

**WAUPACA COUNTY BOARD OF SUPERVISORS
ADJOURNED ORGANIZATIONAL SESSION
JUNE 21, 2005**

County Board members attended the annual County Board Tour. The Board toured Quantum Dairy LLC and Ferg – Bowen Dairy Farm.

Chair Koeppen called the meeting to order at 1:00 p.m. with 25 members present. Meeting held at the Parks Shop.

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

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

Supr. Rasmussen moved and Supr. Flink seconded the motion to approve the agenda. Motion carried 25-0.

Supr. Murphy moved and Supr. Steenbock seconded the motion to approve the minutes from the May 17, 2005 meeting. Motion carried 25-0.

**REPEAL AND RECREATE CHAPTER 10, SECTION 10.50 OF THE
WAUPACA COUNTY CODE OF ORDINANCES RELATING TO MANURE STORAGE
AND LAND SPREADING OF MANURE**

MANURE MANAGEMENT

10.50 GENERAL PROVISIONS

A. Title:

This ordinance (Sections 10.50 through 10.55) shall be known and cited as the Waupaca County Manure Management Ordinance, and is hereinafter referred to as the Ordinance.

B. Findings, Purpose and Authority:

The Waupaca County Board of Supervisors finds that storage of manure in storage facilities not meeting sufficient technical design and construction

standards may cause pollution of the surface and ground waters of Waupaca County and may result in harm to the health of county residents, to livestock, aquatic life and other animals and plants and to the property tax base of Waupaca County.

The Waupaca County Board of Supervisors also finds that improper management of manure storage facilities and utilization of stored manure may cause pollution of the ground and surface waters of Waupaca County. The Waupaca County Board of Supervisors further finds that the technical standards developed by the United States Department of Agriculture, Natural Resource Conservation Service and adopted by the Waupaca County Land and Water Conservation Committee provide effective, practical and environmentally safe methods of storing and utilizing manure.

This ordinance is enacted, pursuant to the following Wisconsin Statutes, §59.02, §59.03, §59.69, §59.70, §66.0119, §92.15, and §92.16. The purpose of the ordinance is to regulate the design and construction of manure storage facilities in order to prevent surface and ground water pollution that may cause harm to the health of county residents; and enforce the technical standards established by the United State Department of Agriculture Natural Resource Conservation Service (USDA-NRCS) as adopted by the Waupaca County Land Conservation Committee; and to provide for the administration and enforcement of the ordinance and to provide penalties for its violation.

C. Applicability:

This ordinance applies to the entire unincorporated areas of Waupaca County.

D. Interpretations:

1. In their interpretation and application, the provisions of this ordinance shall be held to the minimum requirements and shall be liberally construed in favor of Waupaca County and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.
2. Severability Clause. If any section, provision, or portion of this ordinance is ruled invalid by any court, the remainder of the ordinance shall not for that reason be rendered ineffective, but rather shall be enforced, to whatever degree possible, as if the provision which was declared invalid had not been enacted.

E. Definitions:

1. “Abandoned Storage Facility” means a facility where manure has not been added or removed for a period of twenty-four (24) months.

2. “Manure” means livestock excreta. “Manure” includes livestock bedding, water, soil, hair, feathers, and other debris that becomes intermingled with livestock excreta in normal manure handling operations.
3. “Manure Storage Facility” means an impoundment made by constructing an embankment or excavating a pit or dug out or by fabricating a structure to contain manure and other animal or agricultural wastes.
4. “Applicant” means any person who applies for a permit under this ordinance.
5. “Approved Engineer” means an agricultural or civil engineer that is registered by the State of Wisconsin or an engineering practitioner with the proper certification for the Department of Agriculture Trade and Consumer Protection or job approval from USDA.
6. “Department” means the Waupaca County Land and Water Conservation Department.
7. “Permit” means the signed, written statement issued by the Waupaca County Land and Water Conservation Department under this ordinance authorizing the applicant to construct, install, reconstruct, enlarge, or substantially alter a manure storage facility.
8. “Permittee” means any person to whom a permit is issued under this ordinance.
9. “Person” means any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, county, or state agency within Wisconsin, the Federal Government, or any combination thereof.
10. “Technical Guide” means the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Technical Guide as adopted by the Waupaca County Land and Water Conservation Committee.
11. “Water Pollution” means contaminating or rendering unclean or impure the ground or surface waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal, or plant life.
12. “Substantially Alter” means a change initiated by an owner or operator that results in a relocation of a structure or facility or changes to the size, depth or configuration of a structure or facility including:

