

**WAUPACA COUNTY BOARD OF SUPERVISORS
ADJOURNED ANNUAL SESSION
DECEMBER 18, 2007**

Chair Koeppen called the meeting to order at 9:40 a.m. with 26 members present. Meeting was held at Lakeview Manor, Weyauwega.

Present: Suprs. Aasen, Allen, Barrington, Boyer, Brown, Craig, Flease, Flink, Gabert, Hillskotter, Hurlbut, Johnson, Jonely, Koeppen, Kussmann, Loughrin, Mares, G. Murphy, T. Murphy, Penney, Peterson, Sasse, Sorensen, Sperl, Trambauer, Whitman. Supervisory District 4 position is vacant.

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. G. Murphy moved and Supr. Peterson seconded the motion to approve the agenda. Motion carried 26-0.

Supr. Flink moved and Supr. Boyer seconded the motion to approve the minutes of the previous meeting. Motion carried 26-0.

**REPORT NO. 17 (2007-2008)
Veterans Service Office Annual Report
Jon LiDonne, County Veterans Service Officer**

Jon LiDonne presented the Financial Report, Admissions, Training Sessions and other services provided for the year 2006 by the Veterans Service Office. Chair Koeppen placed Report No. 17 on file in its entirety in the County Clerk's Office.

**REPORT NO. 18 (2007-2008)
Lakeview Manor 2006 Annual Report – Kelton Wilhite, Administrator**

Kelton Wilhite reviewed the 2006 annual report and introduced staff with 20+ years of service. Chair Koeppen placed Report No. 18 on file in its entirety in the County Clerk's Office.

**RLF ADMINISTRATION CONTRACT
Dave Thiel, WCEDC Executive Director**

Dave Thiel reviewed the new Revolving Loan Fund process. Supr. Gabert moved and Supr. T. Murphy seconded the motion authorizing Dave Thiel to enter into Revolving Loan Fund contracts. Motion carried 26-0. Passed the 18th day of December, 2007.

WAUPACA COUNTY CODE OF ORDINANCES
Chapter 11
Street Name and Building Numbering Ordinance

No action at this time. To be acted on at the January 15, 2008 meeting.

AMEND CHAPTER 7.07
OF THE WAUPACA COUNTY CODE OF ORDINANCES

SUBJECT: WEIGHT RESTRICTION – County Trunk Highway “J”
From CTH “G” to CTH “C”

WHEREAS, Wisconsin Statutes 349.15(2), relative to the authority to modify weight limitations and classify highways, gives the County Highway Committee authority to designate all or parts of such highways maintained by them to be Class “B” highways for the purpose of putting into effect the weight limitations set forth in Section 348.16(2)(3); and

WHEREAS, the imposition of weight limits can be based on weakness of the roadbed due to deterioration or climatic conditions or other special conditions, and the potential for serious damage or destruction in the absence of such weight restrictions; and

WHEREAS, the Highway Committee and Highway Commissioner have reviewed and considered the implications of adopting an ordinance by submitting this county trunk highway to the County Board; and

WHEREAS, proper signing will be enacted in accordance with Wisconsin Statute 349.16(2) and the authority in charge of maintenance may exempt vehicles carrying certain commodities specified by the authority, including but not limited to pumping septic or holding tanks, from the special weight limitations which are imposed under sub. (1)(a); and

WHEREAS, weight limitations on Class “B” highways Wisconsin Statutes 348.16(2) state, pursuant to s. 349.15(3) “No person without a permit therefore shall operate any vehicle or combination of vehicles imposing wheel, axle, group of axles, or gross weight on the highway exceeding 60 per cent of the weights authorized in Wisconsin Statutes 348.15(3),” and certain highways should be class “B” to insure them as safe traffic carriers, as so designated by the Highway Committee.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors do hereby ordain as follows:

This special ordinance shall be in force for the Waupaca County Highway Department to designate and maintain CHT “J” from CTH “G” to CTH “C” as a Class “B” highway for the purpose of establishing weight limitations to preserve the roadbed and insure this road as a safe traffic carrier, and signed in accordance with Wisconsin Statute 349.16(1)(2)(3).

CONDITIONS: No person, whether operating under a permit or otherwise, shall

operate a vehicle in violation of special weight limitations imposed by local authorities on the highway designated herein when signs have been erected as required by Wisconsin Statutes 349.16(3). The compliance with regard to the modification, designation, and signing of the county trunk highway will be in accordance with applicable Wisconsin Statutes.

This ordinance shall be effective upon passage and publication and the signing as required by Wisconsin State Statutes.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY HIGHWAY COMMITTEE: /s/ G. Robert Flease, William Jonely, Donald Aasen, James Flink, Lloyd Mares

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

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

Supr. Jonely moved and Supr. Flink seconded the motion to adopt the amendment to Chapter 7.07 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 18th day of December, 2007.

