

**WAUPACA COUNTY BOARD OF SUPERVISORS
REGULAR SESSION
AUGUST 19, 2014**

Chair Koeppen called the meeting to order at 9:00 a.m. with 24 members present.

Present: Suprs. Boyer, Craig, Ellis, Federwitz, Flease, Gabert, Handrich, Johnson, Jonely, Kietzmann, Koeppen, Kussmann, McClone, Much, G. Murphy, T. Murphy, Neumann, Penney, Poehlman, Rohan, Sorensen, Spierings, Wilfuer, Zaug. Supr. Barrington was excused, District 9 is vacant and Supr. Aasen arrived at 9:40 a.m.

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. Jonely moved and Supr. McClone seconded the motion to approve the agenda. Clerk Robbins announced that the East Central Wisconsin Regional Planning Report will be presented at the September meeting and the Clerk of Courts annual report will be placed on file in the Clerk's office. Motion carried 24-0. Passed the 19th day of August, 2014.

Supr. Kussmann moved and Supr. Zaug seconded the motion to approve the amended minutes of the July 15, 2014 meeting. The minutes should state that Supr. Johnson and Highway Commission Dean Steingraber are co-chairs of the Revenue Generation Team. Motion carried 24-0. Passed the 19th day of August, 2014.

**REPORT NO. 9 (2014-2015)
2013 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, 2013, and Federal Awards and State Financial Assistance Report. The report is on file in the County Clerk's Office.

**REPORT NO. 10 (2014-2015)
CLERK OF CIRCUIT COURT 2012-2013 ANNUAL REPORT**

Chair Koeppen placed the report on file in the Clerk's office.

REPORTS BY COUNTY BOARD SUPERVISORS/DEPARTMENTS

Chair Koeppen reported on WCA matters. Chair Koeppen asked Kyle Christianson, WCA Director of Government Affairs, to give a brief legislative report and also report on the Transportation Fund.

Supr. Poehlman reported on the NACO Conference in New Orleans.

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

Highway Commissioner Dean Steingraber presented an update of the current highway projects.

AMEND CHAPTER 1, GENERAL GOVERNMENT WAUPACA COUNTY CODE OF ORDINANCES

Clerk Robbins explained that the amendments were presented to the Legislative & Judicial and Executive Committees. All changes are on file in the Clerk's office. Supr. Craig moved and Supr. Sorensen seconded the motion to adopt the amendments to Chapter 1, General Government, of the Waupaca County Code of Ordinances. Supr. Zaug moved and Supr. Kussmann seconded the motion to amend Section 1.01(A)(2) to read "State Employees six-year terms". Motion carried 25-0. Motion carried 25-0 on the original motion as amended. Passed the 19th day of August, 2014.

AMEND CHAPTER 2, THE GOVERNING BODY WAUPACA COUNTY CODE OF ORDINANCES

Clerk Robbins explained that the amendments were presented to the Legislative & Judicial and Executive Committees. All changes are on file in the Clerk's office. Supr. Kussmann moved and Supr. Johnson seconded the motion to adopt the amendments to Chapter 2, The Governing Body, of the Waupaca County Code of Ordinances. Motion carried 22-3 with Suprs. Boyer, Poehlman, and Fleese voting no. Passed the 19th day of August, 2014.

REPEAL SECTION 13.10 OF CHAPTER 13, WAUPACA COUNTY CODE OF ORDINANCES REGULATION OF SALE OF FERMENTED MALT BEVERAGES

Clerk Robbins explained the corrections and they were approved by the Legislative & Judicial Committee, Executive Committee, and Sheriff Hardel. Supr. Jonely moved and Supr. Spierings seconded the motion to repeal Section 13.10 of Chapter 13 of the Waupaca county Code of Ordinances. Motion carried 25-0. Passed the 19th day of August, 2014.

**AMENDMENT TO CHAPTER 34
Town of Lebanon, 2014-554, Z-006-14
Farmland Preservation Properties**

Township of Lebanon, Z-007-12, for an amendment to the Waupaca County Zoning Map amending the Rural Residential Zoning District minimum lot size requirement from two (2) acres to one (1) acre.

An amendment to the Waupaca County Zoning Map by changing the minimum lot size requirement from two (2) acres to one (1) acre on all property located in the RR (Rural Residential) District in the entire Town of Lebanon, Waupaca County, Wisconsin. This amendment will be consistent with the standards of the Rural Residential Preferred Land Use Category within the Town of Lebanon Comprehensive Plan and allow for clustering of new single family residential development within the Town.

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 Lebanon Township, Waupaca County is hereby amended by changing the minimum lot size requirement from two (2) acres to one (1) acre on all property located in the RR (Rural Residential) District.

