

**WAUPACA COUNTY BOARD OF SUPERVISORS**  
**March 17, 2009**

Vice Chair Loughrin called the meeting to order at 9:00 a.m. with 22 members present.

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

Vice Chair Loughrin 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. Sorensen seconded the motion to approve the agenda. Motion carried 22-0. Passed the 17<sup>th</sup> day of March, 2009.

Supr. G. Murphy moved and Supr. Brown seconded the motion to approve the minutes of the February 17, 2009. Motion carried 22-0. Passed the 17<sup>th</sup> day of March, 2009.

**EHLERS & ASSOCIATES**

**Todd Taves**

**Sale of \$7,160,000 General Obligation Promissory Notes**

Todd Taves reviewed the Pre Sale Report and answered questions.

**RESOLUTION NO. 33 (2008-2009)**

**RESOLUTION PROVIDING FOR THE SALE OF \$7,160,000  
GENERAL OBLIGATION PROMISSORY NOTES**

**WHEREAS** on October 28, 2008 by a vote of more than three-fourths of the members-elect, the Board of Supervisors of Waupaca County, Wisconsin (the "County") adopted a resolution entitled: "Initial Resolution Authorizing the Issuance of \$2,735,000 General Obligation Promissory Notes for Sheriff's Department Radio System Upgrades," which authorized the County to issue general obligation promissory notes to pay the cost of radio system upgrades for the Sheriff's Department; and

**WHEREAS** on November 12, 2008 by a vote of more than three-fourths of the members-elect, the Board of Supervisors of the County adopted a resolution entitled: "Initial Resolution Authorizing the Issuance of \$4,425,000 General Obligation Promissory Notes for Capital Improvement Projects," which authorized the County to issue general obligation promissory notes to pay 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;

**NOW, THEREFORE, BE IT RESOLVED that:**

Section 1. Issuance of Notes. The County shall issue general obligation promissory notes ("Notes") in an amount not to exceed \$7,160,000 for the purposes set forth above, pursuant to Section 67.12(12) of the Wisconsin Statutes.

Section 2. Sale of Notes. The Board of Supervisors hereby authorizes and directs that the Notes be offered for public sale. At a subsequent meeting, the Board of Supervisors shall consider such bids for the Notes as may have been received and take action thereon.

Section 3. Notice of Note Sale. The County Clerk be and hereby is directed to cause notice of the sale of the Notes to be disseminated in such manner and at such times as the County Clerk may determine and to cause copies of a complete, official Notice of Note Sale and other pertinent data to be forwarded to interested bidders as the County Clerk may determine.

Section 4. Official Statement. The County Clerk shall cause an Official Statement concerning this issue to be prepared by the County's financial advisor, Ehlers & Associates, Inc. The appropriate County officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCE AND PERSONNEL COMMITTEE:** /s/ James Loughrin, Gary Barrington, John F. Penney, 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. Craig moved and Supr. Brown seconded the motion to approve Resolution No. 33 (2008-2009). Motion carried 21-0 with Supr. Hagen voting no. Passed the 17<sup>th</sup> day of March, 2009.

**REPORT NO. 23 (2008-2009)  
Veteran's Service Office Jon LiDonne**

Veteran's Service Office Jon LiDonne reported that he has received a donation of \$500 from Rolling Thunder Chapter 3 to help local veterans. Jon has also received a donation of a large sized wheelchair from the Disabled American Veterans Wheelchair Repair Shop at the Wisconsin Veterans Home in King.

**AMEND/REVISE CHAPTER 19  
OF THE WAUPACA COUNTY CODE OF ORDINANCES  
WAUPACA COUNTY PARK ORDINANCE  
(Adopted April 20, 1988)**

(D) Closing Hours and Dates:

(1) Closing Hours:

(D) The Waupaca County snowmobile trails are open twenty-four hours per day when the trails are declared open by the Parks & Recreation Department.

Supr. Sorensen moved and Supr. Boyer seconded the motion to amend Chapter 19 of the Waupaca County Code of Ordinance to add Subsection (D) to D. Closing Hours and Dates section. Motion carried 22-0. Passed the 17<sup>th</sup> day of March, 2009.

**AMENDMENT TO WAUPACA COUNTY CODE OF ORDINANCES  
CHAPTERS 32, 34 AND 37**

**The Waupaca County Board of Supervisors does ordain and enact the following amendments to the Waupaca County Shoreland Zoning Ordinance, Chapter 32:**

**9.21 When Required.** Except where another section of this ordinance specifically exempts certain types of development from this requirement (as in Sections 7.131 and 7.132), a zoning permit shall be obtained from the Zoning Administrator before any new development, as defined in Section 12.1(9), or any change in the use, external improvement in excess of \$1,000 or expansion of an existing building or structure (mitigation as required by Sec. 8.32(4))

**9.7(a) Fees.** The fees for the following may be changed by Resolution of the County Board and by action of the Planning and Zoning Committee. Any such change of fees is effective upon posting of the new fees in the office of the Zoning Administrator after action by the County Board and the Planning and Zoning Committee.