- a. Replacement of a liner of any type in a manure storage structure.
- b. An increase in the volumetric capacity or area of a structure or facility by greater than 20%.
- c. A change in a structure or facility related to a change in livestock management from one species of livestock to another such as cattle to poultry. [NR151.015]

10.51 ACTIVITIES SUBJECT TO REGULATION

A. General Requirement:

Any person who designs and constructs a new manure storage facility or alters an existing manure storage facility or has an abandoned manure storage facility on property under their ownership; or who employs another person to do the same, on land subject to this ordinance, after the effective date of this ordinance, shall be subject to the provision of this ordinance.

B. Compliance with Permit Requirements:

A person is in compliance with this ordinance if he or she follows the procedures of this ordinance, receives a permit from the Land and Water Conservation Department before beginning activities subject to regulation under this ordinance, and complies with the requirements of the permit.

C. Closure of a Manure Storage Facility:

The owner of land that has a manure storage facility must close the facility if the livestock operations where the facility is located ceases operation, or manure has not been added or removed from the facility for a period of 24 months unless the landowner demonstrates the following to satisfaction of the Waupaca County Land and Water Conservation Department. A landowner who chooses to voluntarily close a manure storage facility must complete a closure permit 10.51E application.

1. The facility is designed, constructed and maintained to prevent water pollution.
2. The facility is designed to store manure for a period of time longer than 24 months.
3. The retention of the facility is warranted based on anticipated future use. If the Land and Water Conservation Department determines that the facility must be closed, the owner shall obtain a permit for closure of the

facility as provided in sec. 10.53 and comply with the USDA-NRCS Technical Guide, Standard 360, Closure of Waste Impoundments.

10.52 STANDARDS FOR MANURE STORAGE FACILITIES

- A.** The standards for design and construction of manure storage facilities are those in Standard 313 (Waste Storage Structure) and Standard 634 (Manure Transfer Standard) of the Technical Guide. The Standards for abandonment of manure storage are those in Standard 360 (Manure Storage Abandonment)
- B.** An nutrient management plan meeting USDA-NRCS Standard 590 (Nutrient Management) (March, 1999).
- C.** Subsequent Modification of Standards: The standards of the Technical Guide are adopted and by reference made a part of this Article as if fully set forth herein. Any proposed future amendment, revision or modification of the standards incorporated herein will be acted upon by the Land and Water Conservation Committee.
- D.** Additional Conditions: The Waupaca County Land and Water Conservation Department staff may impose additional conditions before issuing a permit if in their judgment such conditions are necessary to protect groundwater or surface water due to questionable soil or site conditions. Additional conditions required, must comply with requirements of S.92.15, Stats. Compliance with this article does not eliminate or change the applicants' duty to comply with any other restrictions, rules or regulations imposed by other entities, including but not limited to town, state, city or village requirements.
- E.** Copies of amended, revised or modified standards that have been incorporated into the ordinance will be maintained and made available by the Land and Water Conservation Department.

10.53 APPLICATION FOR AND ISSUANCE OF PERMITS

A. Permit Required:

No person may construct or substantially alter a manure storage facility or close any abandoned or unused storage facility without obtaining a permit from the Land and Water Conservation Department prior to beginning the proposed activity.

B. Exception to Permit Requirement:

Emergency repairs such as repairing a broken pipe or equipment, leaking dikes, or the removal of obstructions may be performed without a permit. If repairs will alter the original design and construction of the facility, a report shall be made to

the Land and Water Conservation Department within one (1) day of the emergency for a determination by the Land and Water Conservation Department on whether a permit will be required for any additional alteration or repair to the facility.

