

**WAUPACA COUNTY BOARD OF SUPERVISORS
ORGANIZATIONAL SESSION—SECOND DAY
APRIL 20, 2022**

Chair Koeppen called the meeting to order at 9:00 a.m. with 27 members present.

Present: Suprs. Bosquez, Ertl, Federwitz, Golding, Hardy, Jaeger, D. Johnson, T. Johnson, Koeppen, Malvick-Showers, McClone, Miller, Morack (Via Zoom), Much, Murphy, Neumann, Nygaard, Purchatzke, Rohan, Spierings, Strey-Hirt, Timm, Togstad, Wengelski, Wilfuer, Will, Zaug.

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. Golding seconded the motion to approve the agenda. Motion carried 27-0. Passed the 20th day of April, 2022.

Supr. McClone moved and Supr. Spierings seconded the motion to approve the minutes of the April 19, 2022 meeting. Motion carried 27-0. Passed the 20th day of April, 2022.

COMMITTEE ON COMMITTEES SELECTIONS

ACQUIRED LANDS IN REM

Thomas Johnson

AGRICULTURE, EXT. & EDUCATION

Peter Bosquez
Dick Rohan
Ken Jaeger
Lila Malvick-Shower
Dennis Wengelski

CAP SERVICES BOARD

Kevin Will

CAPITAL IMPROVEMENT PROJECTS

DuWayne Federwitz
Dick Koeppen
Joe McClone

COMMITTEE ON AGING

Dennis Wengelski
Citizen member-Mary Kay Poehlman

EAST CENTRAL WI PLANNING
COMMISSION

Dick Koeppen
DuWayne Federwitz

ECONOMIC DEVELOPMENT CORP.

Dick Koeppen
Dave Neumann

EMERGENCY MANAGEMENT

Chairs of the following committees:
County Board Chair, Dick Koeppen
County Board vice Chair, Dave Morack
Health & Human Services Board Chair

Law Enforcement Chair
Highway Committee Chair
Finance Committee Chair

ENVIRONMENTAL SITE ASSESS.

Pete Bosquez

FINANCE & HUMAN RESOURCES

DuWayne Federwitz, Chair
Dick Koeppen, Vice Chair
Lee Much
Dave Johnson
Dave Neumann
Joe McClone
Gerald Murphy
David Morack

HUMAN RESOURCES

(Subcommittee of Finance)
Gerald Murphy, Chair
Dick Koeppen, Vice Chair
DuWayne Federwitz
Dave Neumann

INFORMATION SYSTEMS

(Subcommittee of Finance)
David Neumann
Dave Johnson
Dick Koeppen
David Morack

HEALTH & HUMAN SERVICES

BOARD

Gerald Murphy
Sue Golding
David Johnson
Tammy Strey-Hirt
Kevin Will
Dennis Wengelski
Dr. Steven Goedderz, Citizen - 2022
Jody Much, Citizen - 2023
Judi Olson, Citizen – 2024

HIGHWAY COMMITTEE

Joe McClone
Lee Much
James Nygaard
Fred Zaug
Dick Rohan

LAND & WATER CONSERVATION

DuWayne Federwitz
Dennis Wengelski
Wayne Wilfuer
James Nygaard
Cindy Hardy
Ken Jaeger
Craig Nelson, FSA Representative

LAND INFORMATION COUNCIL

Ricky Ertl
Rick Togstad
Jack Spierings
Faye Wilson, Realtor Rep.
Land Information Office Rep.
County Treasurer
Emergency Management
County Surveyor
Register of Deeds
Real Property Lister

LAW ENFORCEMENT

Ricky Ertl
Thomas Johnson
Cindy Hardy
Lee Much
Kevin Will
Dick Keoppen

LEGISLATIVE & JUDICIAL

Dave Morack
Kevin Will
Dennis Wengelski
Scott Purchatzke
Fred Zaug

PARKS & RECREATION

Pete Bosquez
John mlller
Jake Timm
Sue Golding
Jack Spierings

PUBLIC PROPERTY

David Johnson
Fred Zaug
Ken Jaeger
Peter Bosquez
Jack Spierings

SOLID WASTE MANAGEMENT

BOARD

Joe McClone
Fred Zaug
Sue Golding
Scott Purchatzke
John Miller
Nancy Koeppen, Citizen
Jeff Dyer, Citizen
Maryann Snider, Citizen
Ken Van Dyke, Citizen