- 1) Shoreland/waterfront property
- 2) Mitigation
- 3) Variance
- 4) Conditional Use

**The Waupaca County Board of Supervisors does ordain and enact the following amendments to the Waupaca County Zoning Ordinance, Chapter 34:**

**21.08(3) Outdoor Storage:**

In all districts, the outdoor storage of disabled motor vehicle, untitled motor vehicle, disabled/unusable agricultural machinery, collectibles, and similar large items shall require a Conditional Use Permit and comply with the following standards:

**27.03(5)(a)(4)(a) Fees.** Fees shall be submitted to the Zoning Administrator when application is made for a land use permit. Fees shall be doubled if work is started before the permit is requested or issued. Fees may be changed by Resolution of the County Board and by action of the Planning and Zoning Committee. Any such change of fees is effective upon posting of the new fees in the office of the Zoning Administrator after action by the County Board and the Planning and Zoning Committee.

**27.03(5)(b)(2)(a) Fees:** Fees shall be submitted to the Zoning Administrator when application is made for public hearings. Fees shall be doubled if work is started before the permit is requested or issued. Fees may be changed by Resolution of the County Board and by action of the Planning and Zoning Committee. Any such change of fees is effective upon posting of the new fees in the office of the Zoning Administrator after action by the County Board and the Planning and Zoning Committee.

**27.03(5)(b)(4) Sanitary and Land Use Permits for Conditional Use and Variances Uses:** Issuance of a conditional use approval or a variance shall not relieve the applicant of the obligation to obtain sanitary and land use permits.

**The Waupaca County Board of Supervisors does ordain and enact the following amendments to the Waupaca County Subdivision Ordinance, Chapter 37:**

**12.01 General**

The subdivider shall pay the County all fees as hereinafter required and at the specific time. Fees may be changed by resolution of the County Board and by action of the Planning and Zoning Committee. Any such change of fees is effective upon posting of the new County Fee Schedule in the offices of the Zoning Administrator after action by the County Board and the Planning and Zoning Committee.

**12.02(a) Preliminary Plat Review Fee**

(1) The **Subdivider** shall pay a fee as set forth in the County Fee Schedule for each lot or parcel within the Preliminary Plat to the County Treasurer at the time of first application for approval of any Preliminary Plat to assist in defraying the cost of review.

**12.03(a) Final Plat Review Fee**

(1) The **Subdivider** shall pay a fee as set forth in the County Fee Schedule for each lot or parcel within the Final Plat to the County Treasurer at the time of first application for approval of said plat to assist in defraying the cost of review.

**12.04(a) Minor Subdivision Review Fee**

(1) The **Subdivider** shall pay a fee as set forth in the County Fee Schedule to the County Treasurer at the time of application for approval of said subdivision to assist in defraying the cost of review.

**EFFECTIVE DATE**

Approval of the Zoning Committee and upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

**Current fees:**                      **Proposed fees:**

**Land Use Permits:**

Dwelling.....	100.00.....	150.00
1 <sup>st</sup> Structure on Property.....	100.00	
Addition/Alteration to Principal Structure.....	50.00.....	100.00
Accessory Structure.....	25.00.....	75.00

**Public Hearings:**

Conditional Use Application.....	350.00.....	400.00
Zoning Map Amendment.....	350.00.....	400.00
Variance Petition/Appeal.....	350.00.....	400.00

**Land Division Fees:**

Certified Survey Map Review.....	50.00.....	100.00
Preliminary Plat Review (plus \$10.00 each lot).....	100.00.....	200.00 + 20.00 per lot
Final Plat Review (plus \$5.00 each lot).....	50.00.....	100.00 + 10.00 per lot
Condominium Plat Review.....		100.00

**Shoreland Permits:**

Non-waterfront property.....	150.00	
Waterfront property (within 300 feet).....		300.00
Mitigation fee.....		350.00

**Ordinances:**

Zoning Ordinance (includes tax).....	10.00	
Shoreland Zoning Ordinance (includes tax).....	5.00	
Subdivision Ordinance (includes tax).....	5.00	
Floodplain Ordinance (includes tax).....	5.00	

Supr. Ellis moved and Supr. Kussmann seconded the motion to approve the amendments to Chapters 32, 34 and 37 of the Waupaca County Code of Ordinances. Supr. Craig moved and Supr. Fleese seconded the motion to amend Chapters 32, 34 and 37 to read Resolution of the County Board and by action of Planning and Zoning Committee in each place that it shows up. Motion on amendment carried 15 to 7 with Suprs. T. Murphy, Aasen, Sorensen, Sperl, Jonely, Trambauer, and Barrington voting no. Motion to approve the motion as amended carried 20-2 with Suprs. Penney and Trambauer voting no. Passed the 17<sup>th</sup> day of March, 2009.

**RESOLUTION NO. 36 (2008-2009)**  
**To enact an Amendment to**  
**The Waupaca County General Code of Ordinances**  
**Chapter 37, Subdivision Ordinance**

**SUBJECT:** Amendments to the existing Waupaca County Subdivision Ordinance (Chapter 37) under the Waupaca County General Code of Ordinances.

