

**WAUPACA COUNTY BOARD OF SUPERVISORS
ANNUAL SESSION
NOVEMBER 19, 2002**

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

Supr. Koeppen was excused.

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. Flink moved and Supr. Kussmann seconded the motion to approve the agenda. Motion carried 26-0.

Supr. Rasmussen moved and Supr. Mares seconded the motion to approve the minutes of the October 29, 2002 meeting. Motion carried 26-0.

**PUBLIC HEARING FOR THE 2003 BUDGET
AND
TRANSPORTATION SERVICES PROGRAM 85.21**

Chair Brown opened the public hearing and asked if anyone would like to speak on the budget.

Amy Goerlinger, Celeste Leider, Charlotte Thomack, Larry Brown, Kim Roberts Van Cuick, Brenda Freeman, and Beverly Crane spoke in favor of Teen Court and asked County Supervisors to fund it for 2003. Hyde Murray spoke in favor of returning the hospice program. Henry Veleker, Kari Esbenson, Beverly Crane, Duane Schultz and Harold Buchholz spoke in favor of the UW-Extension CRD Educator.

Chair Brown called 3 times for any further public input. Being no other input, Supr. Rasmussen moved and Supr. Kussmann seconded the motion to close the public hearing and reconvene into regular session. Motion carried 26-0. Chair Brown declared a 5 minute recess.

Chair Brown called the meeting to order. Financial Director Jim Bernhagen reviewed the Summary of Waupaca County Year 2003 Proposed Operating, Special Purpose and Debt Service Budget. The main budget is comprised of our operating budget. The proposed 2003 tax levy is \$12,241,339, which is a 14.5% increase over the year 2002 adopted tax levy. That is associated with a mill rate of \$4.57 per \$1,000 of equalized value. That is our maximum allowed under current Wisconsin law. The next portion of the budget is the Special Purpose Budget. It is exempt from the mill rate freeze and it comprises our bridge aids and our library aids to our townships. We are asking to raise \$664,846, which is a 1.9% increase and associated with that is a mill rate of \$5.25 per \$1,000. And finally, the Debt Service Budget is the final portion of our grand total budget. For 2003, we have a debt service of \$3,065,769, which is a 23.1% increase. The mill rate associated with that is \$1.14 per \$1,000. All that combined equates to a mill rate of rounded to the nearest dollar or penny is \$5.97 overall. That mill rate is 9.1% increase. The tax levy is \$15,971,954, which is a 15.5% increase overall over the 2002 adopted budget. There were no new positions added to the budget. There is a list of capital outlay. Corporation Counsel Jeff Siewert explained the contract between Waupaca County and UW-Extension.

Supr. Flease moved and Supr. Allen seconded the motion to place a moratorium on hiring for one year. Supr. Hillskotter questioned if employees hired with grant money would be affected if there was an opening. Supr. Trudell asked if this moratorium would apply to the Sheriff's Department. Lakeview Manor could risk losing their license if positions were not filled. Dennis Dornfeld stated that some programs would be canceled and some group homes would need to be closed. Supr. Rasmussen moved to amend the motion to require that before any positions were filled, the request would come back to the Board to be filled. Suprs. Ramussen and Flease rescinded their motions.

Supr. Kussmann moved and Supr. Rasmussen seconded the motion to send the budget back to committee level for a 10% reduction across the board. Jim Bernhagen stated that the County does not have time to take the budget back to committee and have it to the state in time for the deadline. Motion defeated 6-20. Suprs. Kussmann, Rasmussen, Johnson, Kietzmann, and Flease

voting aye. Suprs. Sasse, Flink, Mares, Trudell, Aasen, Peterson, Sorensen, Whitman, Lawrence, Fabricius, Hurlbut, Penney, Craig, Hillskotter, Jonely, Flease, Gabert, Brown, Loughrin and Barrington voting nay. Supervisor Lawrence requested the Clerk to change her recorded vote from aye to nay on the issue after the County Board adjourned. Clerk so noted.

Jim Bernhagen explained refinancing the WRS Unfunded Pension Liability. Jim felt that with the state of the economy now, it would be an opportune time to refinance. There would be the potential to save \$280,000 in a 1-year period.

