

**WAUPACA COUNTY BOARD OF SUPERVISORS
ANNUAL ADJOURNED SESSION – COUNTY BOARD TOUR
JUNE 18, 2013**

County Board members attended the annual County Board Tour. The Board toured and learned about the Marion area—Marion Body Works, Keller Park, School Forest Lesson, Marion Dam, Sledding Hill, School Forest, and Premier Community Bank Community Development Efforts & Merger.

Chair Koeppen called the meeting to order at 1:00 p.m. with 25 members present. The meeting was held at Northwinds Banquet Hall, Marion.

Present: Suprs. Aasen, Barrington, Boyer, Craig, Ellis, Federwitz, Fleese, Gabert, Handrich, Kietzmann, Koeppen, Kussmann, Loughrin, Mares, McClone, Morgan, Much, G. Murphy, T. Murphy, Neumann, Penney, Peterson, Poehlman, Sorensen, Zaug. Suprs. Johnson and Jonely 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.

Supr. Zaug moved and Supr. McClone seconded the motion to approve the agenda. Motion carried 25-0. Passed the 18th day of June, 2013.

Supr. G. Murphy moved and Supr. Sorensen seconded the motion to approve the minutes of the May 21, 2013 meeting. Motion carried 25-0. Passed the 18th day of June, 2013.

**WAUPACA COUNTY HIGHWAY 5-YEAR PLAN
Dean Steingraber, Highway Commissioner**

Dean Steingraber reviewed the Highway Department's 5-year plan. The department's goal is to rebuild 17 miles of roadway a year. Chair Koeppen placed the report on file in the County Clerk's Office.

REPORTS BY COUNTY BOARD SUPERVISORS/DEPARTMENTS

Chair Koeppen thanked Mike Koles, Roger Holman, and Northwinds Banquet Hall for planning this year's County Board Tour.

**AMENDMENT TO THE WAUPACA COUNTY CODE OF ORDINANCES
CHAPTER 34 – WAUPACA COUNTY ZONING ORDINANCE**

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

Amend Table 4 – Delete Maximum Building Coverage

Amend Table 5 –

“Commercial Animal Facility” – should add “C” (Conditional Use Permit) to PVRF

“Indoor Storage or Wholesaling” – should add “C” (Conditional Use Permit) to RC-N, RI-G and RI-I

“Outdoor Storage or Wholesaling” – should add “C” (Conditional Use Permit) to RI-G and RI-I

“Outdoor Institutional” – should add “C” (Conditional Use Permit) in PVRF, AE and AR; and should change to “C” (Conditional Use Permit) in the Hamlet, rather than “P” (Permitted)

Amend Sec. 1.07, Definitions –

18. Density: The number of development rights located within a specific land area. Existing residential dwelling units or equivalent principle uses within the parcel are included in the calculation.

19. Development Right: The legally allowed residential or equivalent principal use development potential on a parcel of real property.

59. Structural Alteration: Any changes to an existing layout of space that will result in a change to the dimensions of a structure; involve the reconstruction, replacement or addition of exterior walls and/or foundation; or change the pitch of the existing roof.

Transfer of Development Rights: The ability to transfer development rights to contiguous parcels within the same Township provided that an owner is in common and the zoning district is the same.

Amend 2.12 Premises Conforming as to Use, but Nonconforming as to Structural or Dimensional Standards

1. Expansion and Restoration: A structure that is nonconforming as to structural or dimensional standards may not be expanded or enlarged if doing so would increase dimensional nonconformity. If any structural alteration is necessary for a structure outside of ordinary maintenance, the structure will be required to be brought into compliance with current zoning regulations based on the parameters for new construction. Replacement of a foundation, in part or in whole, shall be considered to be a structural alteration.

a. Expansions to nonconforming accessory structures shall only be allowed if the structure is located further than one-half or more of any required setback and the proposed addition is located entirely beyond the required setback and complies with all additional provisions of this section and ordinance.

Sec. 6.05(7)(a) – Delete the following portion of the sentence:

7. Accessory Structure: Any detached private garage, carport, or utility shed on a residential lot that primarily accommodates the sheltered parking of a vehicle, the

storage of residential maintenance equipment to serve the same lot or a contiguous lot, or a detached shelter such as a gazebo. It also includes swimming pools, greenhouses, wind and solar energy systems for on-site residential use, and private kennels. Attached garages, attached carports, and decks shall be considered part of the principal residential building, not an accessory structure.

