

**WAUPACA COUNTY BOARD OF SUPERVISORS
ADJOURNED ORGANIZATIONAL SESSION
MAY 18, 2004**

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

Present: Suprs. Allen, Barrington, Brown, Craig, Flease, Flink, Gabert, Hillskotter, Hurlbut, Johnson, Jonely, Koeppen, Kussmann, Lawrence, Loughrin, Murphy, Penney, Peterson, Sasse, Sorensen, Steenbock, Trambauer, Trudell, Whitman. Suprs. Aasen, Mares, and Rasmussen were excused.

Chair Koeppen made the open meeting 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. Flink seconded the motion to approve the agenda. Motion carried 24-0.

Supr. Craig moved and Supr. Peterson seconded the motion to approve the minutes from the April 20 & 21, 2004 meeting as corrected. Motion carried 24-0.

INTRODUCTION

UWEX Educator Connie Abert introduced UWEX Family Living Agent Marilyn Herman. Marilyn gave a short presentation on her background and what she will be working on.

**RECOGNITION OF VOLUNTEER DRIVERS
Dennis Dornfeld, DHHS Director**

Dennis Dornfeld, DHHS Director and Pat Enright, Community Care Division commended Volunteer Driver Coordinator Marlene Tews on her years of service. Marlene presented the Department of Human Services with a picture and poem in memory of volunteer driver Donovan Scheider.

LEGISLATIVE FORUM

Senator Robert Welch and Representative Jean Hundertmark appeared before the County Board to give a Legislative update and answered questions from the Board.

WISCONSIN COUNTIES ASSOCIATION – TABOR
Craig Thompson

Craig Thompson discussed the Taxpayers Bill of Rights (TABOR) and answered questions from the Board.

Chair Koeppen called for a seven minute recess. Chair Koeppen called the meeting back to order.

REPORT NO. 7 (2004-2005)
Personnel Department Annual Report

Personnel Director Mandy Welch reviewed her annual report. The entire report is on file in the County Clerk's Office.

AMENDMENT TO CHAPTER NO. 34
Town of Fremont, A-G to RS-20
2004-478, Z-2-04

Parcel #06-19-32-12, Z-2-04, Gregory S. Schaller, in Sec. 19, Town of Fremont for a Zoning Amendment from an A-G (General Agriculture) zone to an RS-20 (Residential Single-Family, 20,000 Sq. Ft. Lot Minimum) zone to create four 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 NW 1/4 of the SW 1/4 of Sec. 19, Town of Fremont, lying along Red Banks Drive, Waupaca County, Wisconsin, on approximately 5.02 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, Detail Map B-25, 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 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 May 18, 2004.
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Hurlbut moved and Supr. Kussmann seconded the motion to adopt the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 24-0. Passed the 18th day of May, 2004.

DENIAL TO ZONING AMENDMENT
Town of Caledonia
ZA-4-04

The Waupaca County Zoning Committee, having considered the petition No. ZA-4-04 on the 22nd day of April, 2004 by Carl G. Kalbus Trust from an A-G (General Agriculture) zone to a C-G (General Commercial) zone for pet supplies, grooming and training.

The following described lands: Located in part of the NW 1/4 of the NW 1/4 of Sec. 25, Town of Caledonia, lying along State Road "96", Fire Number E-9359, Waupaca County, Wisconsin. Approximately 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 only for the requested purpose as presented with the following conditions:

The applicants will NOT be:

- Field training or using any guns for training
- Not be a boarding kennel
- Not allow excessive barking – all dogs supervised at all times
- If there is a problem dog, they will not be allowed in the daycare program

Dated this 22nd day of April, 2004
Waupaca County Zoning Committee
By: /s/ John F. Penney, Chairman

Supr. Sorensen moved and Supr. Murphy seconded the motion to approve the Denial to Zoning Amendment ZA-4-04. Motion carried 23-0. Passed this 18th day of May, 2004.