Supr. Barrington moved and Supr. Allen seconded the motion to insert the cost (\$32,000) of Teen Court into the appropriate county budget. Supr. Trudell asked if that amount could be taken out of the contingency fund. Motion defeated in a 13-13 tie vote. Suprs. Mares, Trudell, Peterson, Sorensen, Whitman, Lawrence, Hurlbut, Jonely, Flease, Gabert, Allen, Loughrin and Barrington voting aye. Suprs. Sasse, Kussmann, Steenbock, Flink, Aasen, Rasmussen, Fabricius, Penney, Johnson, Craig, Hillskotter, Kietzmann, Brown voting nay. Supr. Koeppen was absent.

RESOLUTION NO. 38 (2002-2003)

Subject: *Year 2003 Budget*

BE IT RESOLVED that there is hereby levied against the taxable property of Waupaca County as equalized for the year of 2002 the sum of \$550,574.26 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 2002 the following sums:

\$	4,060.00	as veteran's relief
\$	12,237,279.00	as general tax
\$	3,065,769.00	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 2002 excepting Cities of Clintonville, New London and Waupaca, the sum of \$53,000.00 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 2002 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 \$611,846.00 for Public Libraries under Section 43.64 Wisconsin Statutes, and

NOW, THEREFORE, BE IT RESOLVED THAT the Year 2003 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.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & PERSONNEL COMMITTEE: /s/ James Loughrin, Don Fabricius, Kay Hillskotter, John F. Penney, Don Aasen, Dick Koeppen, Patricia Craig, Duane R. Brown

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

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

Supr. Fabricius moved and Supr. Sorensen seconded the motion to adopt Resolution No. 38 (2002-2003). Motion carried 21-5 with Suprs. Kussmann, Rasmussen, Johnson, Kietzmann and Please voting nay.

Supr. Loughrin, Chair of the Finance Committee, thanked the Committee, Mary Robbins, Jim Bernhagen for organizing the budget sessions and all his helpful advice, and the department heads and committees for preparing their department budgets during this difficult time.

Supr. Hurlbut moved and Supr. Steenbock seconded the motion to approve applying for a State Trust Fund Loan at 6% in the amount of \$2,681,679.00 for the purpose of refinancing the WRS unfunded pension liability, that the savings will be reserved to pay the debt service on the trust fund loan and a resolution to be presented at the December County Board meeting. Motion carried 26-0. Passed this 19th day of November, 2002.

AMENDMENT TO WAUPACA COUNTY CODE OF ORDINANCES
Chapter 32 – Waupaca County Shoreland Zoning Ordinance
Chapter 34 – Waupaca County Zoning Ordinance
Chapter 37 – Waupaca County Subdivision Ordinance

The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Shoreland Zoning Ordinance Chapter 32:

Section 7.3 – Delete Selmer Lake from the Group 2 Lake classification

Section 7.4 – Add Selmer Lake to the Group 3 Lake classification

The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Zoning Ordinance Chapter 34:

Add Section 2.06(A) – “Setback Exceptions for Essential Service Facilities”

(1) Essential Service Facilities

Overhead and underground essential service facilities installed as of November 19, 2002 including but not limited to sewer and water utilities, electric power, and telecommunications, but not including any buildings, towers or antennas, may be located within any required setback on the condition that the owner of such facilities within front yard setbacks shall remove all construction, additions, and replacements of these facilities at the owner’s expense, when necessary for the improvement of the highway.

Essential service facilities that are in place on private property within the front yard setback prior to November 19, 2002 shall not be entitled to the exception to the setback requirement of the Zoning ordinance.

The Waupaca County Highway Commissioner or his designee at their discretion may grant a waiver to the owner of essential service facility when the coordination of projects by the utility and the County reveals that no county project exists in the five year plan for the location where essential services facilities are to be placed or rebuilt or where the County is unable to determine the necessary right-of-way widths needed to avoid conflict with the service facility in the future.

The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Subdivision Ordinance Chapter 37:

Section 12.02(1) – The Preliminary Plat Review Fee shall be increased to \$100.00 plus \$10.00 for each lot or parcel. (Previous fee was \$50.00 plus \$1.00 for each lot or parcel.)

