

**WAUPACA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD SESSION
October 31, 2017**

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

Present: Suprs. Barrington, Craig, Ellis, Federwitz, Gabert, Handrich, Johnson, Jonely, Kietzmann, Koeppen, Kussmann, McClone, Much, G. Murphy, T. Murphy, Neumann, Nygaard, Penney, Poehlman, Rohan, Sorensen, Spierings, Wilfuer, Zaug. Suprs. Boyer and Fleese were excused. District 8 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. McClone moved and Supr. Zaug seconded the motion approving the agenda. Motion carried 24-0. Passed the 31st day of October, 2017.

Supr. G. Murphy moved and Supr. T. Murphy seconded the motion approving the minutes of the September 19, 2017 meeting. Motion carried 24-0. Passed the 31st day of October, 2017.

**2018 PROPOSED BUDGET
Heidi Dombrowski, Finance Director**

Finance Chairman Supr. DuWayne Federwitz reviewed the budget process and thanked the Finance Department and department heads for their work on the budget.

Heidi Dombrowski presented the proposed 2018 budget, gave a brief overview, and reviewed the Summary of Waupaca County's 2018 Proposed Operating, Special Purpose and Debt Service Budgets. Maintenance Supervisor Ron Hansen reviewed the building envelope concerns that are part of the proposed budget. Chair Koeppen placed the 2018 Proposed Budget on file in its entirety in the County Clerk's Office and noted that the public hearing on the budget will be on Tuesday, November 14, 2017 at 9:00 a.m.

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

**AMENDMENT TO CHAPTER 34 OF THE
WAUPACA COUNTY CODE OF ORDINANCES
2017-641, Town of Union**

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-020-17, Town of Union

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 28th day of September, 2017 by **Stephen Bauer et al** for a Petition for Zoning Map Amendment from an AE (Agriculture Enterprise) District to an RR-O (Rural Residential - Overlay) District to create a two (2.00) acre parcel for a non-farm residence. This property is within Farmland Preservation and will use one (1) development right to create the two (2.00) acre parcel.

The following described lands: Located in part of the SE ¼ of the SW ¼ of Sec. 15, Town of Union, lying along Luckjohn Road, Fire Number E6206, Waupaca County, Wisconsin. (Part of Parcel #19-15-34-2)

Having held public hearings thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Union Planning Commission and Town Board have both recommended approval of this request and it is consistent with the Town's Comprehensive Plan.

Waupaca County Planning & Zoning Committee on September 28, 2017
By: /s/ John F. Penney, Chairman

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.

Certification of County Board Approval: 24 ayes 0 nays

I, Jill Lodewegen, Waupaca County Clerk
do hereby certify that the above Zoning Amendment
was enacted by the County Board on October 31, 2017.
/s/ Jill Lodewegen, Waupaca County Clerk

Supr. Federwitz moved and Supr. Kussmann seconded the motion to approve the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 24-0. Passed the 31st day of October, 2017.

RESOLUTION NO. 22 (2017-2018)

Cooperation Agreement for CDBG Program

This agreement entered into on the 31st day of October, 2017 by and between Waupaca County and the Central Wisconsin Housing Region.

WITNESSED:

WHEREAS, Waupaca County has an identified need and interest in joining the Central Wisconsin Housing Region, which includes the counties of Adams, Green Lake, Juneau, Marathon, Marquette, Portage, Waupaca, Waushara, and Wood, 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 (Lead), 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 THE WAUPACA COUNTY PLANNING & ZONING COMMITTEE AND WAUPACA COUNTY LEGISLATIVE, JUDICIAL ETHICS, SAFETY & SECURITY COMMITTEE: /s/ John F. Penney, Dennis Kussmann, Mary Kay Poehlman, Dona Gabert, Fred Zaug, Wayne Wilfuer, Terry Murphy

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane Meulemans
Corporation Counsel

Supr. Johnson moved and Supr. Nygaard seconded the motion to approve Resolution No. 22 (2017-2018). Motion carried 24-0. Passed the 31st day of October, 2017.

RESOLUTION NO. 23 (2017-2018)

Subject: Donation Acceptance – Ballistic Helmets

WHEREAS, Waupaca County’s policy requires resolution to the County Board to accept donations over \$1,000, and

WHEREAS, Waupaca County has received donations in the amounts of \$5,760 from Community Foundation For The Fox Valley Region for the purpose of purchasing Ballistic Helmets,

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors accepts the donations received in the amount of \$5,760 for the purpose of purchasing Ballistic Helmets.

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCE & HUMAN RESOURCE COMMITTEE: /s/ DuWayne Federwitz, Gary Barrington, John F. Penney, G. Robert Flease, Gerald M. Murphy, David S. Neumann, Patricia Craig, Dick Koeppen

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane Meulemans
Corporation Counsel

Supr. G. Murphy moved and Supr. Ellis seconded the motion to approve Resolution No. 23 (2017-2018). Motion carried 24-0. Passed the 31st day of October, 2017.

