

**WAUPACA COUNTY BOARD OF SUPERVISORS
ADJOURNED ANNUAL SESSION
September 18, 2012**

Chair Koeppen called the meeting to order at 9:00 a.m. with 25 members present.

Present: Suprs. Aasen, Barrington, Boyer, Craig, Ellis, Federwitz, Fleese, Handrich, Johnson, Jonely, Kietzmann, Koeppen, Kussmann, Loughrin, L. Mares, McClone, Much, G. Murphy, T. Murphy, Neumann, Penney, Peterson, Poehlman, Sorensen, Zaug. Supr. Morgan was excused. Supervisory District 23 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. Sorensen moved and Supr. Boyer seconded the motion to approve the agenda. Motion carried 25-0. Passed the 18th day of September, 2012.

Supr. Jonely moved and Supr. G. Murphy seconded the motion to approve the minutes of the August 21, 2012 meeting. Motion carried 25-0. Passed the 18th day of September, 2012.

**2011 AUDIT REPORT AND FINANCIAL UPDATE
Finance Director Heidi Dombrowski**

Heidi Dombrowski reviewed the Management Communications, Comprehensive Annual Financial Report for the year ended December 31, 2011, and Federal Awards and State Financial Assistance Report. The report is on file in the County Clerk's Office. Heidi also reviewed the 2012 budget current fund status.

REPORTS BY COUNTY BOARD SUPERVISORS/DEPARTMENTS

Chair Koeppen reported on WCA meetings and the upcoming conference in LaCrosse.

**AMENDMENT TO CHAPTER NO. 34
Town of Farmington, RC-N District to SR-M District
2012-532, Z-009-12**

Parcel #05-28-51-5, Z-009-12, 10K Enterprises LLC in Sec. 28, Town of Farmington for a Zoning Map Amendment from an RC-N (Rural Commercial - Neighborhood) District to an SR-M (Sewered Residential Multi-Family) District to be consistent with the current use and with the Comprehensive Plan.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in part of the S ½ of the NE ¼ and also being in part of Government Lot #2 of Sec. 28, Town of Farmington, lying along Silver Lake Drive, Fire Number N3117, Waupaca County, Wisconsin, on approximately 2.12 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 Farmington 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 RC-N (Rural Commercial - Neighborhood) District to an SR-M (Sewered Residential Multi-Family) District.

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 September 18, 2012.
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Ellis moved and Supr. G. Murphy seconded the motion to adopt the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 25-0.
Passed the 18th day of September, 2012.

RESOLUTION NO. 17 (2012-2013)

SUBJECT: Land and Water Conservation staffing change – decrease hours of GIS/Conservation Technician from 1.0 FTE to .55 FTE.

WHEREAS, after further evaluation it has been determined there is an opportunity to revise the existing organizational structure in Waupaca County's Land and Water Conservation Department; and

WHEREAS, there will be a decrease in responsibilities for the GIS/Conservation Technician position; and

WHEREAS it is has been recommended by the Land and Water Conservation Committee and the Finance & Human Resource Committee to approve this change in the organizational structure;

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors does hereby approve decreasing the hours of the GIS/Conservation Technician position from 1.0 FTE to .55 FTE, effective upon passage of this resolution.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & HR COMMITTEE AND WAUPACA COUNTY LAND & WATER CONSERVATION

COMMITTEE: /s/ James Loughrin, Gary Barrington, John F. Penney, G. Robert Flease, Gerald M. Murphy, DuWayne Federwitz, Patricia Craig, Dick Koeppen, Robert Ellis, Darrell Handrich, Lee Much, Ardyce Eisentraut

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

Supr. Ellis moved and Supr. Federwitz seconded the motion to adopt Resolution No. 17 (2012-2013). Motion carried 25-0. Passed the 18th day of September, 2012.

RESOLUTION NO. 18 (2012-2013)

SUBJECT: 457 DC Plan and Post Employment Health Plan, Lakeview Manor Employment Contract

WHEREAS the Employer adopted the Waupaca County, Post Employment Health Plan and WI 457 DC Plan (the "Plan") effective April 7, 2010, to provide retirement benefits to certain employees of the Employer; and

WHEREAS paragraph (a) of Article 7.03 of the Plan provides that the Employer reserves the right to terminate the Plan; and

WHEREAS terminating the Plan is deemed a business necessity due to expiration of the Lakeview Manor Employment Contract.

WHEREAS it is has been recommended by the Finance & Human Resource Committee to approve;

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors does hereby approve, in accordance with Article 7.03 of the Plan, and with unanimous consent of the Governing Body, that the Plan be, and it hereby is, terminated effective as of September 18, 2012.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & HR COMMITTEE: /s/ James Loughrin, Gary Barrington, John F. Penney, G. Robert Flease, Gerald M. Murphy, DuWayne Federwitz, Patricia Craig, Dick Koeppen

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

Supr. Sorensen moved and Supr. Peterson seconded the motion to adopt Resolution No. 18 (2012-2013). Motion carried 25-0. Passed the 18th day of September, 2012.

