

**WAUPACA COUNTY BOARD OF SUPERVISORS  
ANNUAL SESSION  
November 12, 2008**

Chair Koeppen called the meeting to order at 9:00 a.m. with 27 members present.

Present: Suprs. Aasen, Allen, Barrington, Boyer, Brown, Craig, Ellis, Flease, Flink, Hagen, Handrich, Hillskotter, Johnson, Jonely, Koeppen, Kussmann, Loughrin, Lloyd Mares, Martin Mares, Gerald Murphy, Terry Murphy, Penney, Peterson, Sasse, Sorensen, Sperl, Trambauer.

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. Sperl moved and Supr. G. Murphy seconded the motion to approve the amended agenda. Motion carried 27-0. Passed the 12<sup>th</sup> day of November, 2008.

Supr. Flink moved and Supr. L. Mares seconded the motion to approve the minutes of the October 28, 2008 meeting. Motion carried 27-0. Passed the 12<sup>th</sup> day of November, 2008.

**RESOLUTION NO. 26 (2008-2009)**

**INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$4,425,000 GENERAL OBLIGATION PROMISSORY NOTES  
FOR CAPITAL IMPROVEMENT PROJECTS**

**BE IT RESOLVED** by the Board of Supervisors of Waupaca County, Wisconsin (the "County") that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation promissory notes in an amount not to exceed \$4,425,000 for the public purpose of paying the cost of projects included in the County's 2009 and 2010 capital improvement plan, including construction of road and bridge improvements and projects and equipment for the County Treasurer's Office, Parks and Recreation Department, County Fairgrounds, Maintenance Department, Information Systems Department and Land and Water Conservation Department. There shall be levied on all the taxable property of the County a direct, annual, irrevocable tax sufficient to pay the interest on said notes as it becomes due, and also to pay and discharge the principal thereof.

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

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

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

Supr. Fleese moved and Supr. Flink seconded the motion to adopt Resolution No. 26 (2008-2009). Motion carried 25-2 with Suprs. Boyer and Hagen voting no. Passed the 12<sup>th</sup> day of November, 2008.

**PUBLIC HEARING FOR THE 2009 BUDGET  
AND  
TRANSPORTATION SERVICES PROGRAM 85.21**

Supr. Peterson moved and Supr. Johnson seconded the motion to open the public hearing for the 2009 Budget and Transportation Services Program 85.21. Motion carried 27-0. Chair Koeppen opened the public hearing and asked if anyone would like to speak on the budget.

Public input for the budget from Mary Rowe of Clintonville, Don Ostrander of Weyauwega, and Ruth Gunderson of Iola requesting that the Freedom Bus continue to operate for the citizens.

Chair Koeppen called 3 times for any further public input. Being no further input, Supr. Handrich moved and Supr. Brown seconded the motion to close the public hearing and reconvene into regular session. Motion carried 26-1 with Supr. M. Mares voting no. Passed the 12<sup>th</sup> day of November, 2008.

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

Finance Director Jim Bernhagen explained the changes in the Year 2009 Proposed Tax Levy amount of \$4,951,020.

**RESOLUTION NO. 25 (2008-2009)**

**SUBJECT:** *Year 2009 Budget*

**BE IT RESOLVED** that there is hereby levied against the taxable property of Waupaca County as equalized for the year of 2008 the sum of \$676,115.47 as a state tax for forestry purposes, and

**BE IT FURTHER RESOLVED** that there is hereby levied against the taxable property of Waupaca County as equalized for the year 2008 the following sums:

\$ 5,270.00	as veteran's relief
\$15,257,154.00	as general tax
\$4,591,000.00	as debt service tax

**BE IT FURTHER RESOLVED** that there is hereby levied against the taxable property of Waupaca County as equalized for the year 2008 excepting Cities of Clintonville, New London and Waupaca, the sum of \$53,000 for bridges under Sec. 81.38, Wisconsin Statutes, and

**BE IT FURTHER RESOLVED** that there is hereby levied against the taxable property of Waupaca County as equalized for the year 2008 excepting the Cities of Clintonville, Manawa, Marion, New London, Waupaca, Weyauwega, Village of Fremont, Village of Scandinavia and

the Village of Iola, the sum of \$724,949.00 for Public Libraries under Section 43.64 Wisconsin Statutes, and

**NOW, THEREFORE, BE IT RESOLVED THAT** the Year 2008 Budget be adopted at the summary level as printed in the Proceedings of the Waupaca County Board of Supervisors. Department heads shall operate their programs as presented in their proposed line item budgets.