**AMEND CHAPTER 7.08
OF THE WAUPACA COUNTY CODE OF ORDINANCES**

SUBJECT: WEIGHT RESTRICTION – County Trunk Highway Bridges

WHEREAS, the Wisconsin Legislature passed AB678/Act 167 which allows the trucking of forest products up to a maximum weight of 98,000 pounds as long as the number of axles on the trucks are increased from five to six and no single axle carries more than 18,000 pounds; and

WHEREAS, Act 167 changes the definition of “forest products” to include intermediary lumber, logs, pilings, posts, poles, cordwood products, wood chips, saw dust, pulpwood, fuel wood and Christmas trees; and

WHEREAS, these increased loads will put more stress on our local bridges, most of which were not constructed to withstand these weights; and

WHEREAS, the Wisconsin Department of Transportation has identified various Waupaca County Trunk bridges that may not be able to handle the increased weight and recommends that these bridges be posted with a 45 ton weight limit.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors do hereby ordain that the following Waupaca County bridges be posted with a 45 ton weight limit:

- County Trunk Highway “B” Bridge #B68-0015 over Little Wolf River – Village of Scandinavia
- County Trunk Highway “E” Bridge #B68-0060 over Little Wolf River – Village of Big Falls

CONDITIONS: No person, whether operating under a permit or otherwise, shall operate a vehicle in violation of special weight limitations imposed by local authorities on the bridge designated herein when signs have been erected as required by Wisconsin Statutes 349.16 (2). The compliance with regard to the modification, designation, and signing of the county trunk highway bridge will be in accordance with applicable Wisconsin Statutes.

This ordinance shall be effective upon passage and publication and the signing as required by Wisconsin State Statutes.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY HIGHWAY COMMITTEE: /s/ G. Robert Flease, William Jonely, Donald Aasen, James Flink, Lloyd Mares

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

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

Supr. Craig moved and Supr. Whitman seconded the motion to adopt the amendment to Chapter 7.08 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 18th day of December, 2007.

**AMENDMENT TO CHAPTER NO. 34
Town of Waupaca, A-G to M-G
2007-503, Z-7-07**

Parcels #20-33-23-2 and part of #20-33-23-10, Z-7-07, Louis W. & Lynna J. Winters, in Sec. 33, Town of Waupaca for a Zoning Map Amendment from an A-G (General Agriculture) zone to an M-G (General Manufacturing) zone for light steel fabrication.

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 and also being in part of the SW ¼ of the NW ¼ of Sec. 33, Town of Waupaca, lying along Apple Tree Lane, Fire Number E-3332, Waupaca County, Wisconsin, on approximately 1.3 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 Waupaca Township, Detail Map B-14, 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 Waupaca 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 December 18, 2007.
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Brown moved and Supr. Kussmann seconded the motion to adopt the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 18th day of December, 2007.

RESOLUTION NO. 30 (2007-2008)

**SUBJECT: JURISDICTIONAL TRANSFER AGREEMENT
CTH "D" (NORTH PEARL STREET) WOLF RIVER BRIDGE
AND APPROACHES, CITY OF NEW LONDON**

WHEREAS, CTH "D" passes over the Wolf River Bridge (B-68-425) on North Pearl Street in the City of New London; and

WHEREAS, the Wisconsin Department of Transportation has responsibility for the maintenance of this bridge; and

WHEREAS, the Wisconsin Department of Transportation is planning to replace this bridge on the existing alignment beginning in the spring of 2010 with State Project No. 6837-03-70; and

WHEREAS, the State Program Management Manual for §84.10 bridges on local streets, states that upon reconstruction, maintenance and replacement of a structure the structure becomes the responsibility of the locals.

NOW, THEREFORE BE IT RESOLVED that Waupaca County agrees to accept maintenance, jurisdiction, and ownership of CTH "D" (North Pearl Street) Bridge B-68-425 over the Wolf River and all highway rights-of-way associated with the aforementioned bridge and

approaches along with the right-of-way plat from the Wisconsin Department of Transportation as described in the attached Jurisdictional Transfer Agreement.

BE IT FURTHER RESOLVED, the functional classification of CTH “D” (North Pearl Street) within this project segment will continue to be classified as an Urban Principal Collector.

BE IT FURTHER RESOLVED that the jurisdiction and maintenance responsibility will become effective upon the date the new bridge is opened to traffic, estimated to be in the fall of 2010.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY HIGHWAY COMMITTEE: /s/ G. Robert Flease, William Jonely, Donald Aasen, James Flink, Lloyd Mares

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

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

Supr. Flease moved and Supr. Flink seconded the motion to adopt Resolution No. 30 (2007-2008). Motion carried 26-0. Passed the 18th day of December, 2007.

