

**WAUPACA COUNTY BOARD OF SUPERVISORS  
ADJOURNED ORGANIZATIONAL SESSION  
SEPTEMBER 23, 2003**

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

Present: Suprs. Aasen, Allen, Barrington, Brown, Craig, Fabricius, Fleese, Flink, Gabert, Hillskotter, Hurlbut, Johnson, Jonely, Kietzmann, Koeppen, Kussmann, Lawrence, Loughrin, Mares, Penney, Peterson, Rasmussen, Sasse, Sorensen, Steenbock, Trudell, Whitman. Supr. Hillskotter 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. Mares seconded the motion to approve the agenda. Motion carried 26-0.

Supr. Rasmussen moved and Supr. Sorensen seconded the motion to approve the minutes from the August 19, 2003 meeting. Motion carried 26-0.

**COMPREHENSIVE PLANNING PROCESS**

Supr. Ken Hurlbut, Chairman of the Comprehensive Planning Ad Hoc Committee, reported on the committee's last meeting. Land & Water County Conservationist Bruce Bushweiler and Highway Commissioner Dean Steingraber both agreed to write part of the program for the conservation and highway department, reducing the final contract by \$13,000. The committee voted unanimously to present the process as it stands and the 2 contracts to County Board for their approval. Supr. Hurlbut moved and Supr. Kussmann seconded the motion to approve the Comprehensive Planning Process as presented. Motion carried 25-1 with Supr. Steenbock voting no. Passed this 23<sup>rd</sup> day of September, 2003.

**COMPREHENSIVE PLANNING PLANNER CONTRACT**

Supr. Hurlbut moved and Supr. Kussmann seconded the motion to approve Dave Thiel as the Comprehensive Planning Planner. Supr. Hurlbut amended the motion to approve Dave Thiel as the Comprehensive Planning Administrator. Motion carried 25-1 with Supr. Steenbock voting no. Passed this 23<sup>rd</sup> day of September, 2003.

**COMPREHENSIVE PLANNING CONSULTANT CONTRACT**

Supr. Hurlbut moved and Supr. Kussmann seconded the motion to approve the contract with Foth & VanDyke for a figure not to exceed \$701,021. Motion carried 20-6 with Suprs.

Steenbock, Fabricius, Penney, Johnson, Jonely and Kietzmann voting no. Passed this 23<sup>rd</sup> day of September, 2003.

**REPORT NO. 7 (2003-2004)**  
**CLERK OF COURTS ANNUAL REPORT 2002**

Chair Brown placed the report in its entirety on file in the County Clerk's Office for review.

**OTHER COMMITTEE REPORTS**

Supr. Craig reported on the WCA Annual Convention held in LaCrosse.

**AMENDMENT TO CHAPTER NO. 34**  
**Town of Dayton, A-G to RS-20**  
**2003-475, Z-2-03**

Parcel #03-04-75-21, Z-10-03, in Sec. 4, Town of Dayton for a Zoning Map Amendment from an A-G (General Agriculture) zone to an RS-20 (Residential Single-Family, 20,000 Sq. Ft. Lot Minimum) zone to create two residential lots.

**An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in part of the SE 1/4 of the SE 1/4 of Sec. 4, Town of Dayton, lying along Birchwood Drive, Waupaca County, Wisconsin, on approximately 5 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 Dayton Township, Detail Map B-17, 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 RS-20 (Residential Single-Family, 20,000 Sq. Ft. Lot Minimum) zone.

Section 2. This ordinance shall be in full force and effect in the Town of Dayton 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 September 23, 2003.  
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Rasmussen moved and Supr. Kussmann seconded the motion to approve the amendment to Chapter 34, 2003-475. Motion carried 25-0 with Supr. Barrington being excused. Passed this 23<sup>rd</sup> day of September, 2003.

**RESOLUTION NO. 27 (2003-2004)**

**Subject:** The Health and Human Services Board recommends the elimination of the vacant part-time (60%) Healthy Beginnings Co-Manager (LGL #10) union position and creating a part-time (60%) Healthy Beginnings Specialist (LGL #9) union position effective immediately.