Section 12.03(1) – The Final Plat Review Fee shall be increased to \$50.00 plus \$5.00 for each lot or parcel. (Previous fee was \$25.00 plus \$.50 for each lot or parcel.)

Section 12.04(1) – The Minor Subdivision Review Fee (Certified Survey Map) shall be increased to \$50.00 per map. (Previous fee was \$10.00 per map.)

EFFECTIVE DATE

Upon adoption of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

Supr. Rasmussen moved and Supr. Peterson seconded the motion to approve amendments to the Waupaca County Code of Ordinances, Chapter 32, 34 and 37. Motion carried 26-0. Passed this 19th day of November, 2002.

AMENDMENT TO CHAPTER 34 Town of Fremont, A-G to C-G 2002-464, Z-7-02

Part of Parcel #06-31-13-4, Z-7-02, WestCor Development, Inc. in Sec. 31, Town of Fremont for a Zoning Map Amendment from an A-G (General Agriculture) zone to a C-G (General Commercial) zone to make the zoning consistent with the adjacent property.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in part of the SW ¼ of the NE ¼ of Sec. 31, Town of Fremont, lying east off of State Highway “110” and north along new U.S. Highway “10”, Waupaca County, Wisconsin, on approximately 3.1 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 Fremont 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 Fremont 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 November 19, 2002.
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Sasse moved and Supr. Penney seconded the motion to approve the amendment to Chapter 34. Motion carried 26-0. Passed this 19th day of November, 2002.

**AMENDMENT TO CHAPTER 34
Town of Little Wolf, A-G to M-G
2002-465, Z-8-02**

Part of Parcel #13-21-33-1, Z-8-02, Maynard & Catherine D. Sordahl in Sec. 21, Town of Little Wolf for a Zoning Map Amendment from an A-G (General Agriculture) zone to an M-G (General Manufacturing) zone for a warehouse for storing and rebuilding machinery.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in part of the SW ¼ of the SW ¼ of Sec. 21, Town of Little Wolf, lying along County Highway “B”, Waupaca County, Wisconsin, on approximately 10 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 Little Wolf 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 an M-G (General Manufacturing) zone.

Section 2. This ordinance shall be in full force and effect in the Town of Little Wolf 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 November 19, 2002.
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Kussmann moved and Supr. Sorensen seconded the motion to approve the amendment to Chapter 34. Motion carried 26-0. Passed this 19th day of November, 2002.

DENIAL OF ZONING AMENDMENT
Town of Matteson – ZA-2-02

The Waupaca County Zoning Committee, having considered the petition No. ZA-2-02 on the 7th day of November, 2002 by **David B. Gerstner** from an A-G (General Agriculture) zone to a C-G (General Commercial) zone with a Conditional Use Permit application for an auto repair shop.

The following described lands: Located in part of the W ½ of the NE ¼ of Sec. 33, Town of Matteson, lying along County Highway “I”, Fire Number E-10698, Waupaca County, Wisconsin.

Approximately 4.4 acres.

Having held public hearings thereon, pursuant to Section 59.97(5)(e) Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the facts and evidence presented, the Committee’s decision was to **DENY** the Petition for Zoning Map Amendment, but to **GRANT** a Conditional Use Permit with the following conditions:

1. **MUST** meet all of the State requirements for a commercial building.
2. The area to be used for the auto repair shop **SHALL BE** no larger than 200’ X 200’.
3. There shall be no more than three (3) customer cars on this property at any one time.
4. There shall be a one (1) year review of this Conditional Use Permit by the Committee, which would be by **November 7, 2003**.
5. There shall be no junk or parts stored outside of the building.
6. This Conditional Use Permit is only valid for David B. Gerstner (seller)/Ray Shepherd (buyer). Any other owner would void this permit.

Dated this 7th day of November, 2002.
Waupaca County Zoning Committee
By: /s/ John F. Penney, Chairman

Supr. Ramussen moved and Supr. Sasse seconded the motion to approve the denial of the zoning amendment to Chapter 34. Motion carried 26-0. Passed this 19th day of November, 2002.

APPOINTMENTS

Supr. Flink moved and Supr. Johnson seconded the motion to approve the appointment of Olin Mead to a 3-year term as Veterans Service Commissioner. Motion carried 25-0, with Supr. Whitman out of the room.

