

**WAUPACA COUNTY BOARD OF SUPERVISORS  
ADJOURNED ANNUAL SESSION  
FEBRUARY 15, 2005**

Chair Koeppen called the meeting to order at 9:00 a.m. with 23 members present.

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

A moment of silent meditation was observed followed by the Pledge of Allegiance.

Supr. Flink moved and Supr. Peterson seconded the motion to approve the agenda. Motion carried 23-0.

Supr. Steenbock moved and Supr. Murphy seconded the motion to approve the minutes from the January 18, 2005 meeting. Motion carried 23-0.

**LAND AND WATER CONSERVATION ANNUAL REPORT  
Bruce Bushweiler**

Governor Doyle has declared 2005 as the Year of Land and Water Conservation. Bruce Bushweiler reviewed the annual report and updated the County Board on Land and Water Conservation Department's various projects.

**WAUPACA COUNTY NATURAL RESOURCES FOUNDATION  
Tom Wilson & Pat Phair**

Tom Wilson introduced Pat Phair, Vice President of the Foundation. Pat explained the creation of the Waupaca County Natural Resources Foundation and its mission.

**COMPREHENSIVE PLANNING  
AG/NATURAL RESOURCE/LAND USE SURVEY RESULTS  
Greg Blonde & Mike Koles**

Greg Blonde and Mike Koles reviewed the results of the Ag, Natural Resources and Land Use survey.

Chair Koeppen called for a 10 minute break. Chair Koeppen called the meeting to order.

**EHLERS & ASSOCIATES**

Todd Taves, Financial Advisor for Ehlers & Associates, reviewed the sale results on the \$5,540,000 General Obligation Promissory Notes.

**RESOLUTION NO. 39 (2004-055)  
A RESOLUTION AUTHORIZING THE SALE OF \$5,540,000 GENERAL  
OBLIGATION PROMISSORY NOTES**

WHEREAS, on November 16, 2004, the County Board of Supervisors of Waupaca County, Wisconsin (sometimes hereinafter called the "County") adopted a resolution (the "Initial Resolution") authorizing the issuance of general obligation promissory notes pursuant to Chapter 67, Wisconsin Statutes, in an amount not to exceed \$5,540,000 for the public purpose of paying the cost of projects included in the County's 2005 and 2006 capital improvement plans, including road and bridge projects, nursing home facility improvements, courthouse improvements, improvements at the County fairgrounds, park and recreation projects, the Land Information Office County-Wide mapping project, and acquisition of equipment for the Sheriff's Department, the Parks and Recreation Department and the Solid Waste/Recycling Department (the "Project"); and

WHEREAS the County Board of Supervisors deems it necessary and in the best interest of the County that the general obligation promissory notes authorized by the Initial Resolution now be issued, upon the terms and conditions hereinafter provided; and

WHEREAS the County has duly received bids for its proposed issue of \$5,540,000 General Obligation Promissory Notes (the "Notes") as described on the bid tabulation attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS it has been determined that the best bid received was that submitted by the bidder (the "Purchaser") whose bid is attached hereto as Exhibit B and incorporated herein by this reference (the "Proposal");

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Waupaca County, Wisconsin, that:

Section 1. Award. The bid of the Purchaser for the purchase price set forth in the Proposal be and it hereby is accepted and the Chairperson and County Clerk are authorized and directed to execute an acceptance of the officer of said successful bidder on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned.

Section 2. The Notes. The Chairperson and County Clerk shall make, execute and deliver the Notes to the Purchaser, for and on behalf of the County. The Notes shall be negotiable, general obligation promissory notes of the County, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof,

numbered from R-1 upward and dated March 1, 2005. The Notes shall bear interest at the rates per annum set forth in the Proposal and shall mature on February 1 of each year, in the years and principal amounts set forth in the Proposal and the debt service schedule attached hereto as Exhibit C and incorporated herein by this reference (the "Schedule").