- a. If proposed to be constructed in advance of the principal building (dwelling) on the same lot, prohibited in Sewered Residential, SR, zones, the structure shall be sited with relation to appropriate locations for a future dwelling, private well, and on-site waste treatment system, and driveway.

7.0 Density Management

7.01 Purpose: The purposes of this section include, but are not limited to:

1. Preserve open space, scenic views, and critical and sensitive areas.
2. Conserve agricultural uses of land.
3. Protect lands, resources and structures of aesthetic, architectural, and historic significance.
4. Conserve and protect water resources and environmentally sensitive lands, waters, and other natural resources.
5. Assist in shaping the character and direction of the development of the community.
6. Establish a procedure enabling landowners to voluntarily sever development rights from a sending property.
7. Protect and enhance private property rights by enabling the transfer of development rights.
8. Improve quality of life for the citizens of Waupaca County.
9. Conserve and promote public health, safety, and general welfare of the County by establishing procedures, methods, and standards for the transfer of development rights within its jurisdiction.

7.02 Applicability:

This Section applies only to the following zoning districts; Private Recreation and Forestry (PVRF), Agriculture Enterprise (AE), Agriculture Enterprise –Farmland Preservation (AE-FP), Agriculture Retention (AR), Agriculture and Woodland Transition (AWT), and Rural Residential (RR).

1. The size and zoning of a parcel limits the maximum number of residential dwelling units or equivalent principal use within these zoning districts.
2. Development rights are required for dwelling unit or one (1) principal commercial, institutional, recreational, utility, transportation, or industrial land use.
3. Each two (2) -family dwelling unit permitted or legally established on the lands following the effective date of this chapter shall be counted as one (1) development right for the purpose of this chapter.
4. All dwellings count towards this density limit, including the original farm dwelling.
5. No building, structure or premises shall be erected, occupied or used so as to provide a greater density of population than is allowed by the terms

of this ordinance for the district in which such building, structure or premises is located.

6. The availability of a development right does not guarantee that a dwelling or equivalent principal use can be built on a parcel. All evaluation criteria must also be met.
7. Accessory structures do not require a development right.

7.03 Method of Calculation:

- A. INITIAL: The following method shall be used to calculate the initial maximum number of residential dwelling units:
 1. The parcel maps at the time of Township adoption will be the basis of the density determination.
 2. A quarter quarter is deemed to be forty (40) acres regardless of the size of the fractional forty (40).
 3. Parcels intended to be (1/2) one-half of a quarter quarter are considered 20 acres regardless of size of the fractional twenty (20) acres.
 4. In the event of a fractional development right, the development rights are rounded down. No fractional development rights are allowed.
 5. Easements and parcels intended only for access are neither given a development right, nor counted against the parent parcel.
 - a. Measure the "gross site area."
 - b. Divide the gross site area by the Residential Density and Lot Size Management Overlay as chosen by the applicable Town and as described within Section 8.02.
 - c. The Planning & Zoning Director shall keep track of the total number of development rights on each from the date of adoption of the this Zoning Ordinance. All additional dwelling units following that initial date shall conform to the maximum density calculated for the parcel or contiguous common ownership land as such lands were sized and configured on that initial date.
- B. SUBSEQUENT ASSIGNMENT:
Assignment of development rights will be done in order of recorded
 1. Certified Survey Map.
 2. A development right will be considered used when a parcel is split, creating a potentially buildable lot, or when a permit for a dwelling or other principal use is issued for an existing parcel.
 3. For administration of this policy, the development rights remain with the land, not the owner or subsequent owners. It is the responsibility of the owners and potential buyers of the land to check with the County on availability of development rights. Potential buyers are also advised to contact the Waupaca County Planning & Zoning Office to determine if it is in the Limited Development Overlay.
 4. Changes and reconfigurations in ownership do not trigger new allotments of potential future development rights. When land is sold or consolidated after the effective date of the town adoption, the Planning & Zoning Director will use the following approaches in the order listed to determine

how many (if any) potential future development rights were transferred along with the land:

5. Assignment of development rights will be done at the time of split by all the owners of record of the parent parcel.
6. The Planning & Zoning Office will implement a complete and accurate inventory of the development rights that have been used to date and will implement a plan for keeping this inventory up to date.