RESOLUTION NO. 24 (2017-2018)

SUBJECT: Staffing New Positions/Expansions for 2018

WHEREAS, through the budget process there has been a thorough review of requests for staffing adjustments and;

WHEREAS, it has been determined by the Finance & Human Resources Committees to recommend the approval of the following positions/expansions on January 1, 2018.

Additions/Expansions:

Land Use/Code Enforcement Specialist (expand to full-time), Planning & Zoning
Social Worker, (*Children & Families Services*), DHHS
Parent Mentor (24 hrs/wk), (*Children & Families Services*), DHHS
Mentor, DHHS
Behavioral Health Supervisor, (*Behavioral Health Division*), DHHS
CCS Service Facilitator (2 positions), (*Behavioral Health Division*) DHHS
Community Support Specialists (3 positions), (*Behavioral Health Division*) DHHS
Social Worker/Case Manager, (*Behavioral Health Division*), DHHS
Behavioral Health Therapist (1.5 positions), (*Behavioral Health Division*), DHHS
AODA Counselor, (*Behavioral Health Division*), DHHS

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors does hereby approve the new positions/expansions for 2018 as listed above.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & HUMAN RESOURCE COMMITTEE: /s/ DuWayne Federwitz, Gary Barrington, John F. Penney, G. Robert Fleese, Gerald M. Murphy, David S. Neumann, Patricia Craig, Dick Koeppen

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane Meulemans
Corporation Counsel

Supr. Wilfuer moved and Supr. Sorensen seconded the motion to approve Resolution No. 24 (2017-2018). Motion carried 21-3 with Suprs. Handrich, Nygaard and McClone voting no. Passed the 31st day of October, 2017.

RESOLUTION NO. 25 (2017-2018)

Subject: 2018 Waupaca County Employee Wages & Salaries

WHEREAS, the Waupaca County Finance and Human Resources Committee has reviewed compensation market data and has identified a need for a wage/salary adjustment and;

WHEREAS, the Finance and Human Resources Committee has concluded that the annual compensation structure should be increased by 2.5% effective 1/1/2018 for wage/salaries of employees paid in accordance with the Waupaca County wage schedule; and

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors does hereby authorize an annual compensation increase of 2.5% effective 1/1/2018 for wage/salaries of employees paid in accordance with the Waupaca County Employee wage schedules.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & HUMAN RESOURCE COMMITTEE: /s/ DuWayne Federwitz, Gary Barrington, John F. Penney, G. Robert Flease, Gerald M. Murphy, David S. Neumann, Patricia Craig, Dick Koeppen

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane Meulemans
Corporation Counsel

Supr. Craig moved and Supr. Jonely seconded the motion to approve Resolution No. 25 (2017-2018). Motion carried 24-0. Passed the 31st day of October, 2017.

RESOLUTION NO. 26 (2017-2018)

TO THE HONORABLE BOARD OF SUPERVISORS OF WAUPACA COUNTY, WI
MEMBERS,

WHEREAS, Waupaca County (“County”) is concerned with the recent rapid rise in troubles among County citizens, residents, and visitors in relation to problems arising out of the use, abuse and overuse of opioid medications, which according to certain studies, impacts millions of people across the country; and

WHEREAS, issues and concerns surrounding opioid use, abuse and overuse by citizens, residents and visitors are not unique to County and are, in fact, issues and concerns shared by all other counties in Wisconsin and, for that matter, states and counties across the country, as has been well documented through various reports and publications, and is commonly referred to as the Opioid Epidemic (“Opioid Epidemic:); and

WHEREAS, the societal costs associated with the Opioid Epidemic are staggering and, according to the Centers for Disease Control and Prevention, amount to over \$75 billion annually; and

WHEREAS, the National Institute for Health has identified the manufacturers of certain of the opioid medications as being directly responsible for the rapid rise of the Opioid Epidemic by virtue of their aggressive and, according to some, unlawful and unethical marketing practices; and

WHEREAS, certain of the opioid manufacturers have faced civil and criminal liability for their actions that relate directly to the rise of the Opioid Epidemic; and

WHEREAS, County has spent millions in unexpected and unbudgeted time and resources in its programs and services related to the Opioid Epidemic; and

WHEREAS, County is responsible for a multitude of programs and services, all of which require County to expend resources generated through state and federal aid, property tax levy, fees and other permissible revenue sources; and

WHEREAS, County's provision of programs and services becomes more and more difficult every year because the costs associated with providing the Opioid Epidemic programs and services continue to rise, yet County's ability to generate revenue is limited by strict levy limit caps and stagnant or declining state and federal aid to County; and