**WHEREAS**, the Healthy Beginnings Program started in Waupaca County in 1995 under the Health Services Division with a Maternal and Child Health (MCH) grant; and,

**WHEREAS**, this program has proven to prevent child abuse and neglect by providing a home visitation education/assistance service to voluntary high risk new parent(s) for up to five years; and,

**WHEREAS**, the program has grown from the initial MCH grant funds of \$7,592 to a program of more than \$293,491 with five different funding sources; and,

**WHEREAS**, staff working within the program have grown from two part-time employees to our current combined employees and contracted workers equivalent to 5.5 FTE program staff; and,

**WHEREAS**, the position changes recommended will finalize the organizational structure for the Healthy Beginnings Program.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the Waupaca County Board of Supervisors authorizes the Health and Human Services Board to eliminate the vacant part-time (60%) Healthy Beginnings Co-Manager position on the organizational chart and create a part-time (60%) Healthy Beginnings Specialist (LGL 9) position effective immediately.

**AND BE IT FURTHER RESOLVED**, that no new funds are required to complete these position changes.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & PERSONNEL COMMITTEE AND WAUPACA COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD:** /s/ James Loughrin, Don Fabricius, John F. Penney, Kay Hillskotter, Don Aasen, Dick Koeppen, Patricia Craig, Duane R. Brown, Howard Trudell, Carl Kietzmann, Donn L. Allen, Rose Mary Sasse, Steve Goedderz, Elizabeth Tautges.

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. 27 (2003-2004). Motion carried 25-0. Passed this 23<sup>rd</sup> day of September, 2003.

**RESOLUTION NO. 28 (2003-2004)**

**SUPPORTING THE LEGALIZATION OF VIDEO LOTTERY MACHINES IN RESTAURANTS AND TAVERNS LICENSED TO SELL ALCOHOLIC BEVERAGES ON PREMISES**

**WHEREAS**, Wisconsin Statutes Chapter 945 prohibits local restaurants and taverns that hold alcohol beverage licenses for on-premises consumption in an age restricted environment from using gambling devices, including video gambling machines within their places of business; and,

**WHEREAS**, the State of Wisconsin legalized gaming for Indian Tribes, bingo, raffles and certain lottery games; and,

**WHEREAS**, authority should be granted to local restaurants and taverns that hold alcohol beverage licenses for on-premises consumption in an age restricted environment to use video lottery machines and other similar gaming devices by establishing a permitting and licensing process to make those devices available for the use of customers; and,

**WHEREAS**, the licensing procedure would not only give greater control over the use and types of gaming devices located in local restaurants and taverns that hold alcohol beverage licenses for on-premises consumption in an age restricted environment but also would create a penalty that the local business could lose its alcohol license should a non-licensed, registered machine be discovered on the premises.

**NOW, THEREFORE, BE IT RESOLVED**, by the Waupaca County Board of Supervisors, met in regular session, that the Board of Supervisors goes on record in support of the creation of a licensing process to legalize the use of video lottery machines in local restaurants and taverns that hold alcohol beverage licenses for on-premises consumption in an age restricted environment; and,

**BE IT FURTHER RESOLVED**, by the Waupaca County Board of Supervisors that the video lottery system be established under the state lottery program with the following provisions:

1. Machines would be online as part of the lottery and that up to 5 machines be authorized to be on the premises of a "Class B" / Class "B" licensed establishment.

2. The program authorize municipalities to charge up to \$250 per machine licensing fee payable to the municipality and a \$50 per machine surcharge to be paid to the County.
3. The required minimum payout be equal to that of the Tribal Compacts, namely 83%.
4. The adjusted gross receipts would be subject to the applicable state sales taxes.
5. The program provide that the state lottery receive 40% of the net proceeds to fill the anticipated shortage in shared revenue in the second year of the state's budget and to meet the constitutional requirement that funds be used for property tax relief; and,

**BE IT FURTHER RESOLVED**, that the County Clerk be authorized and directed to forward a copy of this resolution to the State Department of Administration, Division of Gaming and to Representatives Jean Hundertmark, John Ainsworth, Luther Olsen, State Senators Robert Welch, Robert L. Cowles, and all County Clerks.

