

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

AUGUST 20, 2019

The meeting was called to order at 7:00 p.m. by Chairperson Donna R. Kalata at the Anna Follett Memorial Center in Coloma. County Clerk Megan Kapp conducted roll call. All were present: Supvs. Bonfiglio, Eckstein, Jarvis, Kalata, Kapp, Kerschner, King, Lauer, Peterman, Piechowski and Timm. A silent prayer was held, followed by the Pledge of Allegiance.

APPROVAL OF AGENDA

Supv. Eckstein made a motion to approve the agenda as presented, seconded by Supv. Kapp. The motion carried by voice vote.

APPROVAL OF MINUTES

Supv. Lauer moved to approve the minutes of the July 16, 2019, monthly County Board meeting; seconded by Supv. Jarvis. The motion carried by voice vote.

PUBLIC COMMENTS – None

NEW BUSINESS

REPORTS/PRESENTATIONS

County Administrator's Monthly Report: Administrator Robert Sivick reported on the budget process and the Building Renovation Committee. The recent children's carnival in conjunction with Augustfest was successful, as was the County Fair.

Human Services Annual Report: Interim Director Greg Erickson introduced the department's management team and shared the department's mission, vision and core values. Erickson shared highlights from each of the units within the department.

Clerk of Circuit Court's Office Annual Report: Clerk of Circuit Court Melissa Zamzow provided statistics on case filings. In 2018 the office increased debt collection and made improvements to the e-Filing process. The office was restructured in 2019 and there are two new staff members. Efforts continue in cross training of staff.

**RESOLUTION NO. 21-08-19
A RESOLUTION CONFIRMING THE APPOINTMENT OF
GREG ERICKSON AS DEPARTMENT OF HUMAN SERVICES DIRECTOR**

WHEREAS, the Waushara County Board has previously created a County Human Services Department; and

WHEREAS, pursuant to Sec. 46.23(6m), Wis. Stats., the County Administrator may appoint a person to be director of the Department subject to confirmation by the County Board; and

WHEREAS, the Administrator has appointed Greg Erickson as such Director of the Department of Human Services; and

WHEREAS, Greg Erickson has indicated a willingness to accept such appointment.

NOW, THEREFORE, the Waushara County Board hereby confirms the appointment of Greg Erickson as Department of Human Services Director for Waushara County under the supervision of the Administrator effective immediately.

Submitted by County Administrator Robert Sivick. Motion to approve by Supv. King, seconded by Supv. Peterman. Motion carried by voice vote.

The Administrator has appointed Greg Erickson as the Department of Human Services Director. This resolution confirms the appointment pursuant to Sec. 46.23(6m), Wis. Stats.

RESOLUTION NO. 22-08-19
A RESOLUTION ORDERING THE ISSUANCE OF TAX
DEEDS ON CERTAIN TAX FORECLOSED PROPERTY

WHEREAS, the Waushara County Treasurer has followed the procedures required by Chapters 74 and 75 of the Wisconsin Statutes in attempting to collect property tax owed on certain real estate located within Waushara County; and

WHEREAS, tax certificates have been issued, notices of application for tax deeds have been served upon the proper parties and affidavits of such service have been filed with the county clerk;

NOW, THEREFORE, the Waushara County Board of Supervisors hereby orders the issuance of tax deeds to Waushara County and its assigns for the parcels of land listed below:

69008-00341-1500-TOWN OF DAKOTA-TRACY L DAVIDS

Lot One (1) of Certified Survey Map No. 2471 as recorded in Volume 9 of Surveys on Page 367, as Document No. 307913, located in and being part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ -SE $\frac{1}{4}$), Section Three (3), Township Eighteen (18) North, Range Ten (10) East, Town of Dakota, Waushara County, Wisconsin.

69010-03521-0220-TOWN OF DEERFIELD-WILLIAM R HICKS

Lot Two (2) of Certified Survey Map No. 4700 as recorded in Volume 24 of Surveys on Pages 62 & 63, as Document No. 391055, located in and being part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ -NW $\frac{1}{4}$), Section Thirty-Five (35), Township Nineteen (19) North, Range Nine (9) East, Town of Deerfield, Waushara County, Wisconsin.

69014-00471-2600-TOWN OF LEON-JIMMY L & MELISSA A DUFF

Lots Seven (7) and Eight (8) of Block "J", in the Village of Pine River, according to the recorded plat thereof, Town of Leon, Waushara County, Wisconsin.

