

**WAUPACA COUNTY BOARD OF SUPERVISORS  
ADJOURNED ORGANIZATIONAL SESSION  
AUGUST 20, 2002**

County Board Chair Brown called the meeting to order at 9:00 a.m. with 26 members present.

	<b>Supervisors entitled to seats:</b>
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:	Howard Trudell
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:	David L. Johnson
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:	Donn Allen
District 25:	Duane R. Brown
District 26:	James Loughrin
District 27:	Gary Barrington

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. Steenbock moved and Supr. Trudell seconded the motion to approve the agenda as amended. Motion carried 27-0. Supr. Hillskotter arrived at 9:10 a.m.

Supr. Flink moved and Supr. Hurlbut seconded the motion to approve the minutes of the July 16, 2002 meeting. Motion carried 27-0.

**REPORT NO. 10 (2002-2003)**  
**Conservation Congress**

Bruce Bushweiler introduced Waupaca County's representative to the Conservation Congress, Gary Ashenberg. Gary Ashenberg explained Conservation Congress and its purpose.

**REPORT NO. 11 (2002-2003)**  
**DHHS 2001 Annual Report/Home Care/Hospice Program**  
**Dennis Dornfeld, DHHS Director**

Dennis Dornfeld explained the reasons for terminating the Home Care and Hospice Programs. Susan Enz thanked the County Board for their support of the programs. Dennis Dornfeld reviewed the Department of Health and Human Services 2001 Annual Report. The report will be filed and become part of the minutes.

**REPORT NO. 12 (2002-2003)**  
**UW-Extension Value Handout**  
**Connie Abert, 4-H Youth Development Educator**

Connie Abert reported on the "Adding Value to Our Communities" handout. The report will be filed and become part of the minutes.

**REPORT NO. 13 (2002-2003)**  
**Auditor's Report – Paul Denis, Schenk S.C.**

Paul Denis reviewed the Comprehensive Annual Financial Report, Management Letter, and Federal Awards and State Financial Assistance Report for the year ending December 31, 2001. The reports will be filed and become part of the minutes.

**OTHER COMMITTEE REPORTS**

Public Property/Lakeview Manor Board of Trustees Chair Bob Whitman gave a short history of the City of Weyauwega/Lakeview Manor sewer and water installation project. Hooking up to the city's water and sewer would require that Lakeview Manor be annexed to the City of Weyauwega. Chairman Brown scheduled a special County Board meeting for Tuesday, September 3 at 6:00 p.m. to further discuss the Waupaca County Lakeview Manor sanitary sewer/water extension agreement.

David Thiel, Waupaca County Economic Development Corp., updated the Board on the county's comprehensive planning project.

Supr. Trudell reported on the Joint Legislative Committee meeting in Mosinee.

**RATIFICATION OF WAUPACA COUNTY  
TELECOMMUNICATORS ASSOCIATION CONTRACT**

Supr. Craig moved and Supr. Peterson seconded the motion to ratify the Waupaca County TeleCommunicators Association contract. Motion carried 27-0. Passed this 20<sup>th</sup> day of August, 2002.

**AMEND GENERAL CODE OF ORDINANCES  
CHAPTER 3 – PERSONNEL POLICY & PROCEDURES**

Chapter 3 is on file in its entirety in the County Clerk's office.

Supr. Fabricius moved and Supr. Kussmann seconded the motion to adopt the amended Chapter 3, Personnel Policy and Procedures, of the Waupaca County General Code of Ordinances. Motion carried 27-0. Passed this 20<sup>th</sup> day of August, 2002.

Supr. Hillskotter and Supr. Gabert were excused from the meeting at 11:10 a.m.

**AMENDMENT TO CHAPTER 34  
Town of Bear Creek, A-G to C-G  
2002-461, Z-4-02**

Parcel #01-25-12-2, Z-4-02, Outagamie Co-op Services, Inc. in Sec. 25, Town of Bear Creek for a Zoning Map Amendment from an A-G (General Agriculture) zone to a C-G (General Commercial) zone for future commercial development.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in part of the NW ¼ of the NE ¼ of Sec. 25, Town of Bear Creek, lying at the intersection of U.S. Highway "45" and State Highway "76", Fire Number N-8086 Highway "45", Waupaca County, Wisconsin, on approximately 29 acres.

Subject matter of this ordinance having been duly referred to and considered by the Waupaca County Planning and Zoning Committee and public hearing having been held after the giving of requisite notice of said hearing and a recommendation thereon reported to the Board of Supervisors, Waupaca County, Wisconsin as required by Section 59.97 of the Wisconsin Statutes, said Board does ordain as follows:

- Section 1. The Zoning Map entitled Bear Creek Township, Waupaca County is hereby amended by changing the zoning classification of the area shown on the attached map, which is made a part of the ordinance from an A-G (General Agriculture) zone to a C-G (General Commercial) zone.
- Section 2. This ordinance shall be in full force and effect in the Town of Bear Creek upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or 40 days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

Section 3. All ordinances or parts of ordinances inconsistent with or in contravention of provisions of this ordinance are hereby repealed.