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

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

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

Supr. Fleese moved and Supr. Sasse seconded the motion to adopt Resolution No. 28 (2003-2004). Motion carried 21-4 with Suprs. Lawrence, Johnson, Gabert, and Allen voting no. Passed this 23<sup>rd</sup> day of September, 2003.

**RESOLUTION NO. 29 (2003-2004)**  
**Waupaca County / Outagamie County Cooperative Agreement**

**WHEREAS**, Waupaca County became a Responsible Unit (as defined in s. 287.09, Wis. Stats.) by resolution in 1991; and

**WHEREAS**, Waupaca County entered into a cooperative agreement with each of 31 municipalities for the purpose of establishing an effective recycling program, thereby achieving a measure of recycling efficiency; and

**WHEREAS**, Waupaca County desires greater recycling efficiency by working with another Responsible Unit, Outagamie County, on a paper recycling educational campaign; and

**WHEREAS**, s. 66.0301(2), Wis. Stats., authorizes cooperation between municipalities and allows municipalities to contract with each other for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law; and

**WHEREAS**, the Waupaca County Solid Waste Management Board, by resolution, has been authorized to submit an application for a Recycling Efficiency Grant from the Wisconsin Department of Natural Resources, pursuant to s. 287.23, Wis. Stats., and Wisconsin Administrative Code NR 549.

**NOW, THEREFORE, BE IT RESOLVED**, that the Waupaca County Board of Supervisors authorizes the Waupaca County Solid Waste Management Board to enter into and execute a 66.30 cooperative agreement with Outagamie County for a joint education campaign targeting paper recyclables; and

**BE IT FURTHER RESOLVED**, that the Waupaca County Clerk be directed to forward a copy of this resolution to Outagamie County.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY SOLID WASTE MANAGEMENT BOARD:** /s/ Carl Kietzmann, John F. Penney, Gene A. Sorensen, Dick Koeppen, Don Aasen, Jeffrey Dyer, Maryann Snider, Thomas Seversen

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

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

Supr. Koeppen moved and Supr. Sorensen seconded the motion to adopt Resolution No. 29 (2003-2004). Motion carried 25-0. Passed this 23<sup>rd</sup> day of September, 2003.

**RESOLUTION NO. 30 (2003-2004)**

**SUBJECT:** Jurisdictional Transfer Agreement – “Old” CTH “A”

**WHEREAS**, the Wisconsin Department of Transportation reconstructed USH 10, Project #6898-04-70/71, for the good and in the interest of the traveling public; and

**WHEREAS**, the construction includes changes in the local road system within Waupaca County and Town of Lind.

**NOW, THEREFORE, BE IT RESOLVED**, that Waupaca County agrees to transfer maintenance, jurisdiction, and ownership of underlying the right of way for 0.39 miles of old CTH “A” roadway to the Town of Lind as described in the attached Jurisdictional Transfer Agreement and shown on the attached Wisconsin Department of Transportation Project 6890-04-70/71 plan sheets; and

**BE IT FURTHER RESOLVED** that the jurisdiction and maintenance responsibility will become effective upon the date the new roads are open to traffic, estimated to be in the fall of 2003.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY HIGHWAY COMMITTEE:** /s/ Donald Fabricius, G. Robert Flease, Patricia Craig, James Flink, William Jonely

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

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

Supr. Fabricius moved and Supr. Flink seconded the motion to adopt Resolution No. 30 (2003-2004). Motion carried 25-0. Passed this 23<sup>rd</sup> day of September, 2003.