RESOLUTION NO. 31 (2007-2008)

SUBJECT: Appeal for Exemption from State Mandate Relating to Provider Agency Audits

WHEREAS, Wisconsin Statute 66.0143 allows municipalities and counties to apply for state mandate waivers for a four year period, except the request may not relate to health or safety; and,

WHEREAS, Federal Circular OMB A-133 requires provider agencies that spend more than \$500,000 in federal funds in a year to have a compliance audit, and State audit requirements set that threshold at \$25,000; and,

WHEREAS, Waupaca County Department of Health and Human Services contracted with 165 agencies or individuals in 2006, of which 46 of those contracts received between \$25,000 and \$100,000 in payments; and,

WHEREAS, in 2007, Waupaca County Department of Health and Human Services currently contracts with 174 agencies or individuals with 55 projected to receive between \$25,000 and \$100,000 in payments; and,

WHEREAS, Waupaca County understands the waiver does not apply to contracts with Residential Care Centers or Group Homes licensed under HFS 52 and HFS 57, respectively, and will continue to require audits from those agencies; and,

WHEREAS, when payments exceed \$25,000 in payments, contracted agencies are required to submit audits, and the cost of the audit is added to the rate the county pays for

services, making the cost of the audit a high cost in comparison to the amount received under the contract. According to contracting agencies, the average cost of an audit is \$3,500-\$4,000.

NOW, THEREFORE, LET IT BE RESOLVED that Waupaca County Department of Health and Human Services, with support of the Waupaca County Board of Supervisors, requests a waiver exemption for audit requirements for service providers to a threshold of \$100,000 to require an audit, beginning with 2008 contracts.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE AND PERSONNEL COMMITTEE AND WAUPACA COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD: /s/ James Loughrin, Gary Barrington, John F. Penney, Kay Hillskotter, G. Robert Flease, Duane R. Brown, Patricia Craig, Steve Goedderz, Monica Sperl, Don Aasen, John Trambauer, Donn L. Allen, Patty Kappelman

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

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

Supr. Sperl moved and Supr. Hillskotter seconded the motion to adopt Resolution No. 31 (2007-2008). Motion carried 25-0 with Chair Koeppen abstaining. Passed the 18th day of December, 2007.

RESOLUTION NO. 32 (2007-2008)

SUBJECT: Support for Senate Bill 321

WHEREAS, Senate Bill 321 calls for a revision of the currently used criteria for assessing individual's eligibility for legal representation by the State Public Defenders Office and;

WHEREAS, the current criteria for eligibility requires that a single individual's income level must be \$3000 and;

WHEREAS, the level for eligibility was established in 1987 and has not been changed since that time and;

WHEREAS, Senate Bill 321 proposes increasing the income for eligibility from \$3,000 to \$11,750 for a single person - the same as eligibility for the (public economic support benefits - Wisconsin Works Program) would increase the number of individuals eligible for public defender representation and;

WHEREAS, such a change would also decrease those circumstances where individuals would need to be appointed court appointed Attorney's which are at county expense thereby reducing county expenses.

NOW THEREFORE BE IT RESOLVED that the Waupaca County Board of Supervisors does hereby support Senate Bill 321 and instructs the County Clerk to forward this

resolution in support to Governor Doyle and the respective legislative representatives for the districts that cover Waupaca County.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LEGISLATIVE AND JUDICIAL COMMITTEE: /s/ Dennis A. Kussmann, James W. Boyer, Terry Murphy, Dona Gabert, Donn L. Allen

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

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

Supr. Kussmann moved and Supr. Johnson seconded the motion to adopt Resolution No. 32 (2007-2008). Motion carried 26-0. Passed the 18th day of December, 2007.

RESOLUTION NO. 33 (2007-2008)

SUBJECT: Support for the Great Lakes-St. Lawrence River Basin Water Resources Compact

WHEREAS, the waters of the Great Lakes and St. Lawrence basin are important public natural resources shared and held in trust by the Great Lakes and St. Lawrence states and provinces; and

WHEREAS, the Great Lakes are the world's largest source of surface freshwater and are essential to the economic health and quality of the life of Great Lakes basin communities, citizens, and businesses; and

WHEREAS, the Great Lakes and St. Lawrence provide fresh drinking water; support countless family, commercial, tourism, and cultural activities for basin residents and visitors; drive economic development and improve the economic value of shoreline communities; support critical wildlife habitat and aquatic and coastal ecosystems; and support agriculture and industrial activities; and

WHEREAS, despite their size, the Great Lakes and St. Lawrence are vulnerable because they are finite and are at a risk of depletion and degradation with only one percent of the water in the Great Lakes being recharged each year; and