I, Mary A. Robbins, Waupaca County Clerk  
do hereby certify that the above Zoning  
Amendment was adopted on August 20, 2002.  
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Mares moved and Supr. Koeppen seconded the motion to approve the amendment to Ordinance No. 34, 2002-461, Z-4-02. Motion carried 25-0.

Supr. Craig moved and Supr. Allen second the motion to suspend the reading and adopt Resolution No. 16 (2002-2003). Motion carried 25-0. Passed this 20<sup>th</sup> day of August, 2002.

**RESOLUTION NO. 16 (2002-2003)**

**SUBJECT: REQUESTING WISCONSIN COUNTIES ASSOCIATION LEADERSHIP IN HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) COMPLIANCE**

WHEREAS, passage by the Federal government of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 mandates that covered entities, including Waupaca County, meet the following requirements:

- 1) use "standard" electronic data interchange transactions;
- 2) assure privacy of protected health information; and
- 3) provide physical and electronic security of protected health information

WHEREAS, the following deadlines for compliance have been established:

October 15, 2002	Electronic Data Interchange Plan
April 14, 2003	Privacy Rule
April 16, 2003	Initiate Electronic Data Interchange Testing
October 16, 2003	Electronic Data Interchange Compliance
No scheduled date	Security Rule

WHEREAS, the Legislative & Judicial Committee has been informed that compliance factors have not been satisfactorily explained by an entity to county staff in the State of Wisconsin; and

WHEREAS, all Wisconsin counties must comply with this new Federal requirement and will deal with it in a very similar fashion as all have employees, all have human services agencies, all use information technology, some have and some do not have nursing homes and some self-fund while others purchase health insurance coverage; and

WHEREAS, consultants are offering to provide services to individual counties in understanding and complying with HIPAA; and

WHEREAS, this situation appears to be one in which the Wisconsin Counties Association could provide a significant service to its member counties by providing leadership in the understanding and interpretation of the new regulations through either having a staff member assigned to this task or arranging for services from a consultant with the cost therefore shared by counties utilizing the service; and

WHEREAS, several covered entities are submitting an Extension Application to negate the first compliance deadline of October, 2002.

NOW, THEREFORE, BE IT RESOLVED, that the Waupaca County Board of Supervisors, urge the Wisconsin Counties Association and National Association of Counties to take a leadership role by providing services or obtaining consultant services for its member counties to understand and comply with the requirements of HIPAA, with the costs therefore shared amongst participating counties.

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Governor, each of the State Representatives and State Senators who represent the citizens of Waupaca County, Wisconsin Counties Association, National Association of Counties and each county in Wisconsin.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LEGISLATIVE AND JUDICIAL COMMITTEE:** /s/ Dennis Kussmann, Fred Rasmussen, Donn Allen, Howard Trudell, Gary Barrington

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

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

**RESOLUTION NO. 17 (2002-2003)**

**Subject:** Gypsy Moth Program

**WHEREAS**, the Wisconsin Department of Natural Resources has projected Waupaca County as having extensive defoliation of our trees in upcoming years due to the invasion of the gypsy moth; and

**WHEREAS**, a gypsy moth program has been established through the state; and

**WHEREAS**, the Land and Water Conservation Department's participation in this program will not require extra dollars from the county, as either grant monies or existing funds will be used.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Waupaca County Board of Supervisors does hereby approve the participation in this program by the Land and Water Conservation Department.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LAND & WATER CONSERVATION COMMITTEE:** /s/ Eunice Lawrence, Howard Trudell, Donald Peterson, Fred J. Rasmussen, Thomas Opperman, Donn L. Allen

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

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

Supr. Lawrence moved and Supr. Sasse seconded the motion to adopt Resolution No. 17 (2002-2003). Motion carried 25-0. Passed this 20<sup>th</sup> day of August, 2002.

**RESOLUTION NO. 18 (2002-2003)**

**TO THE HONORABLE WAUPACA COUNTY BOARD OF SUPERVISORS**

The Waupaca County Land and Water Conservation Committee has reviewed the Farmland Preservation Agreement application of:

Melvin & Linda Much, 319.4 acres in the Township of Union for 10 years

THEREFORE, as required by Farmland Preservation Law, Chapter 71.09(11) and Chapter 91.13(4), Wis. Stats., we are presenting the application to this Board with our recommendation that it be approved.

**Respectfully submitted by the Waupaca County Land and Water Conservation Committee:** /s/ Eunice Lawrence, Howard Trudell, Donald Peterson, Fred J. Rasmussen, Thomas Opperman, Donn L. Allen

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

Supr. Lawrence moved and Supr. Flink seconded the motion to approve Resolution No. 18 (2002-2003). Motion carried 25-0. Passed this 20<sup>th</sup> day of August, 2002.