WHEREAS, all sums that County expends in addressing, combatting and otherwise dealing with the Opioid Epidemic are sums that cannot be used for other critical programs and services that County provides to County citizens, residents and visitors; and

WHEREAS, County has been informed that numerous counties and states across the country have filed or intend to file lawsuits against certain of the opioid manufacturers in an effort to force the persons and entities responsible for the Opioid Epidemic to assume financial responsibility for the costs associated with addressing, combatting and otherwise dealing with the Opioid Epidemic; and

WHEREAS, County has engaged in discussions with representatives of the law firms of Von Briesen & Roper, s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLC (the "Law Firms") related to the potential for County to pursue certain legal claims against certain opioid manufacturers; and

WHEREAS, County has been informed that the Law Firms have the requisite skill, experience and wherewithal to prosecute legal claims against certain of the opioid manufacturers on behalf of public entities seeking to hold them responsible for the Opioid Epidemic; and

WHEREAS, the Law Firms have proposed that County engage the Law Firms to prosecute the aforementioned claims on a contingent fee basis whereby the Law Firms would not be compensated unless County receives a financial benefit as a result of the proposed claims and the Law Firms would advance all claim-related costs and expenses associated with the claims; and

WHEREAS, all of the costs and expenses associated with the claims against certain of the opioid manufacturers would be borne by the Law Firms; and

WHEREAS, the Law Firms have prepared an engagement letter, which is submitted as part of this Resolution (“Engagement Letter”) specifying the terms and conditions under which the Law Firms would provide legal services to County and otherwise consistent with the terms of this Resolution; and

WHEREAS, County is informed that the Wisconsin Counties Association has engaged in extensive discussions with the Law Firms and has expressed a desire to assist the Law Firms, County and other counties in the prosecution of claims against certain of the opioid manufacturers; and

WHEREAS, County would participate in the prosecution of the claim(s) contemplated in this Resolution and the Engagement Letter by providing information and materials to the Law Firms and, as appropriate, the Wisconsin Counties Association as needed; and

WHEREAS, County believes it to be in the best interest of County, its citizens, residents, visitors and taxpayers to join with other counties in and outside Wisconsin in pursuit of claims against certain of the opioid manufacturers, all upon the terms and conditions set forth in the Engagement Letter; and

WHEREAS, by pursuing the claims against certain of the opioid manufacturers, County is attempting to hold those persons and entities that had a significant role in the creation of the Opioid Epidemic responsible for the financial costs assumed by County and other public agencies across the country in dealing with the Opioid Epidemic.

NOW, THEREFORE, BE IT RESOLVED County authorizes, and agrees to be bound by, the Engagement Letter and hereby directs the appropriate officer of the County to execute the Engagement Letter on behalf of the County; and

BE IT FURTHER RESOLVED County shall endeavor to faithfully perform all actions required of County in relation to the claims contemplated herein and in the Engagement Letter and hereby directs all County personnel to cooperate with and assist the Law Firms in relation thereto.

The County Clerk shall forward a copy of this Resolution, together with the signed Engagement Letter, to the Wisconsin Counties Association, 22 E. Mifflin Street, Suite 900, Madison, Wisconsin, 53703.

Respectfully submitted this 31st day of October, 2017.

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

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane Meulemans
Corporation Counsel

Supr. Nygaard moved and Supr. Rohan seconded the motion to approve Resolution No. 26 (2017-2018). Motion carried 24-0. Passed the 31st day of October, 2017.

REPORTS

Chair Koeppen reported on the Wisconsin Counties Mutual Insurance meeting.

Supr. Craig reported on the East Central Regional Planning meeting.

Suprs. Zaug, Kietzmann, Penney, and Rohan reported on the WCA Annual Conference.

APPOINTMENTS

Supr. G. Murphy moved and Supr. Spierings seconded the motion appointing Supr. Johnson to the Health & Human Services Board. Motion carried 24-0. Passed the 31st day of October, 2017.

Supr. Ellis moved and Supr. Zaug seconded the motion reappointing Marilyn Herman and Supr. Craig to the OWLS Board for a 3-year term. Motion carried 24-0. Passed the 31st day of October, 2017.

Supr. Craig moved and Supr. Poehlman seconded the motion appointing Julie Meyer, to the Waupaca County Revolving Loan Fund Committee. Motion carried 24-0. Passed the 31st day of October, 2017.

Supr. Nygaard moved and Supr. Sorensen seconded the motion reappointing Jim Goeser to the Veterans Service Commission for a 3-year term. Motion carried 24-0. Passed the 31st day of October, 2017.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen placed the following correspondence for October on file in the County Clerk's Office: WCEDC Monthly Report and letter from the Town of Caledonia.

Supr. Handrich moved and Supr. T. Murphy seconded the motion to adjourn. Motion carried 24-0. Chair Koeppen declared the meeting adjourned at 10:40 a.m.

Jill Lodewegen
Waupaca County Clerk