7.04 Existing Developments: It is recognized that a number of parcels existed at the time each Town adopted the County Comprehensive Plan which did not meet minimum density requirements.

1. One (1) dwelling unit or equivalent principal use may be built on an undeveloped parcel if the parcel existed as of the date of the Town adoption of this Ordinance.
2. This “grandfather clause” will allow one (1) dwelling unit without a zone change.
3. No further splits of such parcels for development are allowed but may be put in the Restricted Development Overlay. [The availability of a development right does not guarantee that a dwelling or equivalent principal use can be built on a parcel. All evaluation criteria must also be met.]
4. Each single dwelling unit or equivalent principal use that received a zoning permit or was otherwise legally constructed prior to the effective date of this chapter shall be counted against the maximum number of new dwelling units or equivalent principal uses that may be built.
5. Each single dwelling unit or equivalent principal use that was legally constructed prior to the effective date of this chapter but does not meet the density requirements of this section shall be allowed to be rebuilt on the lot within a twelve (12) month period. If the dwelling unit or equivalent principal use isn’t built within a twelve (12) month period, then it has to be built in a compliant location.

7.05 Rezoning:

1. Nothing in this Section shall preclude the petitioner from seeking a zoning map amendment to remove lands from the PVRF, AE, AE-FP, AR, AWT or RR zoning districts unless located in a Farmland Preservation District. In the event that such lands are rezoned away from one of these districts, and not rezoned to another one of these districts, the provisions of this Section shall no longer apply.
2. In the event that a property is rezoned into PVRF, AE, AE-FP, AR, AWT or RR zoning districts from a non-applicable zoning district, the assignment of densities will be determined during the rezoning process.

7.06 Transfer of Development Rights (TDR)

1. Purpose: To achieve the optimum residential environment while recognizing the rural character of the Town. The density transfer technique is designed to encourage preservation of prime agricultural tillable lands worthy of such preservation.

2. Development rights can be transferred to contiguous parcels within the same Township provided that an owner is in common and the zoning district is the same. A document attesting to the development right transfer shall be filed in the Waupaca County Planning & Zoning Office. Signatures of all owners of record on sending parcel must be notarized.
 - a. Parcels zoned as Rural Residential (RR) may not send or receive development rights.
3. Once a parcel of land has transferred all of its development rights, it is placed in the Limited Development Overlay District.

8.0 Zoning District Overlays

8.01 Establishment of Zoning District Overlays

1. The purpose of zoning district overlays is to allow the County to establish special land use regulations or procedures in areas with unique land use, site planning, building design, or environmental resource issues. Zoning district overlays are intended to be applied only where special circumstances justify the modification of base zoning district regulations to achieve specific land use and design objectives based on the Waupaca County and local Town Comprehensive Plans and applicable ordinances. Zoning district overlays are established in Sections 8.02 through 8.06.
2. Zoning district overlays are applied through rezoning and only in conjunction with base zoning districts. Letters, numbers, abbreviations, or a combination thereof, shall be combined with other applicable district designations to the property(ies) on which an overlay district is established and shown on the Waupaca County Zoning Map.
3. Except as modified by the zoning district overlay, the provisions of the applicable base zoning district shall apply to all development within the boundary of the designated area. If regulations conflict, the applicable zoning district overlay regulations shall prevail.
4. Whenever an overlay district is established, any subsequent application to change the base zoning district shall not be construed to be an application to eliminate the overlay district for the property covered by the application. Intent to eliminate the overlay district on a given property or base zoning district shall be expressly stated to be part of the application.

8.02 Residential Density and Lot Size Management Overlays

1. Purpose: Provide a range of residential density management, lot size, and lot configuration options to implement the individual Waupaca County Towns' Comprehensive Plans preferred land use policies. Where the base zoning districts implement the base density and lot size, the overlays provide a means to fine tune the base zoning to better match the individual town policies.
2. The Residential Density and Lot Size Management Overlays can be applied to the following base zoning districts:
 - a. PVRF Private Recreation and Forestry Enterprise
 - b. AE Agriculture Enterprise
 - c. AR Agriculture Retention
 - d. AWT Agriculture and Woodland Transition