69014-00911-0300-TOWN OF LEON-TERRY LEE SEARLES

Part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ - NE $\frac{1}{4}$) of Section Nine (9), Township Nineteen (19) North, Range Twelve (12) East, Town of Leon, Waushara County, Wisconsin, described as follows:

Commencing at the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Nine (9);

Thence South 00° 08' 23" East along the West line of the same, 1045.21 feet;

Thence North 89° 23' 13" East parallel to the North line of said Northeast Quarter (NE $\frac{1}{4}$), 1400.00 feet;

Thence North 00° 08' 23" West, 53.87 feet to the Point of Beginning;

Thence continuing North 00° 08' 23" West, 223.13 feet;

Thence North 89° 23' 13" East, 457.00 feet;

Thence South 00° 08' 23" East, 231.34 feet;

Thence North 89° 35' 00" West, 457.01 feet to the Point of Beginning.

TOGETHER WITH an easement for ingress and egress in common with others over the following parcel in the North Half of the Northeast Quarter (N $\frac{1}{2}$ - NE $\frac{1}{4}$) of Section Nine (9), Township Nineteen (19) North, Range Twelve (12) East, Town of Leon, Waushara County, Wisconsin.

Commencing at the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Nine (9); Thence South 00° 08' 23" East along the West line of the same, 1078.21 feet to the Point of Beginning of the centerline of the 66 foot right of way easement to be described;

Thence North 89° 23' 13" East parallel to the North line of said Northeast Quarter (NE $\frac{1}{4}$), 1433.00 feet;

Thence North 00° 08' 23" West, 277 feet;

Thence North 89° 23' 13" East, 876.85 feet to a point on the centerline of County Trunk Highway "E", said point being the end of the centerline of the aforesaid easement.

69026-02124-0600-TOWN OF RICHFORD-TERRESA M CHURCH

Starting at the Southeast corner of the lands conveyed by document recorded in Volume 182 on Page 174, as Document No. 206157; thence South 21 rods to the Place of Beginning; thence continuing South 132 feet to a point; thence West 330 feet to a point; thence North 132 feet; thence East 330 feet to the Point of Beginning, being a part of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ -NW $\frac{1}{4}$) of Section Twenty-One (21), Township Eighteen (18) North, Range Nine (9) East, Town of Richford, Waushara County, Wisconsin.

69171-01271-2100-VILLAGE OF PLAINFIELD-GREDIS AYALA

Lot Twenty-one (21), Popple Acres Subdivision, Section Twelve (12), Township Twenty (20) North, Range Eight (8) East, Village of Plainfield, Waushara County, Wisconsin.

By said tax deeds, title to the above named properties shall be vested in Waushara County in fee simple.

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

The resolution authorizes the County to take several parcels on tax deeds for failure to pay property taxes. Proper procedures were followed, and notifications were made and published.

RESOLUTION NO. 23-08-19
A RESOLUTION AUTHORIZING A SECOND ASSISTANT DISTRICT ATTORNEY POSITION
TO BE FUNDED BY THE COUNTY THROUGH CONTRACT WITH STATE

WHEREAS the District Attorney has advised Administration and the Executive Committee that his office is in need of additional prosecutorial staff, specifically that according to the records and staffing model maintained by the State of Wisconsin that the caseload in Waushara County has the workload equivalent of 3.28 prosecutors from the most recent study for years 2015-2017 and the office currently has 2 prosecutors; and

WHEREAS, the caseload has continued to increase since 2015 particularly with more complicated felony cases, specifically felony cases have increased from 141 in 2008 to 276 in 2018; and

WHEREAS, the State's budget has included funding for 64.95 additional ADAs across the State, originally including a .6 ADA for Waushara County; and

WHEREAS, Governor Evers used his partial veto power to eliminate the allocation of positions portion of the budget and instead requiring DOA to review the situation and make a determination of partial allocation, which may or may not impact the proposed .6 ADA position for Waushara County; and

WHEREAS, the District Attorney has advised that without additional staffing there will need to be a re-prioritizing of cases, which means that some cases will take longer to prosecute and some cases may not be prosecuted at all, which is a disservice to the residents of Waushara County; and

WHEREAS, the Executive Committee, Personnel Committee and Administrator have reviewed the request and understand that the District Attorney is in need of assistance; and

WHEREAS, the Committees and Administrator are recommending that the County fund .4 ADA on the condition that the State funds the other .6 portion allowing for a second full-time ADA position in Waushara.