Section 2. This ordinance shall be in full force and effect in the Town of Lebanon 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 August 19, 2014.
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Kussmann moved and Supr. Handrich seconded the motion to adopt the amendments to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 19th day of August, 2014.

**AMENDMENT TO CHAPTER 34
Town of Lind, 2014-555, Z-007-14
Farmland Preservation Properties**

Township of Lind, Z-007-14, Zoning Map Amendments from either an AWT (Agriculture and Woodland Transition) District or an RR (Rural Residential) District to an AR (Agriculture Retention) District to ensure that the Waupaca County Comprehensive Plan remains consistent with the locally adopted town comprehensive plans and Waupaca County's Farmland Preservation Plan.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in the Town of Lind, Waupaca County, Wisconsin, on approximately 803 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 Lind 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 either an AWT (Agriculture and Woodland Transition) District or an RR (Rural Residential) District to an AR (Agriculture Retention) District.

- Section 2. This ordinance shall be in full force and effect in the Town of Lind 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 August 19, 2014.
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. G. Murphy moved and Supr. Penney seconded the motion to adopt the amendments to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 19th day of August, 2014.

**AMENDMENT TO CHAPTER 34
Town of Matteson, 2014-556, Z-008-14
Farmland Preservation Properties**

Township of Matteson, Z-008-14, for Zoning Map Amendments from either an AWT (Agriculture and Woodland Transition) District or an RR (Rural Residential) District to an AR (Agriculture Retention) District to ensure that the Waupaca County Comprehensive Plan remains consistent with the locally adopted town comprehensive plans and Waupaca County's Farmland Preservation Plan.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in the Town of Matteson, Waupaca County, Wisconsin, on approximately 2,195 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 Matteson 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 either an AWT (Agriculture and Woodland Transition) District or an RR (Rural Residential) District to an AR (Agriculture Retention) District.
- Section 2. This ordinance shall be in full force and effect in the Town of Matteson 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 August 19, 2014.
/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Federwitz moved and Supr. Much seconded the motion to adopt the amendments to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 19th day of August, 2014.

**AMENDMENT TO CHAPTER 34
Town of Union, 2014-557, Z-009-14
Farmland Preservation Properties**

Township of Union, Z-009-14, for Zoning Map Amendments from either an AWT (Agriculture and Woodland Transition) District or an RR (Rural Residential) District to an AR (Agriculture Retention) District to ensure that the Waupaca County Comprehensive Plan remains consistent with the locally adopted town comprehensive plans and Waupaca County's Farmland Preservation Plan.

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in the Town of Union, Waupaca County, Wisconsin, on approximately 468 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 Union 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 either an AWT (Agriculture and Woodland Transition) District or an RR (Rural Residential) District to an AR (Agriculture Retention) District.
- Section 2. This ordinance shall be in full force and effect in the Town of Union 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 August 19, 2014.

/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Penney moved and Supr. Zaug seconded the motion to adopt the amendments to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 19th day of August, 2014.

**AMENDMENT TO CHAPTER 34
Town of Lebanon, AWT District to RC-G District
2014-558, Z-010-14**

Parcel #11-36-42-5, Z-010-14, **Lunette Pohlman et al** in Sec. 36, Town of Lebanon for a Zoning Map Amendment from an AWT (Agriculture and Woodland Transition) District to an RC-G (Rural Commercial-General) District with a Conditional Use Permit application for an Outdoor Storage & Wholesaling (propane bulk storage with possible future office/shop/retail shop).

An amendment to amend the Waupaca County Zoning Ordinance by changing the zoning classification of certain specified lands located in part of the NW ¼ of the SE ¼ of Sec. 36, Town of Lebanon, lying along County Highway T, Waupaca County, Wisconsin, on approximately 12.93 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 Lebanon 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 AWT (Agriculture and Woodland Transition) District to an RC-G (Rural Commercial-General) District.
- Section 2. This ordinance shall be in full force and effect in the Town of Lebanon 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 August 19, 2014.

/s/ Mary A. Robbins, Waupaca County Clerk

Supr. Kussmann moved and Supr. Handrich seconded the motion to adopt the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 19th day of August, 2014.