- e. RR Rural Residential
- 3. If utilized, the overlays shall be applied uniformly to entire base zoning districts within individual towns. They cannot be used to modify the zoning requirement of specific properties under the same base zoning district.
- 4. Overlay designations shall be applied by use of letter or abbreviation and number combination. For each base zoning district listed within Section 8.02.6, not more than one (1) overlay from each of the following categories shall be applied:
 - a. Maximum Residential Density
 - (1) **D-2:** 1 unit/2 acres
 - (2) **D-5:** 1 unit/5 acres
 - (3) **D-10:** 1 unit/10 acres
 - (4) **D-20:** 1 unit/20 acres or a 1/32 of a section
 - (5) **D-40:** 1 unit/40 acres or a 1/16 of a section
 - b. Minimum Lot Area
 - (1) **MIN-20:** 20,000 square feet
 - (2) **MIN-1:** 1 acre
 - (3) **MIN-2:** 2 acres
 - (4) **MIN-5:** 5 acres
 - (5) **MIN-10:** 10 acres
 - c. Maximum Lot Area
 - (1) **MAX-0:** none
 - (2) **MAX-2:** 2 acres
 - (3) **MAX-3:** 3 acres
 - d. Lot Clustering Requirements according to the provisions of Section 8.0.
 - (1) **C1:** All lots created through land divisions must be clustered.
 - (2) **C2:** All lots created as part of major subdivisions as defined in the Waupaca County Subdivision Ordinance Chapter 37 must be clustered.
 - (3) **C3:** Lot clustering is optional. If lots are clustered, then one (1) additional lot for every four (4) lots allowable per the base zoning or district overlay is possible by Conditional Use Permit.
- 5. Maximum Residential Density Overlays in Section 8.02.8.a that are less restrictive than the Base Zoning District shall not be applied.
- 6. Maximum lot areas can be increased up to ten (10) acres in area for the purpose of consolidation of farm structures. Site plan, Level 1, review is required.

8.03 Limited Development Overlay

- 1. When the density limit is reached, construction of additional principal structures will not be approved. The property will be placed in the Limited Development Overlay, notifying the public that unless density rights can be transferred (see TDR section), no additional dwellings or equivalent principal uses will be approved.

2. A parcel is considered restricted if available development units are zero (0).

8.04 AUI Agriculture/Urban Interface Overlay

1. Purpose: To further implementation of a multi-tiered agricultural zoning system in response to Wisconsin Act 235, known as the Livestock Facility Siting Law. This classification will help protect cities, villages, and rural sanitary districts from potential health and safety issues associated with close proximity to large livestock farming operations. This classification will also help protect agricultural operations from the land use conflicts associated with close proximity to urban and suburban growth and development areas.
2. This overlay will be utilized to establish an area, (generally within one-half (1/2) mile) surrounding the current boundaries of cities, villages, and rural sanitary districts where new livestock farming operations with fewer than five hundred (500) animal units will be allowed, but new operations with five hundred (500) or more animal units will not be allowed. Animal units are defined by Wisconsin Administrative Code ATCP 51.
3. New nonfarm residential structures shall not be allowed within one thousand (1,000) feet of structures, barns, manure storage structures, feed storage structures, etc. related to livestock operations with five hundred (500) or more animal units. Residential structures for affiliated parties, house for child or farm employees, are exempted from this policy.

8.05 Floodplain Overlay

See the Waupaca County Floodplain Ordinance Chapter 36.

8.06 RP: Resource Protection Overlay District

1. Purpose: To identify, conserve and protect valued natural and cultural resources that contribute to the County's character, natural environment and history which may include regulatory wetlands and floodplains, wetland buffers, floodplain buffers, surface water buffers, steep slopes, exposed bedrock, wellhead protection areas, woodlots, scenic vistas, wildlife habitat, historic sites, archeological sites, and similar resources. The RP overlay district corresponds with the Resource Protection Preferred Land Use Category within the Waupaca County Comprehensive Plan.
2. Specific lands within the Resource Protection Overlay District may be removed under one or more of the following circumstances:
 - a. A more detailed study by a qualified, licensed professional reveals that the characteristic(s) which resulted in the property's designation as a Resource Protection Overlay District no longer exist(s), or never existed;
 - b. Approvals from appropriate State or Federal agencies are granted to alter a property so that the characteristic(s) which resulted in its classification as an environmental corridor no longer exist; or
 - c. A mapping error has been identified by the Planning & Zoning Director and/or Planning and Zoning Committee.