C. Fee:

The fee for a permit under this ordinance shall be \$200.00.

D. Manure Storage Facility Plan Required:

Each application for a construction permit under this section shall include a manure storage facility plan developed in accordance with standards. Technical assistance for plan development shall be made available to applicants upon request through the Land and Water Conservation Committee or its staff. The plan shall specify:

1. The number and kinds of animals for which storage is provided.
2. A sketch of the facility and its location in relation to buildings within 250 feet and homes within 500 feet of the proposed facility. The sketch shall be drawn to scale, with a scale no smaller than 1 inch = 100 feet.
3. The structural details, including dimensions, cross sections, and concrete thickness.
4. The location of any private wells within 500 feet of the facility or public wells within 1000 feet of the proposed facility.
5. The soil test pit locations and soil descriptions to depth of at least three (3) feet below the planned bottom of the facility.
6. The elevation of ground water or bedrock if encountered in the soil profile and the date of any such determinations.
7. Provisions for adequate drainage and control of runoff to prevent pollution of surface water and ground water. If a navigable body of water lies within 1000 feet of the facility, the location and distance to the body of water shall be shown.
8. The scale of the drawing and the north arrow.
9. A time schedule for construction of the facility.

10. A nutrient management plan that complies with ATCP 50.04 and a written statement that the manure from the storage facility will be distributed consistent with the 590 Plan.
11. An approved construction site erosion control plan.

E. Closure Permit Application:

Each application for a closure permit under this ordinance shall include a closure plan prepared in accordance with Technical Standard 360. The plan shall specify:

1. A sketch of the facility and its location to buildings within 250 feet. The sketch shall be drawn to scale with a scale no smaller than 1 inch = 100 feet. Include a north arrow.
2. The amount and type of waste in the facility.
3. The type of facility and construction materials, i.e. concrete, earthen, synthetic liner.
4. The type of transfer system present.
5. A plan for application of the manure that is present in the facility (if any) that complies with USDA-NRCS Standard 590. (Nutrient Management)

F. Review of Application:

The Land and Water Conservation Department shall receive and review all permit applications. The Land and Water Conservation Department shall then determine if the proposed application meets required standards set forth in this ordinance. Within 30 days after receiving the completed application and fee, the Land and Water Conservation Department shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the Land and Water Conservation Department has 15 days from the receipt of the additional information in which to approve or disapprove the application. If the Land and Water Conservation Department fails to approve or disapprove the permit application in writing within 45 days of the receipt of the permit application or additional information, as appropriate, the application shall be deemed approved and the applicant may proceed as if a permit had been issued.

G. Permit Conditions:

All permits issued under this ordinance shall be subject to the following conditions and requirements.

1. A manure storage facility construction shall be carried out in accordance with the manure storage waste facility plans and applicable standards specified in this ordinance.
2. The permittee shall give two (2) working days notice to the Land and Water Conservation Department before starting any construction activity authorized by the permit.
3. Approval in writing must be obtained from the Land and Water Conservation Department prior to any modifications to the approved manure storage facility plan.
4. If the permittee does not utilize the Land and Water Conservation Department to design and inspect construction of the facility, the permittee shall submit a certification from a professional engineer or a person with appropriate engineering job approval according to NRCS standards, that the facility was installed or closed as planned. A copy of the signed certification sheet shall be given to the Land and Water Conservation Department within 1 month of completion of installation or closure. Any approved changes made to the Manure Storage Facility Plan or closure design shall be specified in the certification. Land and Water Conservation Department personnel may conduct site inspections during and following construction to determine that the facility was installed or closed as planned and designed.
5. Activities authorized by permit must be completed within two (2) years from the date of issuance after which such permit shall be void.

H. Permit Revocation:

The Land and Water Conservation Department may revoke any permit issued under this ordinance if the holder of the permit has misrepresented any material fact in the permit application or manure facility plan, or if the holder of the permit violates any of the conditions of the permit.