TIF DISTRICTS

Jake Timm, Manawa
Scott Purchatzke, Waupaca
Lee Much, Marion
Tammy Strey-Hirt, Clintonville
Jack Spierings, Weyauwega

TRAFFIC & SAFETY

County Board Chair-Dick Koeppen
Law Enforcement Committee Chair
Highway Committee Chair

WAUPACA LIBRARY BOARD

Joe McClone

LAKE DISTRICTS

Iola Lake District
Ricky Ertl
Pigeon River District
Tammy Strey-Hirt
Chain O'Lakes District
Gerald Murphy
Stratton Lake District
John Miller

PLANNING & ZONING

James Nygaard
Joe McClone
DuWayne Federwitz
Wayne Wilfuer
Cindy Hardy

Supr. Federwitz made a motion to amend the Committee on Committee selections as presented and amend to remove Supr. Togstad from the Agriculture, Ext. and Education and adding Supr. Jaeger. And to further amend to remove Supr. Timm from the Land and Water Conservation committee and add Supr. Wengelski. Supr. Federwitz moved and Supr. Murphy seconded the motion to approve the amendments to Committee on Committee selections. Motion carried 27-0. Corp. Counsel then shared her legal opinion for the Law Enforcement committee selections. Supr. Zaug motioned and Supr. McClone seconded the motion to approve the Committee on Committees Selections as amended. Motion carried 25-1 with 1 abstaining. Passed the 20th day of April, 2022. The Land Information Council met briefly to choose their committee chair and vice chair. The remaining committees will meet within 30 days and make selection of committee chair and vice chair.

RESOLUTIONS

RESOLUTION NO. 1 (2022-2023) TO AMEND WAUPACA COUNTY ORDINANCE NO. 45 OF THE GENERAL CODE OF ORDINANCES COMPREHENSIVE PLAN MAP

The County Board of Supervisors of Waupaca County, Wisconsin, does ordain as follows:

WHEREAS, Wisconsin Statutes 66.1001 authorizes Waupaca County to adopt and amend a comprehensive plan map, and

WHEREAS, Waupaca County has adopted written procedures designed to foster public participation at every stage of the comprehensive plan amendment process as required by section 66.1001(4)(a), Wisconsin Statutes, and

WHEREAS, the Planning and Zoning Committee held a public hearing on March 22, 2022 for amendment to the Preferred Land Use Map:

PLUM-03-22: The town of Dayton, to amend the preferred land use category for a parcel located in the SE ¼ of the NE ¼ of Sec. 24, Town of Dayton (parcel 03-24-14-3), lying along Gooseneck Lake and McLean Lake, Waupaca County, Wisconsin, from Residential to Commercial on approximately four (3.75) acres to accommodate future plans for a Resort Establishment and Campground.

WHEREAS, the attached comprehensive plan amendments were approved and deemed to be consistent with the overall planning goals and objectives by the respective township of origin.

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors adopts an Ordinance amending the Comprehensive Plan Map as originally adopted in Ordinance #45 and has been from time to time amended as follows: See attached documents.

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY PLANNING & ZONING AND LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEES: /s/ James Nygaard, DuWayne Federwitz, Lee Much, Dennis Kussman, Fred Zaug, Mary Kay Poehlman

ATTEST:
/s/ Kristy Opperman
Waupaca County Clerk

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

Supr. Zaug moved and Supr. Miller seconded the motion to adopt Resolution No. 1

(2022-2023). Motion carried 27-0. Passed the 20th day of April, 2022.

RESOLUTION No. 02 (2022-23)

SUBJECT: WiSMAC Wisconsin Statewide Mutual Aid Compact For Local Emergency Management Assistance

This Wisconsin Statewide Mutual Aid Compact is made and entered into this 11th day of April 2022 by and between participating Counties, Cities, Villages, and Towns as well as federally-recognized Indian tribes and bands (Member), within the State of Wisconsin as authorized by their respective governing bodies.

