

**OFFICIAL MINUTES OF THE PROCEEDINGS OF THE
WAUSHARA COUNTY BOARD OF SUPERVISORS**

AUGUST 21, 2018

The meeting was called to order at 7:00 p.m. by Chairperson Donna R. Kalata at the Leon/Pine River Town Hall. Prior to the meeting, the Zoning and Land Conservation Department took the Board on a tour of three land conservation projects that the Department has been involved with. The sites were: Thom Farms in the Town of Mt. Morris, the Terry Thompson property in the Town of Mt. Morris, and the Walter-Cohen rip/rap project on the Pine River in the Town of Leon.

County Clerk Megan Kapp conducted roll call. Present were: Supvs. Bonfiglio, Eckstein, Kalata, Kapp, King, Lauer, Peterman, Piechowski, Timm and Wedde. Supv. Kerschner was excused. A silent prayer was held, followed by the Pledge of Allegiance.

APPROVAL OF AGENDA

Supv. Wedde made a motion to approve the agenda as presented, seconded by Supv. Kapp; motion carried.

APPROVAL OF MINUTES

Supv. Bonfiglio moved to approve the minutes of the July 17, 2018, monthly County Board meeting; seconded by Supv. Kapp. Motion carried.

PUBLIC COMMENTS

Brandon Wittmer of Wautoma spoke in support of Resolution No. 36-08-18, stating that the added cost of reclassification and additional position would be offset by the amount of money currently being spent on overtime.

NEW BUSINESS

REPORTS/PRESENTATIONS

County Administrator's Monthly Report: In July, Administrator Robert J. Sivick met with Green Lake County and Deans from the University of Wisconsin to discuss issues with UW-Extension staffing. He continues to attend senior dining centers throughout the County. A treatment court graduation was held on August 15 for two graduates of the program. County staff recently participated in an emergency management exercise at the Hancock Fire Station.

Economic Development Presentation: FVTC – Venture Center: Venture Center Director Amy Pietsch described the programs offered by the FVTC Venture Center. She provided a handout of the Waushara County Entrepreneurship Ecosystem and discussed potential areas for improvement. Pietsch shared her vision for starting a committee that can share ideas and work together to encourage entrepreneurship and economic development in Waushara County.

Human Services Annual Report: Director Dawn Buchholz introduced the department's management team and provided a written report detailing 2017 program statistics. A recent graduate of the treatment court program spoke about the assistance she received through the Department of Human Services.

DISCUSSION/POSSIBLE MOTION ACTION ITEMS

RESOLUTION NO. 36-08-18
RESOLUTION AUTHORIZING REORGANIZATION OF EMS TO INCLUDE
ONE ADDITIONAL EMPLOYEE AND THE RECLASSIFICATION OF ONE EMPLOYEE

WHEREAS, the EMS Director has advised Public Safety that he has reviewed the staffing for the department and has determined that the Department would be able to run more efficiently and cost effectively by reclassifying one Advanced Emergency Medical Technician (AEMT) position to a Paramedic, by adding one additional full-time paramedic and by adding a Deputy Director, who would be a part-time clinician; and

WHEREAS, the Public Safety Committee determined that the request should be reviewed by the Personnel Committee; and

WHEREAS, the Personnel Committee did review such request and determined that it was appropriate to recommend to the County Board that the AEMT position be reclassified as a paramedic and that an additional full-time paramedic be added to the Department.

NOW, THEREFORE, BE IT RESOLVED that the Waushara County Board of Supervisors authorizes the reclassification of one AEMT position to a paramedic position and the addition of one full-time paramedic position to the EMS Department.

Submitted by Supv. Kalata, Personnel Committee chair. Motion to approve by Supv. Eckstein, seconded by Supv. Piechowski. A roll call vote showed 10 ayes, 0 nays, 1 absent (Supv. Kerschner). Motion carried.

The resolution authorizes the EMS Department to reclassify one AEMT position to a paramedic, and that an additional full-time paramedic be added to the department.

RESOLUTION NO. 37-08-18
A RESOLUTION AUTHORIZING OPTING IN TO THE CLASS ACTION LAWSUIT
UNDER THE PAYMENTS IN LIEU OF TAXES ACT

WHEREAS, The United States Court of Federal Claims has certified the pending case entitled *Kane County, Utah v. United States*, Case Nos. 1-739C and 17-1991C (Consolidated), as a class action lawsuit, allowing local governments such as Waushara County to opt-in as a member of the class to qualify for a potentially substantial financial award owed to it by the government of the United States under the Payments in Lieu of Taxes Act (PILT Act) for the fiscal years 2015, 2016, and 2017; and

WHEREAS, the County must formally file a Class Action Opt-In Notice Form with the Court in order to qualify for its share of the class action recovery, and there is no risk or “downside” to the County’s participation as a member of the class; and

WHEREAS, the Treasurer has advised that Waushara County does in fact receive PILT payments; and

WHEREAS, the Corporation Counsel is recommending that the County opt-in to this case.

NOW, THEREFORE, the Waushara County Board of Supervisors shall and hereby does approve the participation of Waushara County as a party in said class action lawsuit and authorizes Waushara County Corporation Counsel Ruth Zouski to complete and file a Class Action Opt-In Notice Form on behalf of the County prior to the September 14, 2018, deadline for filing with the Court, as the official act of Waushara County.

Submitted by Supv. Kalata, Executive Committee chair. Motion to approve by Supv. Wedde, seconded by Supv. Peterman. Motion carried by voice vote.