RESOLUTION NO. 07 (2004-2005)

Subject: Contingency Fund Transfer

WHEREAS, it has become necessary to seek additional sources of revenue to support county services; and

WHEREAS, Wisconsin Counties Association has endorsed a new program for location of both federal and private grants; and

WHEREAS, this program is being offered at a discounted price through Wisconsin Counties Association; and

WHEREAS, this program allows an unlimited number of participants from the County to sign on with password protected internet service for the amount of four thousand two hundred and seventy-five dollars (\$4,275.00) for a one-year period of time, at which time this program will be evaluated for its success.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made from the Contingency Fund to the Treasurer’s Contract Service Account in the amount of \$4,275.00.

Transfer from:

Contingency Fund \$4,275.00

Transfer to:

Acct. #11-13 51520 210.0 \$4,275.00
Treasurer’s Contract Services

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

ATTEST:

/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM

/s/ Jeffrey Siewert, Corporation Counsel

Supr. Brown moved and Supr. Trudell seconded the motion to adopt Resolution No. 7 (2004-2005). Motion carried 24-0. Passed this 18th day of May, 2004.

RESOLUTION NO. 8 (2004-2005)

Taxpayers Bill of Rights

WHEREAS, Assembly Substitute Amendment to 2003 Assembly Joint Resolution 55 was introduced in the Wisconsin State Assembly by Representative Frank Lasee; and

WHEREAS, Assembly Substitute Amendment to 2003 Assembly Joint Resolution 55 is a proposed constitutional amendment modeled directly after a constitutional amendment adopted in Colorado in 1992 called the Taxpayers Bill of Rights or TABOR; and

WHEREAS, Assembly Substitute Amendment to 2003 Assembly Joint Resolution 55, like Colorado's TABOR, would place into the Wisconsin Constitution a formula limiting annual increases in spending each year for all levels of government in Wisconsin to the change in the Consumer Price Index plus varying factors depending on municipality; and

WHEREAS, Colorado is currently engulfed in a debate over whether to suspend some of the provisions of TABOR or repeal TABOR due to a significant budget shortfall, a growing backlog of road projects, and dropping to near the bottom of the fifty states in graduation rates, immunization rates, higher education funding, health care coverage for children and prenatal care; and

WHEREAS, Assembly Substitute Amendment to 2003 Assembly Joint Resolution 55 is currently being reworked by work groups in the Assembly and Senate in an effort to craft a new proposed Constitutional Amendment which attempts to remedy some of the errors made in Colorado and is more workable for Wisconsin; and

WHEREAS, the primary lesson learned from Colorado is that placing strict formulas in the Constitution does not allow for government to react to changing circumstances or inherent flaws in the formula; and

WHEREAS, before any Joint Resolution to amend Wisconsin's Constitution is before the Legislature for first consideration, there should be a thorough public discourse with the taxpaying public in order to ensure a proper understanding of the proposal; and

WHEREAS, all governmental entities should have the ability to take whatever formula is proposed and create fiscal models to learn what the impact would have been if we had such a formula in place in previous years as well as what it will mean in the future; and

WHEREAS, in 1990 the overwhelming majority of the voting public in Wisconsin (70%) went on record through an advisory referendum stating that the Constitution should be amended to "require the state to fully fund any program service or benefit it requires local government to provide";

NOW, THEREFORE, BE IT RESOLVED, that the Waupaca County Board hereby urges the Wisconsin State Legislature to allow time for meaningful dialogue and input from the taxpayers of this state before moving forward with a proposed Constitutional Amendment.

BE IT FURTHER RESOLVED, that Waupaca County urges the Wisconsin State Legislature to maintain the Wisconsin Constitution for items of a constitutional nature and make fiscal policy changes in Wisconsin statutes or Department rules; and

BE IT FURTHER RESOLVED, that any proposed changes to the Wisconsin Constitution which address government spending must also include language reflecting the full intent of the citizen to “require the state to fully fund any program service or benefit it requires local government to provide”.

FINALLY BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all State Senators and Representatives representing our county, Governor Doyle, and the Wisconsin Counties Association.

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

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

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

Supr. Kussmann moved and Supr. Steenbock seconded the motion to adopt Resolution No. 8 (2004-2005). Motion carried 24-0. Passed this 18th day of May, 2004.

**RESOLUTION NO. 9 (2004-2005)
Tomorrow River Trail Development**

WHEREAS, Waupaca County is interested in developing lands for public outdoor recreation and education purposes as described in the application; and

WHEREAS, financial aid is required to carry out the project; and

WHEREAS, Waupaca County has budgeted a sum sufficient to complete the project.