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

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

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

Supr. Brown moved and Supr. Craig seconded the motion to adopt Resolution No. 25 (2008-2009). Motion carried 27-0. Passed the 12<sup>th</sup> day of November, 2008.

**WAUPACA COUNTY ECONOMIC DEVELOPMENT  
Revolving Loan Fund  
Dave Thiel, Executive Director**

Dave Thiel has received a request for revolving loan fund for \$50,000 from Neumetal Corporation. Neumetal Corporation, a metal fabricator, has 23 employees and are constructing a 11,500 foot addition, adding several overhead cranes and purchasing a high definition plasma cutting table. Supr. Barrington moved and Supr. L. Mares seconded the motion to approve the revolving loan fund to Neumetal Corporation. Motion carried 27-0. Passed the 12<sup>th</sup> day of November, 2008.

**COMMITTEE REPORTS**

Finance & Personnel Committee Chair Jim Loughrin reported that putting the budget together this year was extremely difficult. It continues to be harder and harder each year providing services to county residents as budget restraints get tighter. On behalf of the Finance & Personnel Committee, Supr. Loughrin thanked the department heads, the committees, and the Executive Committee. Supr. Loughrin thanked Finance Director Jim Bernhagen for his assistance on this, his last budget before retirement.

**AMEND CHAPTER 7, TRAFFIC CODE  
WAUPACA COUNTY CODE OF ORDINANCES  
SECTION 7.14, USE OF MOBILE TELEPHONES RESTRICTED**

**7.14 USE OF MOBILE TELEPHONE RESTRICTED**

**A. Purpose**

The purpose of this Section is to establish regulations regarding the use of mobile telephones while operating a motor vehicle in the County of Waupaca. It is the position of the County of Waupaca that the use of mobile telephones while

operating a motor vehicle on the public roadways may cause the operator to maintain less than full time attention to the operation of said motor vehicle. The County of Waupaca further believes that the regulation of the use of mobile telephones while operating a motor vehicle in the County of Waupaca will enhance the safety of those persons operating motor vehicles as well as other drivers, passengers, pedestrians and the general populace.

**B. Definitions**

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Section shall be as follows:

- 1. “Mobile Telephone” includes, but shall not be limited to, cellular, analog, wireless and digital telephones. Mobile telephones shall not include HAM radios operated by licensed individuals with the “Amateur Radio Plate” and CB radios.
- 2. “Use” means to use a Mobile Telephone in:
  - a. Dialing
  - b. Answering
  - c. Talking
  - d. Listening
  - e. Texting or otherwise manipulating controls of a Mobile Telephone
- 3. “Park Position” means (I) for an automatic transmission vehicle that the vehicle is in the Park gear or (II) for a standard transmission vehicle that the vehicle is in the neutral gear and the brake is being utilized.

**C. Uses, Restrictions**

- 1. No person shall operate a motor vehicle on any street or highway while engaging in any conduct defined as the “Use” of a Mobile Telephone unless the operator maintains both hands on the applicable steering device.
- 2. The previous paragraph of this Section shall not apply to a person who is using the Mobile Telephone:
  - a. To contact public safety personnel; or
  - b. While maintaining the vehicle in the Park Position either on public or private property; or
  - c. With a “hands-free device” which allows the operator to use both hands to operate the vehicle while using the Mobile Telephone.

**D. Exceptions**

1. The provisions of this Section shall not apply to law enforcement personnel or operators of emergency vehicles when on duty and acting in their official capacities.
2. The use of emergency 911 phone numbers shall not be prohibited for any person operating a motor vehicle in the County of Waupaca.

**F. Procedure Upon Violation**

1. Anyone who shall violate the provisions of this Section, in addition to any other violation of the Wisconsin Motor Vehicle Code and to the extent that such violations occurred, shall, upon conviction thereof, forfeit not more than Seventy Five Dollars (\$75.00).

**Be It Further Resolved** that this Amendment becomes effective upon passage by the Waupaca County Board of Supervisors.

Supr. Penney moved and Supr. Flink seconded the motion to adopt the amendment to Chapter 7 of the Waupaca County Code of Ordinances. Motion carried 26-1 with Supr. Craig voting no. Passed the 12<sup>th</sup> day of November, 2008.