NOW, THEREFORE, the Waushara County Board of Supervisors does hereby authorize the funding of .4 of a second Assistant District Attorney position, if the State funds the original proposed .6 portion that was part of the budget bill with the additional cost of approximately \$25,000.00 to be added to the District Attorney's budget to fund the position.

FURTHER, the Waushara County Board of Supervisors resolves that the District Attorney and County will continue to work with the State of Wisconsin to take over full funding for this position.

Submitted by Supv. Kalata, Executive and Personnel Committees chair. Motion to approve by Supv. Piechowski, seconded by Supv. Kapp. A roll call vote showed 11 ayes, 0 nays, 0 absent. Motion carried.

The State's budget originally proposed a .6 second Assistant District Attorney (ADA) position for Waushara County. Governor Evers eliminated the allocation of positions and tasked the Department of Administration with allocating the new ADA positions. This resolution authorizes the County to fund .4 of a second ADA position if the State funds the original proposed .6 portion.

RESOLUTION NO. 24-08-19
RESOLUTION TO REORGANIZE THE DEPARTMENT OF HUMAN SERVICES

WHEREAS, the Department of Human Services currently has a vacant Deputy Director position; and

WHEREAS, the Department has reviewed the current structure and needs of the Department and recommends to the Human Services Board that the Department reorganize the structure of the Department to better address the needs and to better manage the Department; and

WHEREAS, the Human Services Board has reviewed the plan and agrees that the changes streamline management, making the Department more efficient and better utilizing resources; and

WHEREAS, the Administrator has reviewed the proposed changes and modified job descriptions; and

WHEREAS, the Personnel Committee has reviewed the proposed changes and modified job descriptions; and

WHEREAS, the Department has advised that it will not need any additional levy in the 2020 budget process to make these organizational changes and in fact, the changes if approved would eliminate one position from the organizational chart.

NOW THEREFORE, BE IT RESOLVED that the Department of Human Services organizational chart be modified as described in the attached organizational chart, including eliminating the Deputy Director position, revising the Director, Clinical Director and CCS Manager job descriptions, revising the Clinical Services Manager position to make it part-time manager and part-time psychotherapist (an existing psychotherapist position) and reclassifying one account clerk position to an account clerk specialist.

BE IT FURTHER RESOLVED that these changes will take place after approval. All adjustments to current personnel that include a wage adjustment will be done in coordination with Administration at the beginning of a payroll period.

Submitted by Supv. Kalata, Personnel Committee chair. Motion to approve by Supv. King, seconded by Supv. Lauer. Motion carried by voice vote.

The reorganization eliminates the Deputy Director position and revises several job descriptions to streamline management and better utilize resources.

RESOLUTION NO. 25-08-19
RESOLUTION AUTHORIZING FIVE ADDITIONAL EMPLOYEES
FOR HIGHWAY DEPARTMENT

WHEREAS, the Highway Commissioner has advised that the Department has been asked to contract with the Towns of Coloma, Oasis and Rose for snow plowing services, which would necessitate the hiring of five additional people; and

WHEREAS, the Public Works Committee and Personnel Committee have reviewed the request and approved the hiring on the condition that the Highway Department enter into a 3 year contract with the Towns of Coloma, Oasis and Rose for snow plowing and non-winter work; and

WHEREAS, the Towns of Coloma, Oasis and Rose did sign a 3 year agreement with the Highway Department.

NOW, THEREFORE, BE IT RESOLVED that the Waushara County Board of Supervisors authorizes the Highway Department to hire 5 full-time truck drivers effective October 28, 2019.

BE IT FURTHER RESOLVED that these positions will sunset when there is no longer funding from the Local Municipality contracts to cover the cost.

Submitted by Supv. Eckstein, Public Works Committee chair. Motion to approve by Supv. Eckstein, seconded by Supv. Kerschner. A roll call vote showed 11 ayes, 0 nays, 0 absent. Motion carried.

The Highway Department has entered into an agreement with the Towns of Coloma, Oasis and Rose for snow plowing and non-winter work. The resolution authorizes the department to hire five full-time truck drivers to carry out the additional work.

