

**WAUPACA COUNTY BOARD OF SUPERVISORS
ADJOURNED ANNUAL SESSION
MARCH 21, 2006**

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

Present: Suprs. Aasen, Allen, Barrington, Brown, Flease, Gabert, Hillskotter, Hurlbut, Johnson, Jonely, Koeppen, Kussmann, Lawrence, Loughrin, Murphy, Penney, Peterson, Rasmussen, Sasse, Sorensen, Steenbock, Trambauer, Trudell, Whitman. Suprs. Flink, Craig, 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. Chair Koeppen asked the Board to keep in their thoughts Fred Rasmussen who recently lost his wife, Rosemary Sasse whose daughter has health issues, Jim Flink and Pat Craig who continue to heal after their recent surgeries. Supr. Sasse thanked everyone for their thoughts and prayers and her daughter is doing much better.

Supr. Murphy moved and Supr. Steenbock seconded the motion to approve the agenda. Motion carried 24-0.

Supr. Rasmussen moved and Supr. Sorensen seconded the motion to approve the minutes from the February 21, 2006 meeting. Motion carried 24-0.

**BURNING ISSUES
Lucas Schmidt, DNR Forester**

Lucas Schmidt reported on "Burning Issues" in Waupaca County.

**SOLID WASTE/RECYCLING
Roger Holman, Director**

Roger Holman reminded everyone about the Solid Waste and Recycling programs and Household Hazardous Waste 2006 Clean Sweep. Brochures were distributed to all supervisors.

**HIGHWAY DEPARTMENT 5-YEAR PLAN
Dean Steingraber, Highway Commissioner**

Dean Steingraber reviewed the Highway Department's 5-Year Plan projects. Chair Koeppen placed the report on file in the County Clerk's office.

ICFMR UPDATE
Dennis Dornfeld, DHHS Director

Dennis Dornfeld presented an update on the residents in ICFMR facilities.

Chair Koeppen called for a short recess. Chair Koeppen called the meeting to order.

DENIAL OF ZONING AMENDMENT
Town of Matteson
ZA-1-06

The Waupaca County Zoning Committee, having considered the petition No. ZA-1-06 on the 16th day of February, 2006 by Patrick J. & Kari A. Kloehn from an A-G (General Agriculture) zone to an M-G (General Manufacturing) for a fish processing facility.

The following described lands: Located in part of the NE ¼ of the SE ¼ of Sec. 36, Town of Matteson, lying along County Highway "I", Fire Number E-12030, Waupaca County, Wisconsin. Approximately .46 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 recommended as follows:

Based on the facts and evidence presented, the Committee's decision was the DENY the Petition for Zoning Map Amendment, but to GRANT a Conditional Use Permit for the fish processing facility and a fish farm due to the following:

The Town Board of Matteson was in favor of the Application.

Dated this 16th day of February, 2006.
Waupaca County Zoning Committee
By: /s/ John F. Penney, Chairman

Supr. Sasse moved and Supr. Hurlbut seconded the motion to approve the Denial to Zoning Amendment ZA-1-06. Motion carried 24-0. Passed the 21st day of March, 2006.

AMEND WAUPACA COUNTY GENERAL CODE OF ORDINANCES
Chapter 3, Personnel Police and Procedures

Add the following: Section 4 – Salary Administration

L. COMPENSATION FOR LATERAL TEMPORARY JOB ASSIGNMENT.

Whenever a non-represented lateral salaried position is vacant, or leave of absence is granted, for forty-five (45) days or more, a qualified employee currently holding the same position may

temporarily perform the duties of the position in addition to performing the duties of their own position until a replacement is hired or until the leave of absence is concluded. To qualify for any compensation the individual must be performing the additional duties of the lateral position for a period of at least forty-five (45) days and cannot exceed six (6) months in duration. The need for any additional compensation during this time period shall be at the discretion of the Department Head, subject to approval of the Committee of Jurisdiction and the Personnel Committee. The amount of any necessary compensation will range from 15% to a maximum of 25% of the vacated position's salary.

Supr. Rasmussen moved and Supr. Fleese seconded the motion to approve the amendment to Chapter 3 of the Waupaca County of Code of Ordinances. Motion carried 20-0 with Suprs. Whitman, Lawrence, Penney, and Barrington abstaining. Passed the 21st day of March, 2006.

WAUPACA COUNTY GENERAL CODE OF ORDINANCES
Repeal and Recreate Chapter 39
Sheriff's Department Property Disposal

39.01 DEFINITIONS

A. Agency Owned Property

Any physical property acquired by the agency to support its mission. For the purposes of formal inventory, this includes items having a dollar value of \$100.00 or more and all firearms.

B Evidence

Physical ~~property which~~ property that is related to a crime, which may establish guilt or innocence.

C. Abandoned Property

Physical property that comes into contact with law enforcement personnel and has no apparent evidentiary value, or former evidentiary property that remains unclaimed for thirty (30) days after disposition.

