(a)		Overtime parking	10.00	101.30(if not paid by court date)	NA
8-1-24(b)		Parking too close to a Fire Hydrant	30.00	125.90	NA
8-1-24(C)		Double parking	20.00	113.60	NA
8-1-24(d)		Parking too close to a yellow line	20.00	113.60	NA
8-1-24(e)		Blocking a driveway	20.00	113.60	NA
8-1-24(f)		Parking in handicapped space w/o permit	75.00	181.25	NA
8-1-24(g)		Blocking an alley	20.00	113.60	NA
8-24-1(h)		Parking on sidewalk	30.00	125.90	NA
8-24-1(I)		Illegal parking	20.00	113.60	NA
8-24-1(j)		Parking in a no parking zone	20.00	113.60	NA
8-24-1(k)		Parking on the wrong side of Road	20.00	113.60	NA
8-1-24-1(l)		Parking on posted or private property	20.00	113.60	NA
42		Leaving the scene of an accident (first offense)	100.00	212.00	NA
42		Leaving the scene of an accident (second offense)	200.00	335.00	NA
9.06A		Possession, delivery, or advertising drug paraphernalia (1 st offense)	100.00	237.00 note 262.00 after 1/1/01**	50.00
9.06A		Possession, delivery , or advertising drug paraphernalia (2 nd offense)	200.00	382.00 note 407.00 after 1/1/01**	50.00
9.18	943.24	Issuing worthless checks	50.00	175.50 note 200.50 after 1/1/01**	50.00

- * juvenile refers to 16 yoa or under, over 16 will be considered as an adult
- ** includes \$25.00 booking fee (as of January 1, 2001) prior to January 2001 total is \$25.00 less

Supr. Kussmann moved and Supr. Arndt seconded the motion to amend Chapter 25 and Section 9.06A of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed this 21st day of November, 2000.

**AMEND RULE NO. 12 TO READ
COUNTY BOARD MEMBER AND CITIZEN MEMBER ENTITLEMENTS**

Definitions:

County Board Member: *A duly elected representative elected at the Spring election for a two year term, unless otherwise appointed per the County Board Rules.*

Citizen Member: *A member serving on a statutory committee/board/commission per Wisconsin State Statutes and approved by the County Board of Supervisors.*

12.1 Mileage reimbursement for County Board Meetings, Committee Meetings and other authorized County functions.

Each Supervisor for each day they attend a meeting of the Board, receive mileage for each mile traveled in going to and returning from the meetings by the most usual traveled route at the rate established by the Board pursuant to Sec. 59.15 as the standard mileage allowance for all County employees and officers.

12.2 The Standard Mileage Allowance Schedule for attendance of *in County* Committee Meetings, County Board Meetings and other authorized in County functions for County Board members. Waupaca County shall be divided into nine areas for the purpose of determining mileage payments for County Board Supervisors/Citizen members. The areas and payments shall be as follows:

Area 1: 0 - 9 miles	\$ 4.20
Area 2: 10 - 19 miles	\$ 6.72
Area 3: 20 - 29 miles	\$ 9.24
Area 4: 30 - 39 miles	\$11.76
Area 5: 40 - 49 miles	\$14.28
Area 6: 50 - 59 miles	\$16.80
Area 7: 60 - 69 miles	\$19.32
Area 8: 70 - 79 miles	\$21.84
Area 9: 80 - 89 miles	\$24.36

12.3 Mileage reimbursement for out of county meetings and other authorized out of county functions shall be set at the same rate as the Internal Revenue's rate for mileage reimbursement for the driver only. This mileage rate shall be set for all county employees who travel outside the county for authorized county business for the driver only, to be effective January 1, 2001.

12.4 Supervisor/County Board Chairperson/Citizen member Entitlement: Per Diem will be \$55.00 per day and \$25.00 for any other meeting that same day with a definite separation between meetings; and any regular standing committee meeting over four (4) hours in length shall be paid an additional \$25.00. Not to exceed \$80.00 in any one day."

12.4(a) County Board Chairperson. County Board Chairperson shall receive an annual salary of \$8,000.00, plus all meetings to be paid as stated above for all supervisors, with the exception the County Board Chairperson is unlimited to the number of meetings claimed in a year.

12.4(b) Conferences, Seminars, Conventions and other authorized County functions. Shall be paid mileage and a straight \$55.00 per day.