3. In the case of the above situations, the property can be zoned in accordance with the adopted Town Comprehensive Plan Preferred Land Use Map without undergoing the formal rezone process, as the circumstances for inclusion within the Resource Protection Overlay District have materially altered. The applicant is responsible for providing an accurate scaled map depicting the revised natural resource boundary. The map shall be prepared by a qualified professional or a land surveyor licensed by the State of Wisconsin.

(Removed from Section 3.0 Zoning District and Maps, Section 3.02)

Amend Sec. 14.03(5)(a)(5) –

5. Fees: Fees shall be submitted to the Planning & Zoning Director when application is made for a Land Use Permit. Additional fees shall be assessed in accordance with the adopted fee schedule if work is started before the permit is requested or issued. Fees may be changed by action of the Planning and Zoning Committee and Notification to the County Board. Any such change of fees is effective upon posting of the new County Fee Schedule in the Planning & Zoning Office after action by the Planning and Zoning Committee and Notification to the County Board.

Amend Sec. 14.03(5)(b)(2) –

2. Fees: Fees shall be submitted to the Planning & Zoning Director when application is made for public hearings. Additional fees shall be assessed in accordance with the adopted fee schedule if work is started before the permit is requested or issued. Fees may be changed by action of the Planning and Zoning Committee and Notification to the County Board. Any such change of fees is effective upon posting of the new County Fee Schedule in the Planning and Zoning Office after action by the Planning and Zoning Committee and Notification to the County Board.

Add to Sec. 14.03(5)(b)(7)(a) –

- (a) Step 1—Application: Application for a rezone may be filed with the Planning & Zoning Director or his/her designee on forms prepared by the Planning & Zoning Director and approved as to form and content by the Planning and Zoning Committee. If a Certified Survey Map is required, it must be received with all applicable fees and be approved by the Planning and Zoning Office prior to the public hearing in front of the Planning and Zoning Committee. If the zone map amendment is approved by the County Board, the CSM will be recorded thereafter as previously approved. Failure to record the CSM as approved will result in the rezone being void.

EFFECTIVE DATE

Approval of the Planning & 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.

Supr. Kussmann moved and Supr. Penney seconded the motion to adopt the amendments to Chapter 34, Waupaca County Zoning Ordinance. Motion carried 25-0. Passed the 18th day of June, 2013.

**AMENDMENT TO THE WAUPACA COUNTY CODE OF ORDINANCES
CHAPTER 37 – WAUPACA COUNTY SUBDIVISION ORDINANCE**

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

7.0 Certified Survey Map

7.01 General Requirements

12. **Access easements** must be defined on the Certified Survey Map and by a separate recorded document as required by Section 8.07(3).
13. **When a Remnant Parcel** is intended to be combined with an adjoining parcel, a combination note must be placed on the Certified Survey Map and a Request to Combine Parcels form must be completed and returned to the Waupaca County Property Listing Office for approval.
14. **Owner's Certificate** prepared in conformance with Section 236 of the Wisconsin Statutes.
15. **Signature block** for the Planning & Zoning Director and statement as follows, "This final land division is consistent with preliminary approval; all conditions imposed thereof have been met; and the land division conforms to all applicable Waupaca County land use controls."
16. **Signature block** for the Chair of the local municipality and statement as follows. "This final land division conforms to all applicable Town land use controls."
17. **Any Additional Information** as requested by the Planning & Zoning Director or Planning and Zoning Committee.

Sec. 8.07(5) –

8.07 Lots

5. **Maximum Lot Sizes** shall only pertain to the parcel(s) being created and does not include the remnant parcel. In the event of combining parcels, maximum lot size shall not apply. (Maximum lot sizes are defined through Town developed overlays which are referenced in Section 8.02 in the Waupaca County Zoning Ordinance.)
6. **Depth of Lots** should be designed with a suitable proportion between width and depth. The lot width to depth ratio shall be 1:3 (0.33); in other words no lot depth shall be greater than three (3) times the width.
7. **Width of Lots** shall conform to the requirements of the Waupaca County Zoning Ordinance.
8. **Corner Lots** shall be designed with extra width to permit adequate building setback from both streets.

9. **The Shape of Lots** shall be approximately rectangular, with the exception of lots located on a curved street or cul-de-sac.
10. **Lands Lying Between the Meander Line** and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake or stream.

