

**WAUPACA COUNTY BOARD OF SUPERVISORS  
REGULAR SESSION  
September 17, 2013**

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

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

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. Federwitz seconded the motion to approve the agenda. Motion carried 25-0. Passed the 17<sup>th</sup> day of September, 2013.

Supr. Kussmann moved and Supr. McClone seconded the motion to approve the minutes of the August 20, 2013 meeting. Motion carried 25-0. Passed the 17<sup>th</sup> day of September, 2013.

**REPORT NO. 10 (2013-2014)  
LAKEVIEW MANOR 2012 ANNUAL REPORT  
UPDATE AND FORECAST**

Lakeview Administrator Melissa Drews answered questions on the Lakeview Manor 2012 Annual Report. Melissa Drews reviewed options for the future of Lakeview Manor.

**REPORT NO. 11 (2013-2014)  
DEPARTMENT OF HEALTH & HUMAN SERVICES 2012 ANNUAL REPORT  
Chuck Price, Director**

DHHS Director Chuck Price reviewed the 2012 Annual Report. Chair Koeppen placed the report on file in the County Clerk's Office.

**REPORT NO. 12 (2013-2014)  
WAUPACA COUNTY CORONER 2012 ANNUAL REPORT  
Barry Tomaras, Coroner**

Coroner Barry Tomaras reviewed the 2012 annual report. Chair Koeppen placed the report on file in the County Clerk's Office.

**REPORT NO. 13 (2013-2014)**  
**UWEX MONTHLY REPORT**

4-H Youth Development Educator Connie Abert reviewed the Extension Impact: Education Makes a Difference newsletter. Chair Koeppen placed the report on file in the County Clerk's Office.

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

Clerk Robbins announced that there is one revision to the agenda that was mailed. The agenda was posted properly prior to the meeting to include Resolution No. 22 (2013-2014). Supr. Peterson moved and Supr. Sorensen seconded the motion to accept the revised agenda. Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

**REPORTS BY COUNTY BOARD SUPERVISORS/DEPARTMENTS**

Chair Koeppen reported on his recent trip to New York, interviews for WCA Vice President, and WCA meetings.

**AMEND WAUPACA COUNTY CODE OF ORDINANCES**  
**CHAPTER 6, SEC. 6.06(B)**

**6.06 REIMBURSEMENT PER DAY COSTS AND MEDICAL CARE OF PRISONERS**

(Adopted January 20, 2004, amended June 18, 2013, September 17, 2013)

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:

- 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.
- B.** Huber Law inmates shall be charged a rate of twenty-five (\$25.00) dollars per day while exercising Huber Law privileges.
- C.** Inmates and prisoners will be responsible for the cost of their medical and dental care, prescriptions and other personal needs (such as eyeglasses) during incarceration.
- D.** The Sheriff or his designee shall require that all prisoners complete a financial disclosure form to be used to determine viability of pursuing reimbursement of costs.

- E. This ordinance shall be effective immediately upon passage of the County Board of Supervisors.

Approved by Legislative & Judicial, Ethics, Safety & Security Committee on September 11, 2013. Approved by Law Enforcement Committee on September 17, 2013.

Supr. Craig moved and Supr. Johnson seconded the motion to amend Chapter 6, Section 6.06(b) of the Waupaca County Code of Ordinances from \$20 to \$25 for Huber Law prisoners. Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

**AMEND CHAPTER 7.04  
OF THE WAUPACA COUNTY CODE OF ORDINANCES**

**SUBJECT: SPEED RESTRICTION – County Trunk Highway “B”**

WHEREAS, a portion of CTH “B” from STH 54 to the northeast is currently posted 25 mph; and

WHEREAS, it does not appear that an ordinance was ever enacted to reduce the speed limit in this area; and

WHEREAS, the current posted speed limit on the intersection highway (STH 54) is 35 mph; and

WHEREAS, after a review of the following described highway and the maximum permissible speed at which vehicles can be operated on said highway which is reasonably safe and prudent having been established pursuant to Sec. 346.57 and Sec. 349.11 of the Wisconsin Statutes.