12.5 Supervisors/citizen members per diem and expense entitlement while attending conventions and other out of the County functions that relate to their positions as Supervisors/citizen members and shall be entitled to per diem payments on a daily basis when attending meetings, conventions or conferences which directly relate to their positions on the Board or one of its duly appointed committees or boards. This shall include each day of the convention or conference and meeting scheduled before the day of the convention or conferences.

Registration fees and expenses for lodging made necessary by the board members attendance at such a conference or convention shall be paid by the County only for that board member. Whenever possible room reservations are to be submitted to the County Clerk=s office in advance so that advanced billing can be made through that office for the tax exemption rate and direct billing.

Meal reimbursement to County Board Supervisors/Citizen members shall allocate a daily meal allowance equal to the State of Wisconsin amounts in place of set amounts per meal and Supervisors and employees must submit vouchers. These are taxable amounts if there is not an overnight stay.

12.6 All County Board Committee meetings(includes Highway Committee meetings) and other authorized county functions as described in 12.5 shall be unlimited per calendar year.

This Ordinance shall be in full force and effect upon passage of same.

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY EXECUTIVE COMMITTEE:

/s/ Fred J. Rasmussen, Dale Bonikowske, Raymond Arndt, Duane R. Brown, Carl Kietzmann, Kenneth Hurlbut, Kay Hillskotter, James Flink, Eunice Lawrence, Don Fabricius

ATTEST:

/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Jeffrey Siewert, Corporation Counsel

Supr. Craig moved and Supr. Hurlbut seconded the motion to amend Rule No. 12. Motion carried 26-0. Adopted this 21st day of November, 2000.

RESOLUTION NO. 26 (2000-2001)

Subject: Farmland Preservation Committee Jurisdiction

WHEREAS, Wisconsin State Statutes §91.13 regulates Farmland Preservation Agreements; and

WHEREAS, Waupaca County wishes to simplify the process for the review and processing of Farmland Preservation Applications by one jurisdictional committee; and

WHEREAS, Waupaca County Land and Water Conservation Committee has agreed to be that jurisdictional committee and to forward their recommendations to the County Board for final approval.

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors does hereby authorize the Waupaca County Land and Water Conservation Committee to accept and process all Farmland Preservation Applications.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LAND AND WATER CONSERVATION COMMITTEE:

/s/ Eunice Lawrence, Donald J. Peterson, Dona Gabert, Ken Van Dyke

ATTEST:
/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Jeffrey Siewert, Corporation Counsel

Supr. Lawrence moved and Supr. Bonikowske seconded the motion to adopt Resolution No. 26. Motion carried 26-0. Passed this 21st day of November, 2000.

RESOLUTION NO. 30 (2000-2001)

Subject: Jim Rice, County Conservation Warden

WHEREAS, Jim Rice has served with dedication and honor as Waupaca County's Conservation Warden until his retirement on August 7, 2000; and

WHEREAS, Jim Rice has had valuable input in regards to Waupaca County Conservation practices throughout the years.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors hereby commend Jim Rice for his years of faithful, dedicated and exceptional service and wish him health, happiness and relaxation in his retirement years.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY BOARD OF SUPERVISORS:

/s/ Gene A. Sorensen, Donald J. Peterson, Don Aasen, Raymond Arndt, Lloyd Mares, James Flink, Don Steenbock, Dick Koeppen, Dennis Kussmann, Rose Mary Sasse, Fred J. Rasmussen, Robert H. Whitman, Eunice Lawrence, Kenneth Hurlbut, John F. Penney, Patricia Craig, Kay Hillskotter, William Jonely, Carl Kietzmann, Jim Loughrin, Jack Algiers, Dona Gabert, Duane R. Brown

ATTEST:

/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:

/s/ Jeffrey Siewert, Corporation Counsel

Supr. Kussmann moved and Supr. Fleese seconded the motion to adopt Resolution No. 30 (2000-2001). Motion carried 26-0. Passed this 21st day of November, 2000.