NOW THEREFORE BE IT RESOLVED that Waupaca County hereby authorizes Roger G. Holman, Solid Waste/Park and Rec. Director, to submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available; sign documents; and take necessary action to undertake, direct, and complete the approved project.

BE IT FURTHER RESOLVED that Waupaca County will comply with State or Federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting, and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY PARK & RECREATION COMMITTEE: /s/ Kenneth Hurlbut, John Trambauer, Eunice Lawrence, Rose Mary Sasse, Dona Gabert

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. 9 (2004-2005). Motion carried 22-2 with Suprs. Penney and Johnson voting no. Passed this 18th day of May, 2004.

RESOLUTION NO. 10 (2004-2005)

Subject: Contingency Fund Transfer

WHEREAS, the roof at the Sheriff’s Department Annex building located in Manawa (the old Highway garage building) is in immediate need of repairs; and

WHEREAS, this building houses Sheriff Department evidence storage including vehicles from accidents and is essential to keeping the roof in good repair; and

WHEREAS, Law Enforcement Committee, Finance & Personnel Committee and the Public Property Committee have reviewed the requests for proposals and recommended the most advantageous proposal for the county in the amount not to exceed \$8,324.00 to Pro-Tech Roofing, Wild Rose, WI.

NOW, THEREFORE, BE IT RESOLVED that the following transfer be made from the Contingency Fund to the Public Property Repair Maintenance Account in the amount of \$8,324.00.

Transfer from:

Contingency Fund \$8,324.00

Transfer to:

Acct. #11-18-51501 350.0 \$8,324.00
Repair Maintenance

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LAW ENFORCEMENT COMMITTEE, FINANCE & PERSONNEL COMMITTEE, AND PUBLIC PROPERTY COMMITTEE: /s/ Fred Rasmussen, Robert Whitman, James Flink, Lloyd Mares, David Johnson, William Jonely, Dona Gabert, Gary Barrington, Duane Brown, Kay Hillskotter, Dick Koeppen, Patricia Craig, John F. Penney, Donald Aasen

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

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

Supr. Flink moved and Supr. Trudell seconded the motion to adopt Resolution No. 10 (2004-2005). Motion carried 24-0. Passed this 18th day of May, 2004.

APPOINTMENTS

Former Supr. Carl Kietzmann will serve as a citizen member on the Board of Adjustment until the end of his term in 2006.

Supr. Hillskotter moved and Supr. Lawrence seconded the motion to appoint Supr. John Trambauer and Marilyn Herman to the W-2 Community Steering Committee, Melissa Hammond and Nicole Lannyk to the Early Intervention/Family Support Program Advisory Committee, and Supr. Gerald Murphy and Nancy Ferg to the Transportation Coordination Committee. Motion carried 24-0. Passed this 18th day of May, 2004.

Supr. Sorensen moved and Supr. Peterson seconded the motion to appoint Jeff Dyer, Ken Van Dyke, and Ray Brockhaus as citizen members to the Solid Waste Management Board. Motion carried 24-0. Passed this 18th day of May, 2004.

Supr. Brown moved and Supr. Steenbock seconded the motion to appoint Supr. Lloyd Mares to the Criminal Justice Committee. Motion carried 24-0. Passed this 18th day of May, 2004.

Supr. Craig moved and Supr. Johnson seconded the motion to appoint Suprs. Trudell, Barrington, Hillskotter, and Kenneth Renning, Kathy Mitchell, and Brian Smith as citizen members to the County Library Planning Committee. Motion carried 23-1 with Supr. Penney voting no. Passed this 18th day of May, 2004.

ANNOUNCEMENTS AND CORRESPONDENCE

Chairman Koeppen placed the following correspondence for May on file in the County Clerk's Office: Waupaca County Economic Development Corp. Report for April, TIF District Reports – City of Manawa and City of Weyauwega, Towns Association Meeting, DHHS Public Hearing, and White Lake concerns letter. The June County Board meeting will be held in Marion.

Supr. Johnson moved and Supr. Steenbock seconded the motion to adjourn. Motion carried 24-0. Chair Koeppen declared the meeting adjourned at 11:30 a.m.