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

1. 35 miles per hour from STH 54 to a point 0.291 miles northeast.

This ordinance shall be effective upon erection of standard signs giving notice thereof.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY HIGHWAY DEPARTMENT:** /s/ G. Robert Fleese, Lloyd Mares, Don Aasen, Donald Peterson, William Jonely

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

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

Supr. Craig moved and Supr. Peterson seconded the motion to amend Chapter 7.04 of the Waupaca County Code of Ordinances, County Highway B. Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

**AMEND CHAPTER 7.04  
OF THE WAUPACA COUNTY CODE OF ORDINANCES**

**SUBJECT: SPEED RESTRICTION – County Trunk Highway “E”**

WHEREAS, a portion of CTH “E” is being designed by MSA for a pavement rehabilitation project; and

WHEREAS, MSA has determined based on existing conditions that the curve at Spencer Lake Road does not meet current design criteria for a 55 mph speed limit and has recommended that the existing 35 mph speed zone be extended north to encompass this curve; and

WHEREAS, after a review of the following described highway and the maximum permissible speed at which vehicles can be operated on said highway which is reasonably safe and prudent having been established pursuant to Sec. 346.57 and Sec. 349.11 of the Wisconsin Statutes.

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

1. 35 miles per hour from a point 415’ north of Spencer Lake Road to a point 528’ south of CTH “EE”.

This ordinance shall be effective upon erection of standard signs giving notice thereof.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY HIGHWAY DEPARTMENT:** /s/ G. Robert Fleese, Lloyd Mares, Don Aasen, Donald Peterson, William Jonely

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

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

Supr. Mares moved and Supr. Ellis seconded the motion to amend Chapter 7.04 of the Waupaca County Code of Ordinances, County Highway E. Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

**AMEND CHAPTER 7.04  
OF THE WAUPACA COUNTY CODE OF ORDINANCES**

**SUBJECT: SPEED RESTRICTION – County Trunk Highway “EE”**

WHEREAS, CTH "EE" from CTH "E" to Lind Center Road is currently posted 55 mph; and

WHEREAS, the Waupaca County Highway Department has done a speed study and reviewed the location of existing accesses in the area just east of CTH "E"; and

WHEREAS, there are a cemetery, trailer park, and youth camp within 0.25 miles of the intersection; and

WHEREAS, after a review of the following described highway and the maximum permissible speed at which vehicles can be operated on said highway which is reasonably safe and prudent having been established pursuant to Sec. 346.57 and Sec. 349.11 of the Wisconsin Statutes.

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

1. 45 miles per hour from CTH "E" to a point 0.30 miles east.

This ordinance shall be effective upon erection of standard signs giving notice thereof.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY HIGHWAY DEPARTMENT:** /s/ G. Robert Fleese, Lloyd Mares, Don Aasen, Donald Peterson, William Jonely

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

Supr. Peterson moved and Supr. McClone seconded the motion to amend Chapter 7.04 of the Waupaca County Code of Ordinances, County Highway EE. Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

**RESOLUTION NO. 19 (2013-2014)  
Cooperation Agreement for CDBG Program**

This agreement entered into on the 17<sup>th</sup> day of September, 2013 by and between Waupaca County and the Central Wisconsin Housing Region.

WITNESSED:

WHEREAS, Waupaca County has an identified need in the Central Wisconsin Housing Region to provide decent housing, and

WHEREAS, Waupaca County contemplates submitting jointly with the Central Wisconsin Housing Region an application for funds under the Community Development Block Grant (CDBG) housing program of the Wisconsin Division of Housing (DOH) for the purpose of meeting those needs, and

WHEREAS, Waupaca County and the Central Wisconsin Housing Region desire to and are required to, enter into a written cooperative agreement with each other to participate in such CDBG program, and

WHEREAS, Waupaca County and the Central Wisconsin Housing Region understand that Juneau County will act as the applicant and will have the ultimate responsibility to assume all obligations under the terms of the grant including assuring compliance with all applicable laws and program regulations and performance of all work in accordance with the grant contract.