RESOLUTION NO. 32 (2000-2001)

Subject: *Year 2001 Budget*

BE IT RESOLVED that there is hereby levied against the taxable property of Waupaca County as equalized for the year of 2000 the sum of \$470,761.96 as a state tax for forestry purposes, and

BE IT FURTHER RESOLVED, that there is hereby levied against the taxable property of Waupaca County as equalized for the year 2000 the following sums:

\$	4,020	as veterans relief
\$	10,519,443	as general tax
\$	2,025,339	as debt service tax

BE IT FURTHER RESOLVED that there is hereby levied against the taxable property of Waupaca County as equalized for the year 2000 excepting Cities of Clintonville, New London and Waupaca, the sum of \$107,000.00 for bridges under Sec. 81.38, Wisconsin Statutes, and

BE IT FURTHER RESOLVED that there is hereby levied against the taxable property of Waupaca County as equalized for the year 2000 excepting the Cities of Clintonville, Manawa, Marion, New London, Waupaca, Weyauwega, Village of Fremont, Village of Scandinavia and the Village of Iola, the sum of \$541,418.00 for Public Libraries under Section 43.64 Wisconsin Statutes, and

BE IT FURTHER RESOLVED that there is hereby levied against the taxable property as equalized for the year 2000 in Waupaca County the sum of \$105.00 as a state special charge.

NOW, THEREFORE, BE IT RESOLVED THAT the Year 2001 Budget be adopted at the summary level as printed in the Proceedings of the Waupaca County Board of Supervisors. Department heads shall operate their programs as presented in their proposed line item budgets.

ATTEST:

/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:

/s/ Jeffrey Siewert, Corporation Counsel

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCE AND PERSONNEL COMMITTEE:

/s/ James Loughrin, Don Fabricius, John F. Penney, Kay Hillskotter, Jack V. Algiers, Dick Koeppen, Patricia Craig, Duane R. Brown

Supr. Arndt moved and Supr. Flink seconded the motion to approve Resolution No. 32 (2000-2001). Motion carried 26-0. Passed this 21st day of November, 2000.

APPOINTMENTS

Supr. Rasmussen moved and Supr. Koeppen seconded the motion to approve the appointment of Gerald Connolly to a three year term as Veterans Service Commissioner. Motion carried 26-0.

Waupaca County Land & Water Conservationist Bruce Bushweiler gave a brief history of the Soil & Water Conservation Awareness Speaking Contest. Samantha Stratton, 2nd place District winner and Vaughn Schneider, 1st place District winner presented their speeches.

ANNOUNCEMENTS AND CORRESPONDENCE

The following correspondence is placed on file in the County Clerk's office.

The December County Board Meeting held at Lakeview Manor will be starting at 9:30 a.m. instead of 9:00 a.m. as indicated in the notice.

November 6, 2000

Waupaca County Board Members
Courthouse
811 Harding Street
Waupaca, WI 54981

Re: County Warden Program

Dear Board Members:

I recently learned that the proposed 20001 Waupaca County Budget cuts the entire county warden program, for a savings of slightly over \$5,000.00. I respectfully ask that you reconsider. I have conveyed this request to the members of the Finance and Personnel Committee, but am now contacting you for your consideration as you address the 2001 County Budget on November 21, 2000.

Section 23.10(2), Wisconsin Statutes, allows a county board to authorize the appointment of county conservation wardens, and authorizes county board to set the compensation of such wardens to be paid out of the county treasury. Such wardens have, within our county, all the powers and duties of conservation wardens. Waupaca County Board authorization for county conservation wardens has existed since 1949. Since that time, such county wardens have helped to care for and protect our natural resources, and have quickly responded to citizen complaints of natural resources violations. I understand that county wardens currently receive \$9.00, plus mileage, per call, making this program a very economical enforcement program.

There has been a suggestion that a State policy will require county conservation wardens to work only in the physical presence of State conservation wardens. I have been provided with an excerpt from the Department of Natural Resources' Law Enforcement Handbook. That excerpt applies to special wardens, which are distinct from county conservation wardens. "Warden means conservation warden and includes county, special and deputy conservation wardens." §24.01(11), Wisconsin Statutes. That policy requires special conservation wardens to work "under the control and direction of a full time conservation at all times. Work assignments will be determined by the warden supervisor." This language falls short of restricting special conservation wardens to working in the physical presence of full time wardens. Again, however, this document makes no reference to county conservation wardens. It does not restrict county conservation wardens to working in the physical presence of full time conservation wardens. Thus, county wardens are still able to provide quick response to reported violations. The proposed 2001 County Budget deletion of the County Warden Program will cause critical delays in response time, and will result in some reported violations being closed without any investigation whatsoever. I urge you to restore the relatively modest appropriation for the County Warden Program in the 2001 Waupaca County Budget.

Respectfully,
/s/ John P. Snider
District Attorney
State Bar ID#: 1014726

Supr. Steenbock moved and Supr. Peterson seconded the motion to adjourn the meeting at 10:15 a.m. Motion carried 26-0.