I. Manure Management Prohibitions:

1. All livestock producers shall comply with this section.
- 2.. A livestock operation shall have no overflow of manure storage facilities.
3. A livestock operation shall have no unconfined manure pile in a water quality management area.

4. A livestock operation shall have no direct runoff from a feedlot or stored manure into the waters of the state.
5. A livestock operation may not allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover.
6. This prohibition does not apply to properly designed, installed and maintained livestock or farm equipment crossings.

10.54 ADMINISTRATION, INSPECTION AND ENFORCEMENT

A. Administrative Duties:

In the administration of this ordinance, the Land and Water Conservation Department shall:

1. Keep an accurate record of all permit applications, manure facility plans, permits issued, inspections made, and other official actions.
2. Review permit applications and issue permits in accordance with this ordinance.
3. Inspect manure facility construction to insure the facility is being constructed according to plan specifications.
4. Investigate complaints relating to compliance with the ordinance.
5. Perform other duties as specified in this ordinance.

B. Inspection Authority:

The Land and Water Conservation Department is authorized to enter upon any lands affected by this ordinance to inspect the land prior to or after permit issuance to determine compliance with this ordinance. If permission cannot be received from the applicant or permittee, entry by the Land and Water Conservation Department shall be according the §66.0119 Wisconsin Statutes.

C. Enforcement Authority:

1. The Land and Water Conservation Department is authorized to post an order stopping work upon land which has had a permit revoked or on land currently undergoing activity in violation of this ordinance. Notice is given by both posting upon the land where the violation occurs, one or more copies of a poster stating the violation, and by mailing a copy of the

order by certified mail to the person whose activity is in violation of this ordinance. The order shall specify that the activity must cease immediately and be brought into compliance within thirty (30) days.

2. Any permit revocation or order stopping work shall remain in effect unless retracted by the Board of Adjustment, the Land and Water Conservation Department, or by a court of general jurisdiction; or until the activity is brought into compliance with the ordinance. The Land and Water Conservation Department is authorized to refer any violation of this ordinance or of an order stopping work issued pursuant to this ordinance to the corporation counsel for commencement of further legal proceedings.

D. Penalties:

1. Any person who violates, neglects, or refuses to comply with or resists the enforcement of any of the provisions of this ordinance shall be subject to a forfeiture of not less than \$100.00, plus cost of prosecution for each violation of this ordinance or with any condition or qualification attached to the permit. Each day that a violation exists shall be a separate offense.
2. As a substitute for or as an addition to forfeiture actions, Waupaca County may seek enforcement of any part of this ordinance by court actions seeking injunctions or restraining orders.

E. Appeals:

1. Under authority of Chapter 59.964, Wisconsin Statutes, the Waupaca County Board of Adjustment, created under §59.694(4)(7), Wisconsin Statutes, and under Chapter 10, Sec. 10.50 of the General Code of Waupaca County, and acting as an appeal authority under §59.694(7), Wisconsin Statutes, is authorized to hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination by the Land and Water Conservation Department in administering this ordinance.
2. The rules, procedures, duties and powers of the Board of Adjustment and Chapter 59, Wisconsin Statutes, shall apply to this ordinance.
3. Appeals may be taken by any person having a substantial interest which is adversely affected by the order, requirement, decision or determination made by the Land and Water Conservation Department.
4. Application for appeals may be obtained through the Waupaca County Zoning office.

10.55 INTERPRETATION

If any section or provision of this ordinance is ruled invalid by any court, the remainder of the ordinance shall not be rendered ineffective.

10.56 EFFECTIVE DATE

This ordinance shall become effective upon its adoption and publication as required by law.

Supr. Rasmussen moved and Supr. Flink seconded the motion to suspend the reading of the ordinance and approve the repeal and recreation of Chapter 10, Section 10.50 of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 21st day of June, 2005.

AMENDMENT TO CHAPTER NO. 34 Town of Mukwa, A-G to C-G 2004-486, Z-4-05

Parcel #12-06-23-1, Z-4-05, Kevin M. & Susan K. Bartel, in Sec. 6, Town of Mukwa for a Zoning Map amendment from an A-G (General Agriculture) zone to a C-G (General Commercial) zone for a gas station/convenience store.