Interest on the Notes shall be payable on February 1 and August 1 of each year, commencing August 1, 2005. Interest shall be computed upon the basis of a 360-day year of 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Notes maturing in the years 2014 and 2015 shall be subject to call and prior payment at the option of the County in whole or from time to time in part on February 1, 2013 or any date thereafter at the price of par plus accrued interest to the date of redemption. The amounts and maturities of the Notes to be redeemed shall be selected by the County. If less than the entire principal amount of any maturity is to be redeemed, the Notes of that maturity which are to be redeemed shall be selected by lot.

Section 3. form of Notes. The Notes shall be in substantially the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 4. Tax Provisions.

(A) Direct, Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the Notes as the same become due, the full faith, credit and resources of the County are hereby irrevocably pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual, irrepealable tax in the years 2005 through 2014 for payment of principal of and interest on the Notes in the years 2005 through 2015 in the amounts set forth in the Schedule. The amount of tax levied for the year 2005 shall be the total amount of debt service due on the Notes in the years 2005 and 2006; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Notes in the year 2005.

(B) Tax Collection. The County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls may be reduced in any year by the amount of any surplus money in the Debt Service Account created in Section 5(A) hereof.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments of said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sum shall be replaced upon the collection of taxes herein levied.

(D) Appropriation. There be and there hereby is appropriated from taxes levied in anticipation of the issuance of the Notes, proceeds of the Notes or other funds of the County on

hand a sum sufficient to be deposited in the Debt Service Account to meet payments with respect to debt service due on August 1, 2005.

Section 5. Debt Service Fund and Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Sinking funds established for obligation previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there be and there hereby is established a separate and distinct account designated as the “Debt Service Account for \$5,540,000 ‘General Obligation Promissory Notes,’ dated March 1, 2005” (the “Debt Service Account”) and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Notes when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (iv) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in Section 6 hereon; and (vi) such further deposits as may be required by Sec. 67.11, Wis. Stats.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Account and appropriated for any purpose other than the payment of principal of an interest on the Notes until all such principal and interest has been paid in full and canceled; provided (i) the funds to provide the each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wis. Stats., in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall be a part of the Debt Service Account.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all permitted investments disposed of, any money remaining in the Debt Service Account shall be deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 6. Proceeds of the Notes. All monies received by the County upon the delivery of the Notes to the Purchaser thereof, except for accrued interest and premium, if any, shall be deposited by the County Treasurer into a special fund (the “Borrowed Money Fund”) which shall be maintained separate and distinct from all other funds of the County and shall be used for no

purpose other than the purposes for which the Notes are issued. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested as provided in Section 66.0603(1m), Wis. Stats. Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Account.

Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but no such investment shall be made in such a manner as would cause the Notes to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the “Code”) or the Regulations of the Commissioner of Internal Revenue thereunder (the “Regulations”); and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of closing which will permit the conclusion that the Notes are not “arbitrage bonds,” within the meaning of the Code or Regulations.

Section 8. Persons Treated as Owners; Transfer of Notes. The County Clerk shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest of any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate physical amount, series and maturity, and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each internet payment date shall be the record dates for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and their ownership, management and use will not cause the Notes to be “private activity bonds” within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent

necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as “qualified tax-exempt obligations” for purposes of Section 265 of the Internal Revenue Code of 1986, as amended, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York, the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk’s office.

Section 12. Payment of Issuance Expenses. The County authorizes the Purchaser to forward the amount of Note proceeds allocable to the payment of issuance expenses to the U.S. Trust Company, Minneapolis, Minnesota on the closing date for further distribution as directed by the County’s financial advisor, Ehlers & Associates, Inc.

Section 13. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as “final” for purposes of SEC Rule 15c2-12. All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and addenda to it are hereby ratified and approved. In connection with the closing for the Notes, the appropriate County official shall certify the Preliminary Official Statement and addenda. The County Clerk shall cause copies of the Preliminary Official Statement and addenda to be distributed to the Purchaser of the Notes.

Section 14. Undertaking to Provide Continuing Disclosure. The County covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the

“Undertaking”) required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the “Rule”) to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Notes or by the original purchaser(s) of the Notes on behalf of such holders (provided that the rights of the holders and the purchaser(s) to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County’s Undertaking.

Section 15. Records. The County Clerk shall provide and keep a separate record book and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing these Notes.