WHEREAS, emergencies involving natural disasters and/or technological incidents will arise throughout the State of Wisconsin, which may require additional assistance beyond each Member's own resources; and

WHEREAS, the training and/or expertise of local emergency management personnel throughout the State of Wisconsin could be requested to assist in dealing with natural disasters and/or technological incidents within the state; and

WHEREAS, the Members recognize that natural disasters and/or technological incidents can more effectively be handled by pooling of human resources; and

WHEREAS, the Members have authority to enter into this Wisconsin Statewide Mutual Aid Compact pursuant to Sections 59.03, 59.04, 66.0301, 66.0313, 66.0314, and 323.14 of the Wisconsin Statutes.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the Members agree as follows:

1. **Purpose**: The Members agree to use their best efforts to ensure the public safety and protect the citizens within the confines of the geographical jurisdictions of the respective Members.
2. **Term**: The duration of this Compact shall be a one-year period; the Compact shall automatically be renewed on a year-to-year basis. Any of the Members may terminate this Compact by providing at least ninety (90) days written notice of said intent to terminate participation in the Compact to all other Members to the Compact.
3. **No Joint Venture**: No separate legal entity will be created by this Compact.
4. **Approval Authority**: The power to make a request for assistance or to provide assistance under this Compact shall reside in the Emergency Management Department of each respective Member County, City, Village, Town, Tribe or Band. Requests for assistance will be made by following the WiSMAC Procedure.

5. Right of Refusal: It is expressly understood and agreed by the Members hereto that the rendering of assistance under the terms of this Compact shall not be mandatory and shall be within the sole discretion of the Member receiving the request. Assistance may be refused, and assistance which is being provided may be terminated at any time, within the sole discretion of the Member receiving the request. In situations where the Member's emergency management personnel are unable to furnish the requested assistance, they will notify the requesting Member as soon as practicable that assistance will not be rendered. No Member may make any claim whatsoever against the requested Member for refusal of assistance.
6. Employment Status: All emergency management personnel acting on behalf of a Member under this Compact shall, at all times, remain the employee of that Member.
7. Compensation: A responding Member may invoice an impacted Member for miles, meals, and lodging expenses for emergency management personnel provided. Actual personnel time shall not be reimbursed but will be documented as volunteer hours, as specified in the WiSMAC Procedure.
8. Duration: A responding Member's deployment is limited to 72 hours with the option to extend if mutually agreeable to the responding the requesting Member.
9. Statutory Protections: It is agreed by the Members that nothing in this Compact, including but not limited to indemnification and hold harmless clauses, shall in any way constitute a waiver on the part of the Members of any immunity, liability limitation or other protection available to them under any applicable statute or other law. To the extent that any provision of this Compact is found by any court or competent jurisdiction to conflict with any such legal protection, then whichever protections, either statutory or contractual, provide a greater benefit to the Member shall apply unless the Member elects otherwise
10. Incident Command Structure: In the event of an incident, emergency management personnel will operate under the established incident command structure of the requesting Member.
11. Public Liability and Property Damage Insurance: A Member shall maintain, at its own expense, and keep in effect during the term of this Compact, commercial liability, bodily injury and property damage insurance against any claim(s) which might occur in carrying out this Compact. Minimum coverage is one million (\$1,000,000) liability for bodily injury and property damage including products liability and completed operations. If a Member is self-insured or uninsured, a Certificate of Protection in Lieu of an Insurance Policy shall, if requested, be submitted to the responding Member certifying that the requesting Member is protected by a Self-Funded Liability and Property Program or alternative funding source(s). The Certificate is required to be