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 NW ¼ of Sec. 6, Town of Mukwa, lying along State Highway “54”, Waupaca County, Wisconsin, on approximately 3 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 Mukwa 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 Mukwa 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 of 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 June 21, 2005. /s/ Mary A. Robbins, Waupaca County Clerk

Supr. Kussmann moved and Supr. Fleuse seconded the motion to approve the amendment to Chapter 34, 2005-486. Motion carried 25-0. Passed the 21st day of June, 2005.

**AMENDMENT TO CHAPTER NO. 34
Town of Farmington, A-G to C-G
2004-487, Z-5-05**

Parcel #05-25-32-11, Z-5-05, Verna E. Owens, in Sec. 25, Town of Farmington for a Zoning Map Amendment from an A-G (General Agriculture) zone to a C-G (General Commercial) zone for an electronics business with showroom.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in part of the NW ¼ of the SW ¼ of Sec. 25, Town of Farmington, lying along County Highway “QQ”, Fire Number N-3061, Waupaca County, Wisconsin, on approximately 3.55 acres.

Section 1. The Zoning Map entitled Farmington Township, Detail Map B-16, 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 Farmington, 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 June 21, 2005. /s/ Mary A. Robbins, Waupaca County Clerk

Supr. Lawrence moved and Supr. Murphy seconded the motion to approve the amendment to Chapter 34, 2005-487. Motion carried 25-0. Passed the 21st day of June, 2005.

**AMENDMENT TO CHAPTER NO. 34
Town of Mukwa, A-G to C-G
2004-488, Z-6-05**

Parcels #15-10-71-24 & #15-10-71-26, Z-6-05, Marvyn E. & Dolores F. Handschke, in Sec. 10, Town of Mukwa for an Amendment to remove land from the Wetland Inventory Maps for the construction of a garage.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in Lots #14 and #15 of Driftwood Acres Subdivision and also being in part of the SW ¼ of the NW ¼ of Sec. 10, Town of Mukwa, lying along Driftwood Road, Fire Number N-4305, Waupaca County, Wisconsin, on approximately 20,000 square feet.

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 Wetland Inventory Map entitled Mukwa Township, Waupaca County is hereby amended by removing land from the wetlands.
- Section 2. This ordinance shall be in full force and effect in the Town of Mukwa 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 June 21, 2005. /s/ Mary A. Robbins, Waupaca County Clerk

Supr. Craig moved and Supr. Flease seconded the motion to approve the amendment to Chapter 34, 2005-488. Motion carried 25-0. Passed the 21st day of June, 2005.

**DENIAL OF ZONING AMENDMENT
Town of Weyauwega
ZA-1-05**

The Waupaca County Zoning Committee, having considered the petition No. ZA-1-05 on the 26th day of May, 2005 by Timothy J. Turner Family Trust from an A-G (General Agriculture)

zone to a C-G (General Commercial) zone with a Conditional Use Permit Application for a trucking business.

The following described lands: Located in part of the SW ¼ of the NW ¼ of Sec. 10, Town of Weyauwega, lying along Evanswood Road, Fire Number N01966, Waupaca County, Wisconsin.

Approximately 5 acres.

Having held public hearings thereon, pursuant to Section 59.97(5)(e), Wisconsin Statutes, notice thereon 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 due to the following:

The Town Board of Weyauwega was in favor of the Conditional Use Permit.

With the following conditions: This Conditional Use Permit is only for the hauling of whey, sand, bark and lime.

Dated this 26th day of May, 2005.

Waupaca County Zoning Committee

By: /s/ John F. Penney, Chairman

Supr. Hurlbut moved and Supr. Sorensen seconded the motion to approve the Denial to Zoning Amendment ZA-1-05. Motion carried 25-0. Passed the 21st day of June, 2005.