WHEREAS, it is understood that the Department of Housing and Urban Development and DOH have access to all participants' grant records and authority to monitor all activities,

NOW, THEREFORE, pursuant to Wisconsin Statutes 66.0301, Waupaca County and the Central Wisconsin Housing Region agree to cooperate in the submission of an application for such funds, and agree to cooperate in the implementation of the submitted CDBG program, as approved by the Department of Administration.

Nothing contained in this agreement shall deprive any municipality of any power or zoning, development control or other lawful authority which it presently possesses.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & HUMAN RESOURCE COMMITTEE AND WAUPACA COUNTY LEGISLATIVE, JUDICIAL, ETHIC, SAFETY & SECURITY COMMITTEE:** /s/ James Loughrin, Gary Barrington, John F. Penney, G. Robert Fleese, Gerald M. Murphy, DuWayne Federwitz, Dick Koeppen, Dennis A. Kussmann, Terry Murphy, Dona Gabert, Mary Kay Poehlman

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

Supr. Poehlman moved and Supr. Barrington seconded the motion to adopt Resolution No. 19 (20130-2014). Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

**RESOLUTION NO. 20 (2013-2014)**

SUBJECT: The Health and Human Services Board is recommending the hiring of two (2) new FTE Economic Support Specialist positions (LGL 6) effective October 1, 2013.

WHEREAS, the Department of Health and Human Services is part of the 10-County East Central Income Maintenance Partnership (ECIMP) Consortium for determining eligibility for Income Maintenance Programs; and

WHEREAS, the Consortium is expected to have a large workload increase with the onset of the Patient Protection and Affordable Care Act (PPACA) beginning in October 2013; and

WHEREAS, because of the additional workload associated with PPACA, Waupaca County has been allocated an additional \$199,018 in 2013, of which any unspent funds can be carried over to 2014; and

WHEREAS, Waupaca County has been allocated an additional \$224,708 in 2014; and

WHEREAS, the workload projection by the Department of Health Services shows that Waupaca County stands to gain an additional 3,532 Medicaid/BadgerCare Plus cases, in addition to the 4,435 cases we currently serve; and

WHEREAS, this workload will begin in October and extend at least until June of 2015. At that time, a new state Biennial Budget will refigure the workload projections and caseloads; and

WHEREAS, the cost for an Economic Support Specialist position from October through December 2013 would be approximately \$14,130 per position, and the cost is expected to be \$60,272.41 per position for 2014, based on a 40-hour workweek, including family health insurance plan and other benefits,

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors authorizes the Health and Human Services Department to hire two (2) FTE Economic Support Specialist positions (LGL 6) effective October 1, 2013.

LET IT FURTHER BE RESOLVED that no County funds are needed to fill these two positions, and as the PPACA funding is decreased, staff positions may need to be eliminated in 2015 or not refilled due to attrition.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & HUMAN RESOURCE COMMITTEE AND WAUPACA COUNTY DEPARTMENT OF HEALTH & HUMAN SERVICES BOARD:** /s/ James Loughrin, Gary Barrington, John F. Penney, G. Robert Flease, Gerald M. Murphy, DuWayne Federwitz, Dick Koeppen, Jan L. Lehrer, Carl Kietzmann, Steve Goedderz, Mary Kay Poehlman, Elizabeth Tautges

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

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

Supr. G. Murphy moved and Supr. Poehlman seconded the motion to adopt Resolution No. 20 (2013-2014). Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

**RESOLUTION NO. 21 (2013-2014)**

**Subject: Sheriff's Department new position of Detective Sergeant**

WHEREAS, the Waupaca County Sheriff's Office has requested an additional Detective Sergeant to meet the increased time involved on criminal cases and the demands of the Sheriff's Office; and