**RESOLUTION NO. 19 (2002-2003)**

**SUBJECT:** Ordinance No. 23, Waupaca County Code of Ordinances

**WHEREAS**, it is necessary for the County to have a Bloodborne Pathogen Exposure Control Plan in accordance with the OSHA Bloodborne Pathogens Standard, 29 CFR 1910.1030 on file; and

**WHEREAS**, Waupaca County enacted Waupaca County Bloodborne Pathogen Ordinance No. 23 of the Waupaca County Code of Ordinances on December 20, 1994; and

**WHEREAS**, a department Policy and Procedures would simplify and expedite these updates and allow departments the flexibility to keep a policy that fits their department and to stay in compliance with state requirements in a timely manner.

**NOW, THEREFORE, BE IT RESOLVED**, that the Waupaca County Board of Supervisors does repeal Ordinance No. 23 of the Waupaca County Code of Ordinances and establish a policy for Bloodborne Pathogen procedures and that all departments are responsible for updating and maintaining their policy in accordance with the Department of Commerce and OSHA Bloodborne Pathogen Standards, 29 CFR 1910.1030 and that all updated copies of said policies are filed in the County Clerk's office.

**BE IT FUTHER RESOLVED**, that the Emergency Management, Terrorism & Safety Committee be designated as the oversee committee for any action beyond a department's authority.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LEGISLATIVE AND JUDICIAL COMMITTEE:** /s/ Fred Rasmussen, Howard Trudell, Gary Barrington, Donn L. Allen

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

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

Supr. Allen moved and Supr. Trudell seconded the motion to adopt Resolution No. 19 (2002-2003). Motion carried 25-0. Passed this 20<sup>th</sup> day of August, 2002.

**RESOLUTION NO. 20 (2002-2003)**

**Subject: Billboard Moratorium**

**Whereas** the Waupaca County Zoning Committee has received numerous complaints and concerns regarding the recent proliferation of billboards along the county roads; and

**Whereas** the Waupaca Zoning Committee has concluded that although the Waupaca County Zoning Ordinance Section 23 addresses signs, an ordinance amendment is needed to further protect the scenic beauty along the roadways and to prevent traffic safety problems; and

**Whereas** Wisconsin Statutes namely Section 59.70(22) provides that: *"The Board may regulate, by ordinance, the maintenance and construction of billboards and other similar structures on premises abutting on highways maintained by the county so as to promote the safety of public travel thereon"*; and

**Whereas** time is needed to develop just such an ordinance and in order to develop such an ordinance the Waupaca County Zoning Committee recommends that a moratorium be passed on the placement of billboards (permanent, off premise signs greater than 32 square feet in size) within Waupaca County for a one year period from the date of passage of this resolution.

**Now therefore Be It Resolved pursuant** to Section 59.69(2)(c) Wis. Stats. the Waupaca County Board of Supervisors does hereby ordain and pass a moratorium on the placement of billboards within Waupaca County for a one year period from the date of passage of this resolution.

**Be It Further Resolved** that within a one year period from the date of passage of this resolution the Waupaca County Zoning Committee shall develop and present to the Waupaca County Board of Supervisors an ordinance addressing the question of, the maintenance and construction of billboards and other similar structures on premises abutting on highways maintained by the county so as to promote the safety of public travel thereon.

**Be It Further Resolved** that pursuant to Section 59.28 the Waupaca County Sheriff's Department shall assist the Waupaca County Zoning Department in the enforcement of the moratorium. Enforcement shall be by forfeiture and/or injunctive action as allowed under Section 59.69(11) Wis. Stats.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY ZONING COMMITTEE:** /s/ John F. Penney, Dennis Kussmann, Gene A. Sorensen, G. Robert Flease, Kenneth Hurlbut

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

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

Supr. Hurlbut moved and Supr. Kussmann seconded the motion to adopt Resolution No. 20 (2002-2003). Motion carried 24-1 with Supr. Johnson voting nay. Passed this 20<sup>th</sup> day of August, 2002.

#### **APPOINTMENTS**

Supr. Craig moved and Supr. Koeppen seconded the motion to approve the following appointments; Penny Drmolka to replace Steve Handrich on the W-2 Steering Committee, Tina Swinford, Sandra Wehmeyer and James Quinn to the Integrated Services Project, and Suprs. Lawrence, Fabricius, Johnson, Hurlbut, Penney, Rasmussen, Whitman, and Sorensen to the Waupaca Area Social Committee. Motion carried 25-0. Passed this 20<sup>th</sup> day of August, 2002.

#### **ANNOUNCEMENTS AND CORRESPONDENCE**

Chair Brown referred the Town of Lind's request for a road to the Highway Department for review and a report at the September meeting.

Clerk of Courts Terri Tews announced she had Jerry Mork memorial patches for sale.

Waupaca County Economic Development Corporation Report for July is placed on file in the Clerk's Office and made part of the minutes.

A letter addressed to Supr. Fred Rasmussen from George Kriewaldt was placed on file in the County Clerk's office.

Thank you . . . for caring. Thank you for the lovely spike plant. The family of Armin Kussmann.

Supr. Kussmann moved and Supr. Steenbock seconded the motion to adjourn. Motion carried 25-0. Chair Brown declared the meeting adjourned at 11:25 a.m.