**RESOLUTION NO. 23 (2008-2009)**

**Subject: Sheriff's Department 2008 Budget Amendment**

**WHEREAS**, it has become necessary to provide for additional expenses and revenues not anticipated at the time of establishing the 2008 budget; and

**WHEREAS**, Waupaca County needs to approve a budget amendment per County Code of Ordinances Ch. 2, Rule No. 6.1, 6.2 & 6.3 and WI. State Stats. S. 59.60 to the Sheriff's Department Budget to adjust for Control System Computers from SGTS, Inc. to upgrade this system for \$40,705.00; and

**WHEREAS**, Waupaca County Law Enforcement and Finance & Personnel Committees have reviewed the information received from the Sheriff's Department and believe it is in the best interest of the citizens of Waupaca County to amend the budget to be able to upgrade the system and to use the money from the existing Fund Balance Designated for Jail Improvements for this year.

**NOW, THEREFORE, BE IT RESOLVED** that the Waupaca County Board of Supervisors amend the 2008 Budget as stated below and become effective immediately upon passage of a two-thirds vote of the members elect.

**2008 Budget Adopted Nov. 13, 2007, Res. No. 28 (07-08):**  
 11-23-52111 860.0 Expense: Corrections \$40,705.00  
 11-23-49305 1093.0 Revenue: Fund Balance Designated for Jail Improvements \$40,705.00

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

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

Supr. Craig moved and Supr. Flink seconded the motion to adopt Resolution No. 23 (2008-2009). Motion carried 27-0. Passed the 12<sup>th</sup> day of November, 2008.

**RESOLUTION NO. 24 (2008-2009)**

**SUBJECT:** Supporting Enactment of Legislation to Reinstate Passport Acceptance Agent Fees to \$30.00 for Counties

TO THE HONORABLE CHAIR AND MEMBERS OF THE WAUPACA COUNTY BOARD OF SUPERVISORS:

**WHEREAS**, the recently enacted Federal budget enacted by the United States Congress, reduced the previous \$30 per application processing fee to \$25, which is the amount currently collected by the Clerk of Courts and retained as Waupaca County’s portion of the total fee and further, the Federal portion of the Passport Acceptance fees was increased from \$67 to \$75 by the Budget Act; and

**WHEREAS**, the reduction in the County’s portion of the Passport Acceptance fee will negatively affect County revenue for the same service provided by the office of the Clerk of Courts to applicants requesting passports from the Clerk of Courts office and the cost of providing the same passport issuance service by the Clerk of Courts office which results in a revenue loss in 2008 to be around \$4,500.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Waupaca County Board of Supervisors that it hereby requests that legislation be introduced and enacted to reinstate the County’s portion of the Passport Acceptance fee to \$30 per application in order to offset the actual costs incurred by the Clerk of Courts office to provide the passport issuance services; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be provided to members of the United States Congress representing Wisconsin, State Legislators representing Waupaca County, the Wisconsin Counties Association and other Wisconsin Counties.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY  
LEGISLATIVE, JUDICIAL, ETHICS & SECURITY COMMITTEE:** /s/ Dennis A.  
Kussmann, Gary Barrington, Donn L. Allen, James W. Boyer, Martin Mares

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

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

Supr. Kussmann moved and Supr. L. Mares seconded the motion to adopt Resolution No. 24 (2008-2009). Motion carried 27-0. Passed the 12<sup>th</sup> day of November, 2008.

**APPOINTMENTS**

Supr. Handrich moved and Supr. Trambauer seconded the motion to appoint James Goeser to the Veteran Service Commission for a 3 year term and Bob Miller to the Aging and Disability Resource Center Advisory Committee. Motion carried 27-0. Passed the 12<sup>th</sup> day of November, 2008.

**ANNOUNCEMENTS AND CORRESPONDENCE**

Chair Koeppen announced that Waupaca County was presented the 2007 Foth Good Government Award for its non-metallic mining reclamation program.

Chair Koeppen placed the following correspondence for November on file in the County Clerk's Office: Waupaca County Economic Development Corp. Monthly Report and Revolving Loan Fund Report, and WCA seminar information.

Supr. Aasen moved and Supr. Hagen seconded the motion to adjourn. Motion carried 27-0. Chair Koeppen declared the meeting adjourned at 11:10 a.m.

Mary A. Robbins  
Waupaca County Clerk