WHEREAS, the position has been reviewed and determined by the Law Enforcement and Finance-Human Resources Committees to be recommended for approval to the County Board ; and

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors does hereby approve one new position of Detective Sergeant on the County's organizational chart effective October 1, 2013.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LAW ENFORCEMENT COMMITTEE AND FINANCE & HUMAN RESOURCE COMMITTEE:**

/s/ James Loughrin, Gary Barrington, John F. Penney, G. Robert Flease, Gerald M. Murphy, DuWayne Federwitz, Dick Koeppen, William Jonely, Don Aasen, Darrell Handrich, Patricia Craig, David Johnson

ATTEST:

/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:

/s/ Jeffrey Siewert, Corporation Counsel

Supr. Zaug moved and Supr. Jonely seconded the motion to adopt Resolution No. 21 (2013-2014). Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

**RESOLUTION NO. 22 (2013-2014)**

**Moratorium on permitting of Non-Metallic Mining activities in Waupaca County**

WHEREAS Waupaca County Planning and Zoning Department is currently updating their Non-Metallic Mining Ordinance, and

WHEREAS during a public hearing many citizens expressed concern over the effects to air quality, water quality, quality of life, and to the ability of the county to maintain stable communities, and

WHEREAS it is the intention of the Planning and Zoning Department to make sure that the updated ordinance addresses all verifiable concerns, and



WHEREAS the Planning and Zoning Committee would prefer to have the proper amount of time to fully investigate and develop said ordinance, and

WHEREAS this moratorium is not intended to apply to non-metallic operations that are expressly exempted by State Statute.

NOW THEREFORE BE IT RESOLVED that there be a moratorium for up to twelve (12) months, or until the County Board adopts the newly developed Non-Metallic Ordinance, whichever is earlier, that prohibits the expansion of any non-metallic mining operation beyond its physical dimensions as identified in the reclamation plan on file as of the date of adoption of this resolution and further prohibits the creation of any new non-metallic mining operation during the pendency of the moratorium within the unincorporated areas of Waupaca County. The moratorium applies to all such applications for conditional use permits for non-metallic mining operations that are not filed with the Planning and Zoning Department and deemed complete by the Planning and Zoning Director as of September 17, 2013 at 4:00 p.m.

BE IT FURTHER RESOLVED that an ad hoc committee appointed by the Waupaca County Planning and Zoning Committee be created with the responsibility to collect and analyze information and make a recommendation on creation of a new Non-Metallic Mining Ordinance that properly addresses all necessary concerns. The ad hoc committee shall report back their findings to the Implementation Steering Committee (ISC) for review and to the Planning and Zoning Committee for approval and recommendation to the full county board for their final approval.

BE IT FURTHER RESOLVED that the ad hoc committee be made up of no more than 10 members with no more than 2 members from the Waupaca County Planning & Zoning Committee.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY PLANNING & ZONING COMMITTEE AND LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEE:** /s/ John F. Penney, Dennis A. Kussmann, Dona Gabert, DuWayne Federwitz, Mary Kay Poehlman, Robert Ellis, Terry Murphy

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

Supr. Penney moved and Supr. Kussmann seconded the motion to adopt Resolution No. 22 (2013-2014). Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

### **APPOINTMENTS**

Supr. Much moved and Supr. Handrich seconded the motion to approve the appointment of Marilyn Herman to the O.W.L.S. Board and Ryan Brown as designee and Dave Thiel as alternate to the Central Wisconsin Housing Program. Motion carried 26-0. Passed the 17<sup>th</sup> day of September, 2013.

## **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. Peterson seconded the motion to adjourn. Motion carried 26-0. Chair Koeppen declared the meeting adjourned at 11:00 a.m.

Mary A. Robbins  
Waupaca County Clerk