D. Property Held by Court Order

Any property that is not evidence, or abandoned, that is ~~Ordered~~ ordered held by the Court.

39.02 DISPOSAL OF PROPERTY

All property, including that which is evidence, abandoned, or seized in conjunction with any legal process will be disposed of according to applicable laws and ordinances.

Waupaca County hereby adopts Wis. Stats 66.0139, Disposal of Abandoned property in its entirety.

Property shall be disposed of by any means that promote the best interest of the County. These means may include, destroying the property, donating the property to charity, utilizing the property for County purposes, or selling the property by public auction.

The final disposition of evidence will be accomplished within thirty days after legal or investigative requirements have been satisfied, unless courts or the District Attorney require extended retention. Legal requirements shall include any post conviction appeals, or as follows:

- A. Expiration of the statute of limitations of the crime will be considered final case disposition, allowing for the disposal of evidence in the case.
- B. Notification from the Court or the District Attorney's Office of the conviction and final disposition of a case, and considering post conviction appeal possibilities, evidence may be disposed of in the approved manner.

After it has been determined ~~that evidence/property is no longer needed by the department~~the department no longer needs the evidence/property, the property owner shall be notified that they may claim their property. Notification shall be in the form of one letter sent to the property owner at the last known address via regular mail, and documented in the property report. This letter shall instruct the property owner that they have thirty days in which to claim their property, and that property remaining with the Sheriff's department after thirty days shall be considered abandoned.

In the case of abandoned property, if the owner is known, or is locatable by information contained on the property, or information provided by another, the Property Custodian or recovering officer will notify the owner in writing that they have thirty (30) days to claim their property. The notification shall be in the form of a letter sent to the individual's last known address, by regular mail; and will be documented on the property report. If there is no reasonable way to determine the owner of the abandoned property, then the property will be held for thirty days.

The individual turning in abandoned property, except on duty police or government employees, may claim the abandoned property after thirty days, if the property remains unclaimed. Individuals turning in abandoned property shall be instructed to contact the property custodian after thirty days have passed to determine if the property remains unclaimed. If the property remains unclaimed they would have five days in which to claim it for themselves. If the property remains unclaimed after thirty-five days, it may be disposed of by any means determined to be in the best interest of the County.

Exceptions to these general rules are:

1. Guns, not controlled by statute may be retained by the agency for its use.
2. Unusual or uniquely valuable items that are abandoned may be retained by the agency for up to ninety days before allowing the individual turning in the property to make a claim. This shall be at the discretion of the agency.
3. Contraband or hazardous materials will not be released

Due to the limited storage space available, every attempt will be made to dispose of property on a regular basis.

All proceeds from the sale of property shall be placed into an account from which the Waupaca County Sheriff's Office will have sole access for the purposes of providing training and equipment for its officers.

Funds from this account will also be used to satisfy any legal fees resulting from the transfer of ownership of any item to the Waupaca County Sheriff's Office and for any expenses incurred for the disposal of any such items.

For all property that is disposed of by the Waupaca County Sheriff's Department, an inventory shall be kept which includes the following information:

- ~~A.~~**A.** Item number and description
- ~~B.~~**B.** Date and method of disposal
- ~~C.~~**C.** Consideration received for the item, if any
- ~~D.~~**D.** Name and address of the individual taking possession of the property

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This inventory is a public record and must be kept for a period of no less than two years.

Approved by Legislative & Judicial Committee on February 15, 2006.

Supr. Rasmussen moved and Supr. Sorensen seconded the motion to suspend the reading of Chapter 39 and to Repeal and Recreate Chapter 39 of the Waupaca County Code of Ordinances. Motion carried 24-0. Passed the 21st day of March, 2006.

RESOLUTION NO. 28 (2005-2006)

Subject: Resolution relating to the County of Waupaca participation in the Wisconsin Community Development Block Grant for Economic Development Program.

WHEREAS, the Finance and Personnel Committee has been advised by the Waupaca County Economic Development Corporation (WCEDC) that Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce (DOC), for the purposes of economic development; and

WHEREAS, after a public meeting on March 3, 2006 and due consideration, the Waupaca County Economic Development Corporation has recommended that a Community Development Block Grant (CDBG) application be submitted to the State of Wisconsin for the

following project: Schutt Industries of Wis. Inc. will invest 2.1 million dollars to expand its manufacturing facility in Clintonville, WI; and

WHEREAS, it is necessary for the Waupaca County Board of Supervisors to approve the preparation and filing of an application for Waupaca County to receive funds from this program; and

WHEREAS, the Waupaca County Finance and Personnel Committee has reviewed the need for the proposed project and realizes the benefit(s) to be gained therefrom.

NOW, THEREFORE BE IT RESOLVED that the Waupaca County Board of Supervisors does hereby approve and authorize the preparation and filing of an application for the above named project; and

BE IT FURTHER RESOLVED, that the County Board Chair be and is hereby authorized to sign and execute all necessary documents on behalf of Waupaca County; and

BE IT FURTHER RESOLVED, that authority is hereby granted to the Waupaca County Economic Development Corporation (WCEDC) to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this Resolution.