**RESOLUTION NO. 31 (2003-2004)**

**SUBJECT:** Jurisdictional Transfer Agreement – “New” CTH “A”

**WHEREAS,** the Wisconsin Department of Transportation reconstructed USH 10, Project #6898-04-70/71, for the good and in the interest of the traveling public; and

**WHEREAS,** the construction includes changes in the local road system within Waupaca County.

**NOW, THEREFORE, BE IT RESOLVED** that Waupaca County agrees to accept maintenance, jurisdiction and ownership of underlying right of way for 0.50 miles of new roadway from the Wisconsin Department of Transportation as described in the attached Jurisdictional Transfer Agreement and shown on the attached Wisconsin Department of Transportation Project 6890-04-70/71 plan sheets.

**BE IT FURTHER RESOLVED** that the jurisdiction and maintenance responsibility will become effective upon the date the new road is open to traffic, estimated to be in the fall of 2003.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY HIGHWAY COMMITTEE:** /s/ Donald Fabricius, G. Robert Flease, Patricia Craig, James Flink, William Jonely

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

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

Supr. Flink moved and Supr. Fabricius seconded the motion to adopt Resolution No. 31 (2003-2004). Motion carried 25-0. Passed this 23<sup>rd</sup> day of September, 2003.

**RESOLUTION NO. 32 (2003-2004)**

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

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

Lee Rambo  
N7918 Campbell Lake Road, Ogdensburg, WI 54962  
Sec. 35, Township of Helvetia, 45.35 Acres

**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 WAUPACA COUNTY LAND AND WATER CONSERVATION COMMITTEE:** /s/ Eunice Lawrence, Donn L. Allen, Howard Trudell, Donald Peterson, Tom Opperman, Fred Rasmussen

Supr. Peterson moved and Supr. Trudell seconded the motion to adopt Resolution No. 32 (2003-2004). Motion carried 25-0. Passed this 23<sup>rd</sup> day of September, 2003.

**RESOLUTION NO. 33 (2003-2004)**

**SUBJECT:** Budget amendment to appropriate surplus Register of Deeds revenue toward purchase of Land Records Management System, TRI-MIN Systems, Inc.

**WHEREAS**, the current record number of recordings provides an opportunity to update our software to be ready for new technologies in the future; and

**WHEREAS**, revenues generated from the Register of Deeds/Land Records is sufficient at this time to cover the costs of updating the system; and

**WHEREAS**, this new system will provide a public access module, an e-recording module and the base Land Records Management module; and

**WHEREAS**, this new system will provide additional revenues to Register of Deeds/Land Records for public access to the records via the internet on a fee basis.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Waupaca County Board of Supervisors does hereby approve the appropriation of revenue funds in an amount not to exceed \$72,000 to purchase the Land Records Management System from TRI-MIN Systems, Inc.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCE AND PERSONNEL COMMITTEE:** /s/ James Loughrin, Duane R. Brown, John F. Penney, Patricia Craig

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

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

Supr. Rasmussen moved and Supr. Craig seconded the motion to adopt Resolution No. 33 (2003-2004). Motion carried 25-0. Passed this 23<sup>rd</sup> day of September, 2003.



Chairman Brown placed the following correspondence for September on file in the County Clerk's Office: Waupaca County Economic Development Corp. Report, Governor Jim Doyle – budget, United State Senator Russ Feingold appointing Jon LiDonne to his Veterans Advisory Committee, Coordinated Community Response Team – Invitation, Support of Comprehensive Planning, City of Waupaca, City of Manawa, Town of Union, Town of Royalton, Town of Little Wolf, Town of Lind-not the Professional Planner/Consultant, Town of Waupaca, look at Professional Planner/Consultant costs, Wisconsin Council 40, Local 1756-Highway, Local 2771-Law Enforcement and Professional and Non-Professionals intent to bargain, Dept. of Workforce Development.

Supr. Steenbock moved and Supr. Allen seconded the motion to adjourn. Motion carried 25-0. Chair Brown declared the meeting adjourned at 10:15 a.m.