8.09 Easements

5. **Drainage Easements.** Where a subdivision is traversed by a watercourse, drainageway, or stream, an adequate drainageway or easement may be required to handle stormwater runoff. The location, width, alignment and improvement of such drainageway or easement shall be approved by the Planning and Zoning Committee.
6. **Utility Easements.** All utility lines for electric power and telephone service shall be placed on mid-block easements along rear lot lines whenever carried on overhead poles except where lots abut a lake or stream. All other utility easements shall be located along rear or side lot lines whenever possible.
7. **Access Easements.** Must be defined on the Certified Survey Map and by a separate recorded document as required by Section 8.07(3).

Sec. 12.01 –

12.0 Fees

12.01 General

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

EFFECTIVE DATE

Approval of the Planning & 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.

Supr. Federwitz moved and Supr. T. Murphy seconded the motion to adopt the amendments to Chapter 37, Waupaca County Subdivision Ordinance. Motion carried 25-0. Passed the 18th day of June, 2013.

**AMENDMENT TO THE WAUPACA COUNTY CODE OF ORDINANCES
CHAPTER 6 – PRISONER BOARDING FEES**

6.06 PRISONER BOARDING FEES

The Sheriff shall be reimbursed for board for each prisoner in his custody, including Huber Law prisoners at the rate established from time to time by the County Board.

- A.** The Sheriff in accordance with Sec. 302.38(4) and 302.372(2) Wis. Stats., shall collect fees and medical/health care costs of prisoners under the following procedures:
 - 1. Inmates and prisoners sentenced to the Jail shall be assessed an initial forty (\$40.00) dollar booking fee and a daily fee of ten (\$10.00) dollars per day for each day of incarceration in the Waupaca County Jail. Inmates and prisoners sentenced to the jail serving weekend sentences shall be charged a rate of twenty (\$20.00) dollars per day.

**6.06A REIMBURSEMENT PER DAY COSTS AND MEDICAL CARE OF PRISONERS
(Adopted January 20, 2004, Amended June 18, 2013)**

The Sheriff, in accordance with Sec. 302.39(4) and 3.02.372(2), Wis. Stats., shall collect fees and medical/health care costs of prisoners under the following procedures:

- A.** Inmates and prisoners sentenced to the Jail shall be assessed an initial forty (\$40.00) dollar booking fee and a daily fee of ten (\$10.00) dollars per day for each day of incarceration in the Waupaca County Jail. Inmates and prisoners sentenced to the jail serving weekend sentences shall be charged a rate of twenty (\$20.00) dollars per day.

6.10 D. Effective date and Severability:

- 1. This Ordinance shall be enacted and in full force and effective immediately upon adoption by the County Board. Any and all ordinances in conflict with this ordinance are hereby repealed and superseded.
- 2. Approved by the Waupaca County Law Enforcement Committee on June 11, 2013 and Waupaca County Legislative, Judicial, Ethics, Safety & Security Committee on June 12, 2013.

Supr. Craig moved and Supr. McClone seconded the motion to approve the amendments to Chapter 6 of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 18th day of June, 2013.

**RESOLUTION NO. 12 (2013-2014)
RESOLUTION DESIGNATING COUNTY'S REPRESENTATIVE
TO THE GOVERNING BOARD OF
EAST CENTRAL WISCONSIN REGIONAL LOAN FUND, INC.**

WHEREAS, the State of Wisconsin Department of Commerce (a/k/a WEDC) developed an initiative to consolidate the local CDBG Business Revolving Loan Funds that exist in East Central Wisconsin into a regional loan fund; and

WHEREAS, Waupaca County has authorized the County to participate in a new non-profit regional loan fund called the East Central Wisconsin Regional Loan Fund, Inc. ("Fund"); and

WHEREAS, it is necessary and proper for the County to designate its representative to the Governing Board of the Fund;

NOW, THEREFORE, BE IT RESOLVED, that the County does hereby appoint the Waupaca County Board Chair to serve as the County's representative to the Fund's Governing Board and to exercise all powers authorized by law in that capacity; and

FURTHER RESOLVED, that the above appointee is further authorized to designate, from time to time, an alternate to serve on his or her behalf as the appointee deems necessary and proper; and

WHEREAS, the above appointee or his or her designee is authorized and directed to take all action necessary and proper to implement the County's full participation in the Fund.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & HUMAN RESOURCES COMMITTEE AND LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEE: /s/ James Loughrin, Gary Barrington, John F. Penney, G. Robert Flease, Gerald M. Murphy, DuWayne Federwitz, Patricia Craig, Dick Koeppen, Dennis A. Kussmann, Terry Murphy, Dona Gabert, Mary Kay Poehlman, David S. Neumann

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

Supr. Poehlman moved and Supr. G. Murphy seconded the motion to adopt Resolution No. 12 (2013-2014). Motion carried 25-0. Passed the 18th day of June, 2013.