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

ATTEST: Mary A. Robbins, Waupaca County Clerk
APPROVED AS TO FORM: Jeffrey Siewert, Corporation Counsel

Supr. Johnson moved and Supr. Peterson seconded the motion to adopt Resolution No. 28 (2005-2006). Motion carried 24-0. Passed the 21st day of March, 2006.

RESOLUTION NO. 29 (2005-2006)

Subject: Contingency Fund Transfers

WHEREAS, it has become necessary to provide for additional expenditures not anticipated at the time of establishing the 2005 budget.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made to close the books:

Transfer from:	
Contingency Fund	\$300,000.00
Transfer to:	
Clerk of Circuit Court	\$3,602.00

GASB 34 Continuation	1,035.00
Worker's Compensation	2,017.00
Sundry Unclassified	178.00
Real Estate Description	287.00
District Attorney	5,525.00
Victim/Witness	404.00
Corporation Counsel	406.00
Child Support Agency	19,927.00
Jail Maintenance	55,832.00
Corrections	58,258.00
County Water Patrol	4,654.00
Zoning Administration (Niemuth Investigation)	9,311.00
Zoning Administration – Junkyard Cleanup Fund	75,000.00
Courthouse Maintenance	63,564.00

Total **\$300,000.00**

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE AND PERSONNEL COMMITTEE: /s/ James Loughrin, Gary Barrington, John F. Penney, Dick Koeppen, Kay Hillskotter

ATTEST: Mary A. Robbins, Waupaca County Clerk
 APPROVED AS TO FORM: Jeffrey Siewert, Corporation Counsel

Supr. Hurlbut moved and Supr. Brown seconded the motion to adopt Resolution No. 29 (2005-2006). Motion carried 24-0. Passed the 21st day of March, 2006.

RESOLUTION NO. 30 (05-06)

Subject: The Lakeview Manor Board of Trustees recommends the elimination of a LPN union position and the creation of a union Resident Advocate position.

WHEREAS, there is a need for this position to take on duties and responsibilities for the residents of Lakeview Manor and ensuring their proper care in accordance with State and Federal regulations; and

WHEREAS, Lakeview Manor continues to seek the most efficient and cost effective methods of caring for the residents of Lakeview Manor.

NOW, THEREFORE, LET IT BE RESOLVED, that the Waupaca County Board of Supervisors authorizes the Lakeview Manor Board of Trustees to eliminate one (1) LPN position and create a Resident Advocate position effective upon the passing of this resolution.

BE IT FUTHER RESOLVED that no additional county dollars will be required to complete these position changes.

RECOMMENDED FOR INTRODUCTION NY WAUPACA COUNTY FINANCE AND PERSONNEL COMMITTEE AND LAKEVIEW MANOR BOARD OF TRUSTEES: /s/
James Loughrin, Gary Barrington, John F. Penney, Kay Hillskotter, Don Aasen, Duane Brown, Dick Koeppen, Robert Whitman, Fred Rasmussen, Gene A. Sorensen

ATTEST:
Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:
Jeffrey Siewert, Corporation Counsel

Supr. Allen moved and Supr. Trudell seconded the motion to adopt Resolution No. 30 (2005-2006). Motion carried 24-0. Passed the 21st day of March, 2006.

RESOLUTION NO. 31 (2005-2006)

TO THE HONORABLE WAUPACA COUNTY BOARD OF SUPERVISORS

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

Margaret A. Hudziak
171 Hudziak Road
Waupaca, WI 54981
Section 30, Township of Dayton
40.7 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, Donald J. Peterson, Donald Steenbock, Donn L. Allen

ATTEST:
Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:
Jeffrey Siewert, Corporation Counsel

Supr. Lawrence moved and Supr. Whitman seconded the motion to adopt Resolution No. 31 (2005-2006). Motion carried 24-0. Passed the 21st day of March, 2006.

RATIFY LAW ENFORCEMENT OFFICERS' TENTATIVE AGREEMENT, 2005-2007

Personnel Director Amanda Welch explained the changes and negotiations. Supr. Hillskotter moved and Supr. Peterson seconded the motion to ratify the tentative agreement with the

Waupaca County Law Enforcement Officers. Motion carried 23-0 with Supr. Barrington abstaining. Passed the 21st day of March, 2006.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen placed the following correspondence for March on file in the County Clerk's Office: Waupaca County Economic Development Corp. Report, Year 2005/2006 Capital Improvement plan, thank you from Supr. Patricia Craig and Supr. Fred Rasmussen, and news article from Calumet County Board.

Chair Koeppen thanked Supr. Eunice Lawrence for her 24 years and Supr. Howard Trudell for his 4 years of service on the Waupaca County Board of Supervisors.

Supr. Aasen moved and Supr. Trambauer seconded the motion to adjourn. Motion carried 24-0. Chair Koeppen declared the meeting adjourned at 10:50 a.m.