**WHEREAS**, Waupaca County has adopted a comprehensive plan pursuant to Wisconsin Statutes s. 66.1001, and subdivision decisions within the unincorporated areas of the county must be consistent with the comprehensive plan per Wisconsin Statutes s. 66.1001(3); and

**WHEREAS**, changes to the existing Subdivision Ordinance are required to meet this consistency requirement, and further strategies are necessary to implement the Waupaca County Comprehensive Plan that has been created by many citizens over the last four years; and

**WHEREAS**, twenty towns, four villages and five cities are participating in the Waupaca County Intergovernmental Implementation Project with the intent to cooperatively develop code modifications and other key implementation tools based on comprehensive plan recommendations that benefit both Waupaca County and the participating communities; and

**WHEREAS**, project management and coordination of the Intergovernmental Implementation Project is being facilitated by the Waupaca County Implementation Steering Committee, a subcommittee of the Land Use Planning and Zoning Committee; and

**WHEREAS**, Waupaca County hired Foth Infrastructure and Environment, LLC to assist the Implementation Steering Committee in project facilitation, thereby resulting in the proposed modifications to the Waupaca County Subdivision Ordinance as submitted (referred to as the Recommended Draft, Waupaca County Subdivision Ordinance); and

**WHEREAS**, the Recommended Draft was developed over the past 12 months with significant input from and cooperation with Waupaca County communities, officials, staff, and general public; and

**WHEREAS**, the Waupaca County Implementation Steering Committee validated proposed modifications to the Subdivision Ordinance through a coordinated communication and meeting strategy including six ISC meetings, four cluster meetings, two meetings with the Land Use Planning and Zoning Committee, multiple direct mailings of drafts to Waupaca County

communities, requests for technical advice from industry representatives, numerous staff meetings, and posting of drafts and information on the county's web-site; and

**WHEREAS**, the Recommended Draft of the Waupaca County Subdivision Ordinance has been presented and discussed at a public hearing held on February 26, 2009 at the Courthouse in Waupaca and approved by the Waupaca County Land Use Planning and Zoning Committee on March 5, 2009; and

**WHEREAS**, the Implementation Steering Committee and the Land Use Planning and Zoning Committee have endorsed the revisions included in the Recommended Draft as meeting the intent of both local and county plan implementation strategy and addressing property owner concerns as documented; and

**NOW, THEREFORE BE IT RESOLVED** that the Waupaca County Board of Supervisors approve and enact the Waupaca County Subdivision Ordinance to govern land divisions in Waupaca County; and

**BE IT FURTHER RESOLVED** that the Waupaca County Board of Supervisors and the Waupaca County Land Use Planning and Zoning Committee appreciates the time and effort put forth by the Implementation Steering Committee members in reviewing, analyzing and developing recommendations for the Waupaca County Subdivision Ordinance.

Ordinance 37 is on file in its entirety in the Waupaca County Clerk's Office and the Waupaca County Zoning Office.

**EFFECTIVE DATE**

Upon approval of the Zoning Committee, enactment of the County Board of Supervisors and publication of the amendment this amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5), Wis. Stats.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY ZONING COMMITTEE:** /s/ Dennis A. Kussmann, Terry Murphy, John F. Penney, Bob Ellis, Gene Sorensen

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

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

Supr. Sperl moved and Supr. Kussmann seconded the motion to adopt Resolution No. 36 (2008-2009). Motion carried 19-3 with Suprs. Craig, Trambauer and M. Mares voting no. Passed the 17<sup>th</sup> day of March, 2009.





**WHEREAS**, the State and its political subdivisions may self-insure worker's compensation without a special order from the department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department; and

**WHEREAS**, the Waupaca County Finance and Personnel Committee at its April 12, 2006 meeting approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60 (3); and

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

- (1) Provide for the continuation of a self-insured worker's compensation program that is currently in effect.
- (2) Authorize the Personnel Director to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCE AND PERSONNEL COMMITTEE:** /s/ James Loughrin, Gary Barrington, John F. Penney, 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. Hagen moved and Supr. Handrich seconded the motion to adopt Resolution No. 34 (2008-2009). Motion carried 22-0. Passed the 17<sup>th</sup> day of March, 2009.

**RESOLUTION NO. 37 (2008-2009)**

**SUBJECT:** Jurisdictional Transfer Agreement – “CTH “K”

**WHEREAS**, the Wisconsin Department of Transportation Project #6898-04-72 plans for the construction of the STH 22/54 bypass as a non-connecting highway route within Waupaca County and the City of Waupaca; and

**WHEREAS**, the construction of the new STH 22/54 bypass includes changes in the traffic and road system within Waupaca County, the City of Waupaca and the Town of Waupaca.

**NOW, THEREFORE BE IT RESOLVED** that Waupaca County agrees to transfer maintenance, jurisdiction, and ownership of underlying right of way for 2.58 miles of CTH “K” roadway (Ware Street, Oborn Street, East Fulton Street, Badger Street, Main Street and Shadow Road) to the City of Waupaca as described in the Jurisdictional Transfer Agreement on file in the County Clerk's Office; and