WHEREAS, future diversions and consumptive uses of the Great Lakes and St. Lawrence basin water resources have the potential to significantly impact the environment, economy and welfare of the Great Lakes being recharged each year; and

WHEREAS, Wisconsinites and citizens of Great Lakes states have the right to manage the Great Lakes, and the duty to protect, conserve, restore, and improve the Great Lakes for the use, benefit, and enjoyment ourselves and future generations; and

WHEREAS, the most effective means of protecting, conserving, restoring, improving and managing the Basin Waters is through the pursuit of strong, unified and cooperative

principles, whereby Wisconsin sets a forward-thinking example for other Great Lakes states with strong policies, enacted and adhered to by all Wisconsinites; and

WHEREAS, the Great Lakes and St. Lawrence River Basin Water Resources Compact (“Great Lakes Compact”) is an appropriate and necessary baseline for strong, forward-thinking policies to protect the Great Lakes; and

WHEREAS, the Great Lakes compact can and should be strengthened to better protect the Great Lakes and the Wisconsin residents whose lives and livelihoods depend upon them:

- Requires measurable, meaningful water conservation practices.
- Requires environmentally responsible return of all diverted waters.
- Clarifies the bottled water exemption to safeguard against unlimited and unregulated diversions one bottle at a time.
- Sets permit and monitoring standards for large water user *within* the Great Lakes basin.
- Maintains the integrity of the Great Lakes watershed by establishing fixed community boundaries.
- Assures an open, public approval process for diversion requests and provides public enforcement options.

WHEREAS, the Great Lakes and St. Lawrence River Basin Water Resources Compact is not binding until ratified by each Great Lakes state legislature and approved by the US Congress.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors call upon the Governor and legislators of Wisconsin to quickly ratify the Great Lakes Compact along with passage of strong implementing legislation using the six points above so that it may help protect Wisconsin’s Great Lakes and may allow the Great Lakes Compact become enforceable law in the Great Lakes states.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LEGISLATIVE AND JUDICIAL COMMITTEE: /s/ Dennis A. Kussmann, James W. Boyer, Terry Murphy, Dona Gabert, Donn L. Allen

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

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

Supr. Barrington moved and Supr. Peterson seconded the motion to adopt Resolution No. 33 (2007-2008). Motion carried 26-0. Passed the 18th day of December, 2007.

RESOLUTION NO. 34 (2007-2008)

SUBJECT: Resolution Opposing Bill H.R. 811 Entitled “The Voter Confidence and Increased Accessibility Act of 2008”

WHEREAS, Congress has before it a proposed Bill, H.R. 811, entitled “The Voter Confidence and Increased Accessibility Act of 2008”; and

WHEREAS, H.R. 811 will, among other things, mandate counties such as Waupaca County and all other counties in the State of Wisconsin to replace the current voting machines with such voting equipment as set forth in new standards which will be mandated by the proposed Federal legislation; and

WHEREAS, the current successful practices in Waupaca County for standardized voting procedures currently meet objectives of existing Federal and State election practices; and

WHEREAS, election officials of the State Board of Elections have expressed opposition to the specific provisions set forth in H.R. 811 as being overly prescriptive, overly detailed and difficult for compliance, as would other of the general mandates set forth in the proposed Federal legislation.

NOW, THEREFORE, BE IT RESOLVED by the Waupaca County Board of Supervisors that it hereby expresses its opposition to the provisions set forth in Bill H.R. 811; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Clerk forward a copy of this resolution to Governor Doyle; legislative representatives of Waupaca County; Congressman Steven Kagen; Senators Herb Kohl and Russ Feingold and other Wisconsin counties.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LEGISLATIVE AND JUDICIAL COMMITTEE: /s/ Dennis A. Kussmann, James W. Boyer, Terry Murphy, Dona Gabert, Donn L. Allen

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

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

Supr. Whitman moved and Supr. Brown seconded the motion to adopt Resolution No. 34 (2007-2008). Motion carried 26-0. Passed the 18th day of December, 2007.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen announced that the Weyauwega Chronicle will be the official county newspaper for 2008. Chair Koeppen placed the following correspondence for December on file in the County Clerk's Office: Waupaca County Economic Development Corp. monthly report and Revolving Loan Fund report, 2007/2008 Capital Improvement Plan, Waupaca County Comprehensive Plan Progress Report, letter from the United States Board on Geographic Names, and letter from the Dennis Miller commending Jon LiDonne.

Supr. Aasen moved and Supr. Peterson seconded the motion to adjourn. Motion carried 26-0. Chair Koeppen declared the meeting adjourned at 10:45 a.m.

Mary A. Robbins
Waupaca County Clerk