- presented to the responding Member, when requested, prior to receipt of emergency management personnel services under this Compact
12. Automobile Liability: A Member shall obtain and keep in effect automobile liability insurance for all owned, non-owned and hired vehicles that are used in carrying out this Compact. This coverage may be written in combination with the commercial liability and property damage insurance mentioned in Section 8. Minimum coverage shall be one million (\$1,000,000) per occurrence combined single limit for automobile liability and property damage. If a Member is self-insured or uninsured, a Certificate of Protection in Lieu of an Insurance Policy shall, if requested, be submitted to the responding Member certifying that the requesting Member is protected by a Self-Funded Liability and Property Program or alternative funding source(s). The Certificate is required to be presented to the responding Member, when requested, prior to receipt of emergency management personnel services under this Compact
 13. Severability: If any provision of this Compact is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected. The rights and obligations of the Members shall be construed and enforced as if the Compact did not contain the particular provision held to be invalid.
 14. Construction of Compact: This Compact is intended to be solely between the Members hereto. No part of the Compact shall be construed to add, supplement, amend, abridge, or repeal existing rights, benefits or privileges of any third party or parties, including but not limited to employees of the Members.
 15. Assignment: No right or duty, in whole or in part, of the Member under this Compact may be assigned or delegated without the prior written consent of the other Members.
 16. Waiver: A waiver by any Member of any breach of this Compact shall be in writing. Such a waiver shall not affect the waiving Member's rights with respect to any other or further breach.
 17. Applicable Law: This Compact shall be governed under the laws of the State of Wisconsin. The Members shall at all times comply with and observe all federal and state laws, local laws, ordinances and regulations which are in effect during the period of this Compact and which may in any manner affect the work or its conduct.
 18. Multiple Originals: This contract may be executed in multiple originals, each of which together shall constitute a single Compact.

IN WITNESS WHEREOF, the Member has executed this Compact.

RECOMMENDED FOR INTRODUCTION BY THE EMERGENCY MANAGEMENT, TERRORISM & SAFETY COMMITTEE AND LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEE: /s/ Dick Koeppen, Joe McClone, Gerald Murphy, DuWayne Federwitz, Mary Kay Poehlman, Patricia Craig, Dennis Kussmann, Fred Zaug

ATTEST:
/s/ Kristy K. Opperman
Waupaca County Clerk

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

Supr. Murphy moved and Supr. Bosquez seconded the motion to adopt Resolution No. (2022-2023). Motion carried 27-0. Passed the 20th day of April, 2022.

Resolution No. 3 (2022-2023)

Subject: TERMINATION OF TID 1, Town of Matteson

WHEREAS, Waupaca County created Tax Incremental District 1 (TID 1), Town of Matteson on March 15, 2005; and to recover expenditures by the County related to environmental hazard mitigation on the property; and

WHEREAS, the annual levy on the real property varies from year to year; however, in 2021 the levy amount was \$247.02 payable by the property owners; and

WHEREAS, the property owners have paid the annual levy amount as required by TID 1; and

WHEREAS, the total fees assessed to the Town of Matteson by the Wisconsin Department of Revenue to manage and administer TID 1 is \$150 per year; and

WHEREAS, as of December 31, 2021, the balance on TID 1 is \$16,667 minus the 2021 Tax Levy assessed of \$247.02 to be collected with this year's collections for a net balance of \$16,420.66; and

WHEREAS, the Town of Matteson has approached the County with a proposal to pay a one-time, lump sum payment of \$11,250.00, which represents 68.5% of the total amount due and requests termination of TID 1 upon the County's receipt of the payment; and

WHEREAS, Waupaca County recognizes the County and Town staff resources are required to manage the administration of TID 1, the span of years for repayment at the current levy rate for the balance to be paid in full, and mutual local government unit benefit in terminating TID 1.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors accepts the Town of Matteson's proposal of payment for \$11,250 to terminate TID 1; and

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of

Supervisors terminates TID 1 and directs Treasurer Mark Sether to take the necessary steps with Wisconsin Department of Revenue and the Town of Matteson to complete final audits and accountings required due to the termination of TID
RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCE COMMITTEE: /s/ DuWayne Federwitz, Gerald Murphy, Joe McCrone, Patricia Craig, David Morack, David Johnson, Dave Neumann, Dick Koeppen

ATTEST:
Kristy K. Opperman
Waupaca County Clerk

APPROVED AS TO FORM:
Diane L. Meulemans
Corporation Counsel

Supr. Wengelski moved and Supr. Bosquez seconded the motion to adopt Resolution No. 3 (2022-2023). Motion carried 27-0. Passed the 20th day of April, 2022.