Section 16. Bond Insurance. If the Purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 17. Closing. The Chairperson and County Clerk of the County are hereby authorized and directed to execute and deliver the Notes to the Purchaser thereof upon receipt of the borrowed funds, accrued interest to date of delivery and premium, if any. The Chairperson and County Clerk may execute the Notes by manual or facsimile signature, but at least one of said officers shall sign the Notes manually.

The officers of the County are hereby directed and authorized to take all steps necessary or convenient to close this issue as soon as practicable hereafter, in accordance with the terms of said thereof; and said officers are hereby authorized and directed to execute and deliver such documents, certificates and acknowledgments as may be necessary or convenient in accordance therewith.

Adopted, approved and recorded February 15, 2005.

/s/ Dick Koeppen  
Chairperson

Attest:  
/s/ Mary A. Robbins  
County Clerk

Supr. Flink moved and Supr. Trudell seconded the motion to adopt Resolution No. 39 (2004-2005) Motion carried 20-3 with Suprs. Kussmann, Penney and Johnson voting no. Passed this 15<sup>th</sup> day of February, 2005.

Supr. Kussmann moved and Supr. Sasse seconded the motion to reconsider the vote on Resolution No. 39 (2004-2005). Motion carried 23-0. Passed this 19<sup>th</sup> day of February, 2005.

Supr. Flink moved and Supr. Trudell seconded the motion to adopt Resolution No. 39 (2004-2005) Motion carried 19-4 with Suprs. Kussmann, Murphy, Penney and Johnson voting no. Passed this 15<sup>th</sup> day of February, 2005.

### **COMMITTEE REPORTS**

Supr. Craig reported on the Legislative Forum held in Madison.

#### **AMENDMENT TO CHAPTER NO. 34 Town of Iola, A-G to M-G 2005-484, Z-2-05**

Parcel #09-36-14-6, Z-2-05, Chester L. Krause Revocable Trust (agent – Ross Fischer), in Sec. 36, Town of Iola for a Zoning Map Amendment from an A-G (General Agriculture) zone to an M-G (General Manufacturing) zone for storage units and the sales and service of overhead doors.

**An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in part of the SE ¼ of the NE ¼ of Sec. 36, Town of Iola, lying along Aanstad Road, Fire Number N-7453, Waupaca County, Wisconsin, on approximately 6.04 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 Iola 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 Iola 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 February 15, 2005.

/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Hurlbut moved and Supr. Kussmann seconded the motion to adopt amendment to Chapter 34 of the Waupaca County General Code of Ordinances, Z-2-05. Motion carried 23-0. Passed this 15<sup>th</sup> day of February, 2005.

**AMEND WAUPACA COUNTY CODE OF ORDINANCES  
CHAPTER 22 – Smoking Pollution Control**

Chair Koeppen referred the matter back to the Legislative & Judicial Committee for further review.

**RESOLUTION NO. 35 (2004-2005)**

**SUBJECT: EXECUTIVE ORDER # 81-** Designation of the National Incident Management System (NIMS) as the Basis for Incident Management in the State of Wisconsin

**WHEREAS**, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

**WHEREAS**, the collective input and guidance from all federal, state, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

**WHEREAS**, it is necessary and desirable that all federal, state, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

**WHEREAS**, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans,

unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

**WHEREAS**, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

**WHEREAS**, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

**WHEREAS**, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

**NOW, THEREFORE, BE IT RESOLVED**, that Waupaca County does hereby adopt the National Incident Management System (NIMS) as the County standard as our standard for incident management.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY EMERGENCY MANAGEMENT COMMITTEE:** /s/ Dick Koeppen, James Flink, James Loughrin, G. Robert Fleese

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

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

Supr. Jonely moved and Supr. Brown seconded the motion to adopt Resolution No. 35 (2004-2005). Motion carried 23-0. Passed this 15<sup>th</sup> day of February, 2005.