DENIAL OF ZONING AMENDMENT
Town of Scandinavia
ZA-2-05

The Waupaca County Zoning Committee, having considered the petition No. ZA-2-05 on the 26th day of May, 2005 by Robert L. & Susan C. Zietlow (applicant – William Bloch) from an A-G (General Agriculture) zone to an M-G (General Manufacturing) zone for L.P. gas storage and distribution.

The following described lands: Located in part of the SE ¼ of the NW ¼ of Sec. 14, Town of Scandinavia, lying along U.S. Highway "49", Waupaca County, Wisconsin.

Approximately 13 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 due to the following:

The Town board of Scandinavia was in favor of the Conditional Use Permit with a two (2) year review.

With the following conditions: The Committee will be reviewing this Conditional Use Permit in two (2) years, which would be by May 26, 2007.

This permit was granted only for the applicant, any other owners of this property, must re-apply for permits.

Dated this 26th day of May, 2005.
Waupaca County Zoning Committee
By: /s/ John F. Penney, Chairman

Supr. Rasmussen moved and Supr. Peterson seconded the motion to approve the Denial to Zoning Amendment ZA-2-05. Motion carried 25-0. Passed the 21st day of June, 2005.

RESOLUTION NO. 6 (2005-2006)

Subject: Highway Department Truck Driver (Class III) to be eliminated and create one new position of Distributor Operator (Class IV) position.

WHEREAS, the Waupaca County Highway Department currently has a Truck Driver (Class III) position and has been evaluating operations to determine the appropriate classification and number of positions needed for the most efficient operations; and

WHEREAS, it has been determined that it would be most efficient and appropriate to have the job duties performed by a Distributor Operator (Class IV); and

WHEREAS, it has been determined by the Highway Committee to approve the creation of a Distributor Operator (Class IV) position to replace the one Truck Driver (Class III) position on the table of organization at the Highway Department; and

WHEREAS, this position will become effective upon passage by the Waupaca County Board of Supervisors.

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors does hereby approve one new position of Distributor Operator (Class IV) position and the elimination of a Truck Driver (Class III) position in the Highway Department of Waupaca County.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY HIGHWAY COMMITTEE & FINANCE AND PERSONNEL COMMITTEE: /s/ G. Robert Flease, Don Aasen, James Flink, William Jonely, Lloyd Mares, James Loughrin, Gary Barrington, Duane R. Brown, Patricia Craig, Kay Hillskotter, Dick Koeppen, John F. Penney

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

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

Supr. Flink moved and Supr. Jonely seconded the motion to adopt Resolution No. 6 (2005-2006). Motion carried 25-0. Passed the 21st day of June, 2005.

APPOINTMENTS

Supr. Lawrence moved and Supr. Johnson seconded the motion to appoint Clyde Tellock as interim Waupaca County Treasurer to fill out the term of Waupaca County Treasurer-Elect James Goeser. Motion carried 25-0. Passed the 21st day of June, 2005.

Supr. Sasse moved and Supr. Steenbock seconded the motion to appoint Robert J. Hoffmann and Jack Fulcher to the Waupaca County Board of Adjustments for a 3-year term. Motion carried 25-0. Passed the 21st day of June, 2005.

Supr. Kussmann moved and Supr. Penney seconded the motion to appoint Clyde Tellock to the Economic Development Revolving Loan Fund Committee. Motion carried 25-0. Passed the 21st day of June, 2005.

PARENTS TELEVISION COUNCIL/CABLE CHOICE

Chair Koeppen has referred the matter to the Legislative & Judicial Committee.

ANNOUNCEMENTS AND CORRESPONDENCE

Kelton Wilhite has been selected as the new Lakeview Manor Administrator.

Clerk Robbins read the citation certificate awarded to James Goeser for his 24 years of service.

Chair Koeppen placed the following correspondence for June on file in the County Clerk's Office: Waupaca County Economic Development Corp. monthly report, two letters from the Department of Veterans Affairs, and letter from Governor Jim Doyle.

Supr. Aasen moved and Supr. Steenbock seconded the motion to adjourn. Motion carried 25-0. Chair Koeppen declared the meeting adjourned at 1:26 p.m.