Following Corporation Counsel Ruth Zouski’s recommendation, this action approves Waushara County’s participation in a class action lawsuit in order to qualify for a financial award owed to it by the federal government under the Payments in Lieu of Taxes Act.

**RESOLUTION NO. 38-08-18
IN SUPPORT OF INCREASED PUBLIC DEFENDER ACCESS AND PAY**

WHEREAS, criminal cases continue to rise due to a variety of factors including increased drug crimes; and

WHEREAS, both the United States Constitution and the Constitution of the State of Wisconsin provide that persons accused have the right to counsel; and

WHEREAS, in Wisconsin, the Office of the Public Defender provides counsel to those persons meeting income eligibility guidelines for services; and

WHEREAS, judges are being forced to appoint counsel at county expense for persons for whom the public defender cannot find representation due to a lack of available counsel as a result of the low compensation rate; and

WHEREAS, this results in costs to counties to appoint counsel, increased costs to jail persons held pre-trial pending appointment of counsel, inefficiency for courts and law enforcement and a delay in obtaining justice for victims; and

WHEREAS, the rate of compensation for private bar attorneys has not been increased since 1995 and currently is the lowest hourly rate in the nation; and

WHEREAS, this has created a burden on the courts and Wisconsin counties.

NOW, THEREFORE, BE IT RESOLVED that the Waushara County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the criminal justice system operates effectively and efficiently; and

BE IT FURTHER RESOLVED, that the State of Wisconsin increase the rate of reimbursement for assigned counsel attorneys to a market rate that will ensure the prompt appointment of counsel and that cases are handled in a timely and efficient manner; and

BE IT FURTHER RESOLVED, that the Waushara County Clerk shall forward a copy of this resolution to Waushara County's State Legislators, Governor Scott Walker, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, and each Wisconsin County.

FISCAL NOTE: No cost to Waushara County.

Submitted by Supv. Kalata, Executive Committee chair. Motion to approve by Supv. Peterman, seconded by Supv. Bonfiglio. Motion carried by voice vote.

The low compensation rate for public defenders results in a lack of available counsel for individuals, which forces judges to appoint counsel at county expense. This resolution urges the State to increase the compensation rate for public defenders.

ORDINANCE NO. 630
ORDINANCE AMENDING WAUSHARA COUNTY ZONING MAPS PURSUANT TO THE
AUTHORITY GRANTED IN CHAPTER 58 WAUSHARA COUNTY CODE
ZONE CHANGE - DOLLAR GENERAL INC. - TOWN OF POY SIPPI

WHEREAS, on June 26, 2018, Dollar General Inc. did file an application with the Waushara County Zoning office for a zoning amendment in Section 7, in the Town of Poy Sippi; and

WHEREAS, said application involves A proposed approximate 1.3 acre parcel to be created from two existing parcels that total 35.44 acres, being part of the NW1/4 of the SE1/4 and part of the NE1/4 of the SW1/4 of Section 7, T19N, R13E, Town of Poy Sippi, State Road 49; and

WHEREAS, the said Zoning Office did process said application as required; and

WHEREAS, the Waushara County Planning Committee did consider said application at a regular meeting held at the Waushara County Courthouse on July 19, 2018; and

WHEREAS, the said Planning Committee did approve said request with the following conditions:

1. The development must be in substantial compliance with the site plan and testimony provided at the public hearing.
2. All required setbacks must be complied with and all other codes must be adhered to.
3. All permits must be obtained including land use, building, and proper connection made to municipal sewer.
4. A certified survey map must be submitted and recorded in accordance with County and State requirements.
5. Deed restrictions must be included, if applicable.
6. Utility easements must be shown
7. Adequate parking must be provided.
8. All driveways shall meet all required codes, including fire and access code requirements to provide for access by emergency vehicles. In addition, the driveway shall provide good visibility and a turnaround area to prevent backing onto the road.
9. The applicant will allow agents of Waushara County access to the property to ensure compliance with all applicable regulations.
10. The application is now forwarded to the Waushara County Board of Supervisors and the Town Board of Poy Sippi for their consideration. The Town Board is responsible for determining whether this application, if approved, is in compliance with the Towns' approved Land Use Plan.

THEREFORE, the Waushara County Board of Supervisors does hereby ordain as follows:

1. That the Waushara County Zoning maps are amended by changing the zoning district of the described property from General Agriculture to General Commercial.
2. That this ordinance shall be effective upon approval and recording with the Office of the County Clerk for Waushara County.

Submitted by Supv. Kapp, Planning and Zoning Committee chair. Motion to approve by Supv. Kapp, seconded by Supv. Timm. Motion carried by voice vote.

The ordinance rezones approximately 1.3 acres of land from General Agriculture (A-G) to General Commercial (C-G) zoning, to construct a retail store.

FUTURE AGENDA ITEMS/ANNOUNCEMENTS

Supv. Timm requested an update on the former 1st National Bank in Poy Sippi possibly being purchased for an ambulance station. Zouski and Sivick indicated that discussions on the matter are taking place at the committee level.

ADJOURNMENT

There being no further business, Supv. Eckstein moved to adjourn, seconded by Supv. Timm; motion carried. The meeting thus adjourned at 8:28 p.m.

I, Megan Kapp, county clerk in and for the county of Waushara, Wis., do hereby certify that the foregoing is the original record of the proceedings of the Waushara County Board of Supervisors at its regular monthly meeting held August 21, 2018. These minutes are subject to amendment or change at subsequent meetings of the County Board, and any such changes will be detailed in the minutes of the meeting at which the amendments are proposed.

/s/ Megan Kapp, Waushara County Clerk