**RESOLUTION NO. 36 (2004-2005)**

**Subject:** Designate Waupaca County Sheriff's Dept. as Primary Wireless 9-1-1 PSAP

**WHEREAS**, the Law Enforcement Committee is requesting that the County Sheriff's Department be designated as the Wireless 9-1-1 Public Safety Answering Points (PSAP's) for Waupaca County in accordance with Wisconsin Statutes 146.70(3m); and

**WHEREAS**, the location of any person calling for assistance using a wireless phone is vital information; and

**WHEREAS**, wireless phones will be capable of providing this information to properly equipped public safety answering points (PSAP's); and

**WHEREAS**, the state has adopted legislation providing for a single 9-1-1 PSAP in each county to receive the wireless 9-1-1 calls.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors that the Waupaca County Sheriff's Department be designated as the Wireless 9-1-1 PSAP for Waupaca County in accordance with Wisconsin Statutes 146.70(3m).

**BE IT FURTHER RESOLVED** that the Waupaca County Sheriff's Department be authorized to apply for and accept grants covering costs associated with providing wireless 9-1-1 service as may be permitted by PSC regulation.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LAW**

**ENFORCEMENT COMMITTEE:** /s/ David Johnson, William Jonely, Dona Gabert, James Flink

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

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

Supr. Flink moved and Supr. Whitman seconded the motion to adopt Resolution No. 36 (2004-2005). Motion carried 23-0. Passed this 15<sup>th</sup> day of February 2005.

**RESOLUTION NO. 37 (2004-2005)**

**SUBJECT:** Resolution endorsing Wisconsin Children's Initiative to Reduce Youth Smoking.

**WHEREAS**, 76,800 Wisconsin high school students smoke, and another 15,900 become daily smokers each year, while 930,800 Wisconsin adults smoke and 7,800 die each year from causes related to smoking; and

**WHEREAS**, \$1.58 billion is spent in Wisconsin annually for health care costs that are directly attributable to smoking; and

**WHEREAS**, the Wisconsin Medicaid Program provides health care coverage for the uninsured, elderly, and disabled, but currently has a deficit of \$224 million because \$375 million, or about 14% of all Medicaid expenditures, are spent to treat diseases caused by smoking; and

**WHEREAS**, every state that increased cigarette taxes between 2000 and 2002 has enjoyed large revenue increases despite declines in the sale and consumption of cigarettes; and

**WHEREAS**, a \$1 per pack cigarette tax increase will raise about \$251 million in new state revenues during the first year and will generate sufficient revenue to eliminate the Medicaid deficit, leverage federal Medicaid funds, fund Wisconsin's Comprehensive Tobacco Control Program at the level recommended by the Centers for Disease Control and Prevention, and reduce the property tax burden on Waupaca County tax payers for services that the county provides to its residents under the Medicaid program;

**NOW, THEREFORE, LET IT BE RESOLVED** that the Waupaca County Board of Supervisors endorses the Wisconsin Children's Initiative proposal and urges the Wisconsin Legislature and Governor Doyle to increase the Wisconsin cigarette tax by \$1 per pack in order to generate revenue for the purpose of funding the Medical Assistance Program, including waiver programs; implementing tobacco control programs following the Center for Disease Control and Prevention's best practices guidelines; and providing other state programs that will advance the health, education, and general welfare of Wisconsin citizens; and

**BE IT FURTHER RESOLVED**, that the Waupaca County Board of Supervisors requests that the Wisconsin Counties Association include an increase in Wisconsin cigarette tax by \$1 per pack as part of the WCA Legislative Agenda for the 2005-2007 Wisconsin State budget; and

**BE IT FURTHER RESOLVED**, that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the President of the Wisconsin Senate, the Speaker of the Wisconsin Assembly, each legislator in the Wisconsin Senate and Assembly who represents constituents from Waupaca County, and to the Wisconsin Counties Association.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD:** /s/ Rose Mary Sasse, John H. Trambauer, Elizabeth Tautges, Patty Kappelman, Donn L. Allen, Howard Trudell, Gerald M. Murphy

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

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

Supr. Trudell moved and Supr. Murphy seconded the motion to adopt Resolution No. 37 (2004-2005). Motion carried 13-10 with Suprs. Sasse, Kussmann, Steenbock, Whitman, Hurlbut, Penney, Johnson, Craig, Brown, and Loughrin voting no. Passed this 15<sup>th</sup> day of February, 2005.