RESOLUTION NO. 13 (2013-2014)

SUBJECT: Opposition to Increasing Acreage of Alien Ownership

WHEREAS, Wisconsin law (Chapter 710) has regulated the amount of land that aliens can own for 126 years; and

WHEREAS, the 1887 law bars foreigners from owning more than 640 acres in the state; and

WHEREAS, Wisconsin Governor Scott Walker is being asked by special interest groups to let foreigners own large amounts of land for the first time in 126 years; and

WHEREAS, Walker spokesman Cullen Werwie said the change is intended solely to clarify language that was confusing to potential foreign investors, specifically that the state's 126 year-old law conflicts with the International treaty known as GATS, or the General Agreement on Trade in Services; and

WHEREAS, Governor Scott Walker's budget proposal would lift a longtime ban on foreign ownership of large tracts of land in Wisconsin; and

WHEREAS, no international treaty signed by the government of the United States, its agents, or representatives shall dissolve those rights delegated to the individual states under the 10th Amendment of The Constitution of the United States; and

WHEREAS, Governor Scott Walker's budget proposal would lift a longtime ban on foreign ownership of large tracts of land in Wisconsin, and

WHEREAS, the Wisconsin Farmers Union challenges the assertion that the change is needed to comply with International law. "Without more evidence of a credible legal challenge to Wisconsin's current statute, the state rationale of needing the law change in order to comply with federal treaty does not withstand scrutiny."; and

WHEREAS, John Peck, Executive Director of Madison based Family Farm Defenders also states he does not believe that GATS applies and says Governor Walker and the Wisconsin Lawmakers are poised to make the state part of a "global land-grabbing casino"; and

WHEREAS, "The most valuable asset we have is our land, forests, and water," Peck says "It is shocking to me that we are willing to put everything on the auction block"; and

WHEREAS, allowing unrestricted ownership of our land, forest, and water by non-resident aliens and corporations would erode our independence and rights granted to us under the United States and Wisconsin Constitutions; and

WHEREAS, adding more foreign competition for land ownership in the state, and in particular, tax-preferred agricultural land even if the land isn't used for farming would drive up land prices and edge some resident landowners out of the market; and

WHEREAS, if enacted Wisconsin would be moving toward an investor-owned rather than a farmer owned land base, and

WHEREAS, the current law should be kept in place and the issue of foreign ownership of land should be debated on its own merits, rather than buried in the state budget, and

NOW, THEREFORE LET IT BE RESOLVED that the Waupaca County Board of Supervisors in session, that Waupaca County shall be strongly opposed to the lifting of the state ban on foreign ownership; and

BE IT FURTHER RESOLVED, that such legislative action be taken on its own merits and not as part of the budget process.

BE IT FURTHER RESOLVED, that this resolution be sent to the Governor, Local and State Legislators, the Leadership of the Senate and Assembly and all Wisconsin Counties.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEE: /s/ Dennis Kussmann, Terry Murphy, Dona Gabert, David Neumann, Mary Kay Poehlman

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

Supr. Zaug moved and Supr. Kussmann seconded the motion to adopt Resolution No. 13 (2013-2014). Motion carried 24-1 with Supr. Boyer voting no after she was informed by Rep. Petersen that this proposal is no longer included in the state budget. Passed the 18th day of June, 2013.

APPOINTMENTS

Supr. Barrington moved and Supr. Peterson seconded the motion to appoint Jackie Beyer as a citizen member for a 3-year term to the Board of Adjustment, re-appoint Supr. Loughrin and Supr. Mares to a 3-year term and Supr. Johnson for a 3-year term as alternate to the Board of Adjustment, and Dr. Steve Goedderz to the DHHS Board as a citizen member. Motion carried 25-0. Passed the 18th day of June, 2013.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen placed the following correspondence for June on file in the County Clerk's Office: WCEDC Monthly Report and thank you from Supr. Craig.

Supr. Aasen moved and Supr. Handrich seconded the motion to adjourn. Motion carried 25-0. Chair Koeppen declared the meeting adjourned at 1:55 p.m.

Mary A. Robbins
Waupaca County Clerk