Supr. Craig moved and Supr. Loughrin seconded the motion to appoint Andrew Carlin, Sherry Fischer, Kathy Nichols and Laura Iverson to the Local Emergency Planning committee. Motion carried 26-0.

Supr. Rasmussen moved and Supr. Whitman seconded the motion to appoint Bob Lewinski to the Integrated Services Project Coordinating Committee. Motion carried 26-0.

ANNOUNCEMENTS AND CORRESPONDENCE

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

November 1, 1002

Dear Child Support Director:

I want to personally thank you and your staff for your successful efforts in converting more than 66,000 percentage expressed orders. I recognize and appreciate all the time and effort this enormous task required.

Because of your diligence during this past year, the risk of federal funding for the Wisconsin Child Support program has been greatly reduced, and we have increased our opportunity to collect additional performance incentives in the future.

This latest example of your hard work demonstrates why the Wisconsin Child Support Program consistently ranks among the best in the nation.

Thank you again for your remarkable efforts.

Sincerely,
/s/ Jennifer Alexander, Secretary

October 31, 2002

TO: Waupaca County
FROM: AEGIS CORPORATION
RE: Deductible Fund Escrow Account

The Wisconsin County Mutual Insurance Corporation is pleased to enclose the attached *Deductible Fund Refund*.

At the beginning of each policy year, a deductible fund is established to pay claims on your behalf. This Deductible fund adjustment as of the end of the third quarter includes all policy years. The deductible fund for the current year will retain only the amount of deductible incurred claims plus 33%. Any additional amount in the fund is being refunded to the county.

All policy years are reconciled at this time. Any charges or refunds calculated for all policy years are netted together.

Enclosed is your refund check in the amount of \$33,190.

Congratulations!

October 29, 2002

Waupaca County Board Chair Duane R. Brown
811 Harding Street
Waupaca, WI 54981

Dear County Board Chair:

The East Central Regional Planning Office of Emergency Management has received and reviewed semi annual reports submitted by county directors of Emergency Management for the second half FFY 2002. This period of time includes April 2002 through September 2002. The following is an excerpt from the East Central Regional report as it relates to your county.

Waupaca County:

During the second half of the POW 2002, Waupaca County submitted updates to the County Emergency Operations Plan Annexes C, F, G, L, O, U, and the EOC Call List. The Countywide/Strategic Plan was submitted early, in the first half of the year. There were eight (8) EPCRA facility plans updates and one (1) new plan was submitted. The Local Emergency Planning Committee meeting was held and minutes submitted and reviewed. Outreach involved the creation of a County EMS and Fire Chief's Association. The director worked with the County DHHS and ARC to establish a mutual relationship. Exercising in this term was two (2) tabletop exercises, one with the Wisconsin Veterans Home and one with the City of Waupaca. Training showed that the new Director has been participating in more than just the required courses, taking advanced programs for certification. The county Emergency Management Office has provided all elements required for program administration in a proper and timely manner.

Approval of second half FFY2002 Emergency Management Planning Grant and EPCRA funds is recommended for Waupaca County.

If you have any questions regarding your County's Emergency Management Plan of Work, or my comments in this report, please feel free to contact me at any time.

Sincerely,
/s/ Daniel E. Dahlke
Wisconsin Emergency Management
East Central Region Director

October 24, 2002

Duane R. Brown
County Board of Supervisors
811 Harding
Waupaca, WI 54981

Dear Mr. Brown:

As a New London County Board representative, I ask that you do your part to keep Teen Court in operation. Please approve the budget request of \$34,000.00 for Waupaca County Teen Court on October 29, 2002.

Teen Court is a valuable program for all the youth in our county. Teen Court has proven the program works. Numerous times youth from the community of New London have had the opportunity to participate in a variety of ways that enable each one to have a better understanding of our government system and how they interact with that system through their actions and willing participation in this innovative program and benefited from the positive leadership of its program coordinators.

Thank you for your time on this important matter.

Respectfully,
/s/ Pete Schultz

Supr. Johnson moved and Supr. Kussmann seconded the motion to adjourn. Motion carried 26-0. Chair Brown declared the meeting adjourned at 12:10 p.m.