**RESOLUTION NO. 38 (2004-2005)**

**SUBJECT:** Resolution relating to the closeout of the Gateway unit at Lakeview Manor.

**WHEREAS**, changes in the law now mandate that developmentally disabled residents placed in ICFMR facilities must be assessed to determine whether they are living in the most integrated setting for which they are capable; and

**WHEREAS**, Lakeview Manor, the County run nursing facility, operates a wing known as the GATEWAY UNIT which is an ICFMR unit currently housing 16 residents; and

**WHEREAS**, an ad hoc committee consisting of Lakeview Manor staff and Health and Human Services staff have been working for a number of months to develop a plan with the potential for relocating the 16 residents into the community; and

**WHEREAS**, the efforts of the ad hoc committee have resulted in a proposed letter of agreement with the State Department of Health and Family Services outlining a phase-out timetable and funding formulas (Draft of the agreement attached); and

**WHEREAS**, this agreement would assist in the relocation of the Gateway residents by establishing a timetable and providing additional funding support during the transition;

**NOW, THEREFORE, LET IT BE RESOLVED** that the Waupaca County Board of Supervisors endorses the Agreement and authorizes the Lakeview Manor Administrator to enter into the agreement as outlined in the attached draft; and

**BE IT FURTHER RESOLVED**, that the Waupaca County Board of Supervisors endorses and supports the ad hoc committee efforts to timely and effectively relocate the developmentally disabled residents residing in the Gateway unit.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY HEALTH & HUMAN SERVICES BOARD:** /s/ Rose Mary Sasse, John H. Trambauer, Elizabeth Tautges, Patty Kappelman, Donn L. Allen, Howard Trudell, Gerald M. Murphy

Supr. Murphy moved and Supr. Lawrence seconded to adopt Resolution No. 38 (2004-2005). Supr. Murphy withdrew his motion and Supr. Lawrence withdrew her second to the motion. Chair Koeppen referred the matter back to the Health and Human Services Board for further review.

**RESOLUTION NO. 40 (2004-2005)  
SHAW'S LANDING BOAT LAUNCH DEVELOPMENT**

**WHEREAS**, Waupaca County hereby requests assistance for purpose of developing recreational boating facilities as described in the application.

**THEREFORE, BE IT RESOLVED**, that Waupaca County has budgeted a sum sufficient to complete the project, and hereby authorizes Roger Holman to act on behalf of Waupaca County to submit an application to the Wisconsin Waterways Commission for financial assistance, sign documents, and take necessary actions to undertake, direct, and complete the approved project.

**BE IT FURTHER RESOLVED** that Waupaca County will comply with State and 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 approval in writing from the Wisconsin Waterways Commission before any change is made in the use of the project site (if applicable.)

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

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

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

Supr. Hurlbut moved and Supr. Sasse seconded the motion to adopt Resolution No. 40 (2004-2005). Motion carried 19-3 with Suprs. Murphy, Penney and Johnson voting no. Passed this 15<sup>th</sup> day of February, 2005. Supr. Brown was excused.

### **APPROVAL OF FIRE WARDEN LIST**

Supr. Peterson moved and Supr. Sorensen seconded the motion to approve the 2005 Fire Warden List. Motion carried 22-0. Passed this 15<sup>th</sup> day of February, 2005.

### **APPOINTMENTS**

Supr. Craig moved and Supr. Trudell seconded the motion to appoint Robie Jo Linn and Josh Linn to the EIP/FSP committee. Motion carried 22-0. Passed this 15<sup>th</sup> day of February, 2005.

### **ANNOUNCEMENTS AND CORRESPONDENCE**

Chair Koeppen presented Corporation Counsel Jeff Siewert with a years of service certificate.

Chair Koeppen placed the following correspondence for February on file in the County Clerk's Office: Waupaca County Economic Development Corp. Report for January 2005, Wisconsin Towns Association meeting announcement, and Comprehensive Economic Development Strategy.

Supr. Steenbock moved and Supr. Flink seconded the motion to adjourn. Motion carried 22-0. Chair Koeppen declared the meeting adjourned at 11:44 a.m.