RESOLUTION NO. 8 (2014-2015)

RE: OPPOSITION TO PROPOSED LAPSE IN STATE FUNDING TO CIRCUIT COURT SYSTEM

WHEREAS, the 2013-15 State Biennial Budget requires the Wisconsin court system to return a total of \$11.8 million to the state general fund over the next two-year period, resulting in budget cuts affecting the Waupaca County circuit court system; and,

WHEREAS, if said budget cuts are made, the Waupaca County circuit court system will no longer receive State funding at its previous level in the form of circuit court payments; interpreter assistance; and guardian ad litem assistance; and,

WHEREAS, the proposed reduction of funding and resulting budget cuts would create an enormous financial challenge to Waupaca County, potentially resulting in an increased tax levy, while striving to meet the challenge of the state levy cap; and,

WHEREAS, it is in the best interests of Waupaca County to oppose this proposed budget reduction.

NOW THEREFORE BE IT RESOLVED that the Waupaca County Board hereby states its opposition to the lapse of Wisconsin judicial branch funding to the State general fund over the next two-year period; and,

BE IT FURTHER RESOLVED, that the Waupaca County Clerk shall forward a copy of this resolution to Waupaca County's State Legislators, Governor Scott Walker, the Director of State Courts, and all other Wisconsin Counties.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY LEGISLATIVE, JUDICIAL, ETHIC, SAFETY AND SECURITY COMMITTEE: /s/ Dennis Kussmann, Terry Murphy, Dona Gabert, Mary Kay Poehlman, Fred Zaug

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

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

Supr. Sorensen moved and Supr. Johnson seconded the motion to adopt Resolution No. 8 (2014-2015). Motion carried 25-0. Passed the 19th day August, 2014.

RESOLUTION 10 (2014-2015)

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 Section 59.69(1) Wis. Stats. provides for the use of local zoning authority to regulate inter alia, the use of land and other natural resources in accordance with their character and adaptability, and

WHEREAS the Planning and Zoning Committee will need 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 starting September 18, 2014 for up to six 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 THE WAUPACA COUNTY PLANNING & ZONING COMMITTEE AND LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEE: /s/ Dennis Kussmann, Terry Murphy, Wayne Wilfuer, DuWayne Federwitz, Dona Gabert, Mary Kay Poehlman, Fred Zaug

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

Supr. Federwitz moved and Supr. Ellis seconded the motion to adopt Resolution No. 10 (2014-2015). Motion carried 25-0. Passed the 19th day August, 2014.

**PROCLAMATION OF THE COUNTY OF WAUPACA, WISCONSIN
IN RECOGNITION OF GAIL YEST
WAUPACA COUNTY HEALTH OFFICER**

WHEREAS, Gail Yest has served as a Waupaca County employee since 1986; and

WHEREAS, Gail was instrumental in bringing the Women, Infants and Children (WIC) Program to Waupaca County; and

WHEREAS, Gail was hired in 1986 to become the first Waupaca County WIC Project Director and Nutritionist; and

WHEREAS, Gail was hired by the State of Wisconsin's Regional Office in 1992 and returned to Waupaca County in 1996 to her former position; and

WHEREAS, Gail was promoted in 2000 to Health Service Coordinator and Waupaca County Health Officer.

NOW THEREFORE BE IT RESOLVED, that the Waupaca County Board of Supervisors commend Gail Yest for her dedication and service to Waupaca County and all of its citizens through the years and wish her continued success in her life journey.

/s/ Dick Koeppen
Waupaca County Board Chair

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

APPOINTMENTS

Supr. Craig moved and Supr. Zaug seconded the motion to appoint the Revenue Generation Team, Communication/Education Team; Privatization Team, Human Resources Team; Private Sector Investment Team and Technology Team. The list of team members is on file in the County Clerk's Office. Motion carried 25-0. Passed the 19th day of August, 2014.

Supr. Handrich moved and Supr. Federwitz seconded the motion to appoint Supr. McClone, Supr. Craig, Waupaca Librarian Peg Burington, and Clintonville Librarian Jamie Hein to the Library 5-Year Planning Committee. Motion carried 25-0. Passed the 19th day of August, 2014.

Supr. G. Murphy moved and Supr. Fleese seconded the motion to appoint Don Peterson as County Supervisor from District 9. Motion carried 25-0. Passed the 19th day of August, 2014. Clerk Robbins administered the Oath of Office to Supr. Donald Peterson. Supr. Sorensen moved and Supr. Aasen seconded the motion appointing Supr. Peterson to the Land & Water Committee, Parks & Recreation Committee, and Agriculture & Extension Committee. Motion carried 25-0. Passed the 19th day of August, 2014.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen placed the following correspondence for August on file in the County Clerk's Office: WCEDC Monthly Report, Conservation Observance Day September 12, Supr. Dale Trinrud resignation letter.

Supr. Aasen moved and Supr. Much seconded the motion to adjourn. Motion carried 25-0. Chair Koeppen declared the meeting adjourned at 11:00 a.m.

Mary A. Robbins
Waupaca County Clerk