RESOLUTION NO. 19 (2012-2013)

Subject: *Martin “Marty” Mares, District 23, County Board Supervisor*

WHEREAS, Martin Mares served with distinction, efficiency and honor on the Waupaca County Board of Supervisors from April, 2008, until his death on August 28, 2012, and

WHEREAS, Supr. Mares’ valuable input serving on Legislative, Judicial, Ethics, Safety & Security, Agriculture, Education & Extension, Parks & Recreation, and as a county board member will be greatly missed; and

WHEREAS, Supr. Martin Mares was well liked and respected by the County Board and all who knew him.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors hereby express their sincerest regrets and sympathy for the loss of their friend and colleague, Marty Mares.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY BOARD OF SUPERVISORS: /s/ Lloyd Mares, Fred Zaug, Patricia Craig, John F. Penney, Lee Much, David Johnson, Joe McClone, David S. Neumann, Terry Murphy, Darrell Handrich, Dennis Kussmann, DuWayne Federwitz, Gene Sorensen, Carl Kietzmann, Donald Peterson, James Boyer, Mary Kay Poehlman, Gerald M. Murphy, Gary Barrington, James Loughrin, Bob Ellis, William Jonely, Dick Koeppen, Don Aasen, Don Morgan

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

Supr. L. Mares moved and Supr. Handrich seconded the motion to adopt Resolution No. 19 (2012-2013). Motion carried 25-0. Passed the 18th day of September, 2012.

**A RESOLUTION TO CREATE
CHAPTER 3 OF THE WAUPACA COUNTY GENERAL
CODE OF ORDINANCES – FAIR AND OPEN HOUSING
ADOPTING WISCONSIN STATUTES, SECTION 106.50, AS AMENDED,
RELATING TO THE EQUAL RIGHTS OF ALL PERSONS TO FAIR HOUSING, AND
PROVIDING MEANS FOR THE IMPLEMENTATION AND ENFORCEMENT
THEREOF.**

**THE WAUPACA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:**

**Chapter 3 is created to read as follows:
FAIR AND OPEN HOUSING – RESOLUTION NO. 20 (2012-2013)**

WHEREAS, the Waupaca County Board of Supervisors recognizes its responsibilities under Section 106.50, Wisconsin Statutes, as amended, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein;

THEREFORE, BE IT ORDAINED THAT:

- 1) Waupaca County hereby adopts Section 106.50, Wisconsin Statutes, as amended, and all subsequent amendments thereto.
- 2) The officials and employees of Waupaca County shall assist in the orderly prevention and removal of all discrimination in housing within the County of Waupaca by implementing the authority and enforcement procedures set forth in Section 06.50, Wisconsin Statutes, as amended.
- 3) The County Clerk shall maintain forms for complaints to be filed under Section 106.50, Wisconsin Statutes, as amended, and shall assist any person alleging a violation thereof in the County of Waupaca to file a complaint thereunder with the Wisconsin Department of Work Force Development, Equal Rights Division, for enforcement of Section 106.50, Wisconsin Statutes, as amended.

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCIAL & HUMAN RESOURCES COMMITTEE: /s/ James Loughrin, Gary Barrington, G. Robert Fleese, Gerald M. Murphy, DuWayne Federwitz, Patricia Craig, Dick Koeppen

ATTEST:

/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:

/s/ Jeffrey Siewert, Corporation Counsel

Supr. Johnson moved and Supr. Zaug seconded the motion to adopt Resolution No. 20 (2012-2013). Motion carried 25-0. Passed the 18th day of September, 2012.

RESOLUTION NO. 21 (2012-2013)

SUBJECT: Supporting Legislation Requiring Online-Only Retailers to Collect and Remit Wisconsin Sales Tax

WHEREAS, under current law many online-only retailers are refusing to collect and remit sales taxes in states where they do not have a physical presence; and

WHEREAS, this creates an unfair price advantage for online-only retailers over traditional brick-and-mortar Wisconsin businesses that provide Wisconsin-based jobs; and

WHEREAS, as the amount of unpaid tax by some people grows, more revenue needs to be collected from everyone else to compensate; and

WHEREAS, uncollected Wisconsin state and local sales tax revenue is estimated between \$100 and \$200 million annually; and

WHEREAS, sales tax revenues are an important component of state and local government budgets; and

WHEREAS, this resolution supports all Wisconsin residents, businesses and units of government.

NOW, THEREFORE, BE IT RESOLVED that Waupaca County does hereby support legislation requiring online retailers with subsidiaries or affiliates located in Wisconsin to collect and remit Wisconsin state and local sales tax.

RECOMMENDED FOR PASSAGE BY WAUPACA COUNTY BOARD CHAIR: /s/ Dick Koeppen

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

Supr. Kussmann moved and Supr. McClone seconded the motion to adopt Resolution No. 21 (2012-2013). Motion carried 25-0. Passed the 18th day of September, 2012.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen placed the following correspondence for September on file in the County Clerk's Office: WCEDC Monthly Report.

Supr. Aasen moved and Supr. Handrich seconded the motion to adjourn. Motion carried 25-0. Chair Koeppen declared the meeting adjourned at 9:50 a.m.

Mary A. Robbins
Waupaca County Clerk