ORDINANCES

AMENDMENT TO CHAPTER NO. 34 Town of Dayton, AWT to RC-N 2022-763, Z-005-2022

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-005-2022, Town of Dayton

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 22nd of March, 2022 by Richard Gohlke for a Petition for Zoning Map Amendment from the Agriculture and Woodland Transition (AWT) District to the Rural Commercial-Neighborhood (RC-N) District on approximately four (3.75) acres.

The following described lands: Located in the SE ¼ of the NE ¼ of Sec. 24, Town of Dayton, lying along Gooseneck Lake and McLean Lake, Waupaca County, Wisconsin (parcel 03-24-14-3)

Having held a public hearing 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 Dayton approved this request and it is consistent with the Town's Comprehensive Plan.

Waupaca County Planning & Zoning Committee on March 22, 2022
By: /s/ James Nygaard, Chairman

This ordinance shall be in full force and effect in the Town of Dayton 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:

I, Kristy Opperman, Waupaca County Clerk
do hereby certify that the above Zoning Amendment
was enacted by the County Board on April 20, 2022.
/s/ Kristy Opperman, Waupaca County Clerk

Supr. Nygaard moved and Supr. Golding seconded the motion to approve the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 27-0. Passed the 20th day of April, 2022.

**AMENDMENT TO CHAPTER NO. 34
Town of Lind, AWT to RC-N
2022-764, Z-006-2022**

TO THE COUNTY BOARD OF WAUPACA COUNTY:
Petition #Z-006-2022, Town of Lind

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 22nd of March, 2022 by **Richard Gohlke** for a Petition for Zoning Map Amendment from the Agriculture and Woodland Transition (AWT) District to the Rural Commercial-Neighborhood (RC-N) District on approximately seven (7.25) acres.

The following described lands: Located in the SW ¼ of the NW ¼ of Sec. 19, Town of Lind, lying along County Road E, Fire Number N1115, Waupaca County, Wisconsin (parcel 12-19-23-2)

Having held a public hearing 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 Lind approved this request and it is consistent with the Town's Comprehensive Plan.

Waupaca County Planning & Zoning Committee on March 22, 2022
By: /s/ James Nygaard, Chairman

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.

Certification of County Board Approval:

I, Kristy Opperman, Waupaca County Clerk

do hereby certify that the above Zoning Amendment was enacted by the County Board on April 20, 2022.

/s/ Kristy Opperman, Waupaca County Clerk

Supr. Johnson moved and Supr. Nygaard seconded the motion to approve the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried 27-0. Passed the 20th day of April, 2022.

REPORTS

**Highway Department
Casey Beyersdorf and Kris Carlin**

Casey Beyersdorf presented the 2021 financial report for the Highway Department.

**Extension Impact Report
Jessica Bekendorf**

Jessica Bekendorf from UWEX reported on the UWEX Impact.

**County Board Chair Report
Chair Dick Koeppen**

Chair Koeppen thanked everyone for their help during the organizational session process. Chair Koeppen invited the new County Board Supervisors to the podium to introduce themselves.

APPOINTMENTS

Supr. G. McClone moved and Supr. Zaug seconded the motion appointing Jeff Dyer, Maryann Snider, Nancy Koeppen and Ken Van Dyke as Citizen Members to the Solid Waste Board Committee. Motion carried 26-0 with 1 abstaining. Passed the 20th day of April, 2022.

Supr. G. Murphy moved and Supr. Will seconded the motion appointing Dr. Steve Goedderz to a 3 year term on the DHHS Board as a Citizen member. Motion carried 27-0. Passed the 20th day of April, 2022.

Supr. G. Nygaard moved and Supr. Hardy seconded the motion appointing Craig Nelson as the FSA representative to the Land and Water Conservation Committee. Motion carried 27-0. Passed the 20th day of April, 2022.

Supr. G. Bosquez moved and Supr. Nygaard seconded the motion appointing Jessica Firday for the 3 year term to the Veterans Service Commission. Motion carried 27-0. Passed the 20th day of April, 2022.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen placed the following correspondence for April on file in the County Clerk's Office: WCEDC Monthly Report and Human Resources Monthly Newsletter.

Supr. Jaeger made the motion to adjourn. Motion carried on a voice vote. Chair Koeppen declared the meeting adjourned at 11:16 a.m.

Kristy Opperman
Waupaca County Clerk