RESOLUTION NO. 26-08-19
A RESOLUTION ASKING THE STATE TO APPLY FOR A WAIVER FROM FEDERAL RULES
EXCLUDING INSTITUTIONAL STAYS FROM MEDICAID COVERAGE

WHEREAS, the Federal rules for Medicaid applicability exclude patients ages 22-64 from Medicaid coverage in an Institution for Mental Disease (IMD), resulting in high costs to Wisconsin Counties for individuals with mental illness who require short-term placements; and

WHEREAS, the IMD rule works against the provision of necessary health care treatment, and path to recovery, for young and middle-aged adults with brain disorders; and

WHEREAS, the Centers for Medicare and Medicaid Services (CMS) has issued an invitation for States to apply for a waiver of this exclusion, allowing States to receive Federal reimbursement for the cost of treatment in an IMD; and

WHEREAS, the Department of Human Services has advised that such waiver would be beneficial to the residents of Waushara County.

NOW, THEREFORE, BE IT RESOLVED that the Waushara County Board of Supervisors does hereby urge the Governor and the Legislature to submit an application for a waiver from CMS of the Medicaid IMD exclusion to allow Federal reimbursement of short-term acute care and transition planning for persons with serious and persistent mental illness; and

BE IT FURTHER RESOLVED that the Waushara County Clerk is instructed to send a copy of this resolution to Governor Evers and Waushara County's legislators in the State Assembly and Senate.

Submitted by Supv. King, Human Services Board chair. Motion to approve by Supv. Lauer, seconded by Supv. King. Motion carried by voice vote.

The resolution requests the State apply for a waiver that would allow federal reimbursement for the cost of treatment in an Institution for Mental Disease.

RESOLUTION NO. 27-08-19
RESOLUTION REQUESTING THE WISCONSIN LEGISLATURE END THE USE OF
PERSONAL CONVICTION WAIVERS FOR SCHOOL AND DAY CARE CENTER IMMUNIZATIONS

WHEREAS, vaccine-preventable diseases, such as measles, are very contagious and can result in serious health complications, including pneumonia and encephalitis, and lead to death; and

WHEREAS, outbreaks of measles have impacted multiple states in 2019, and a measles exposure occurred in Wisconsin in 2018; and

WHEREAS, the effectiveness and safety of vaccines have been well established; and

WHEREAS, the Affordable Care Act has improved insurance coverage for vaccinations, which are readily available in medical offices and pharmacies, and public health departments continue to serve those eligible for the Vaccines for Children Program; and

WHEREAS, Wisconsin's immunization law Wis. Stat. § 252.04(3), Wis. Admin. Code § DHS 144.06, permits parents to opt out or waive some or all of the vaccinations required to attend school or group day care based on their personal beliefs; and

WHEREAS, the Wisconsin Public Health Association supports a change in school and day care center immunization law that eliminates personal conviction waivers for students in Wisconsin public and private schools and for children who attend group day cares.

NOW, THEREFORE, BE IT RESOLVED that the Waushara County Board of Supervisors respectfully requests that the Wisconsin Legislature end the use of personal conviction waivers for school and day care center immunizations.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the governor of Wisconsin, Wisconsin state legislators and the Wisconsin Counties Association.

FISCAL NOTE: This resolution does not require an appropriation from the County General Fund. It is advisory in nature.

Submitted by Supv. Eckstein, Board of Health chair. Motion to approve by Supv. Kapp, seconded by Supv. Jarvis. Motion carried by voice vote, with Supv. Timm voting no.

Wisconsin's immunization law allows parents to opt out of all or some of the vaccinations required to attend school or group day care based on personal beliefs. This resolution urges the State to end the use of such personal conviction waivers for immunizations for schools and day care centers.

ORDINANCE NO. 640
AMENDING CHAPTER 30 OF THE WAUSHARA COUNTY CODE

WHEREAS, the County Board of Supervisors previously adopted Ordinances 140, 251, 395, 497, 537 and 604 relating to the Waushara County Parks System, which are codified as Chapter 30 of the Waushara County Code; and

WHEREAS, the Public Works Committee has reviewed a request to allow Food Trucks within the county park system; and

WHEREAS, the Public Works Committee has determined that the ordinance should be modified to create a procedure for allowing Food Trucks within certain portions of the current county park system.

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

Sec. 30-2. – Definitions.

Food Truck – a mobile vehicle that has been properly licensed by the State to prepare and sell food items, which such preparation, sale and entire operation is confined within the vehicle.

30-10 – Operation of a Food Truck

(a) *Applicability.* This provision applies to the following parks:

- Kusel Lake County Park
- Marl Lake County Park
- Mt. Morris Hills County Park
- Otto Brey County Park
- Pony Creek County Park
- Waushara County Fairgrounds

(b) *Operation of a Food Truck.* An individual with a permit from the Parks Department may operate a Food Truck in a county park with a minimum of 24 business hours advanced notice to the Parks Department. Notice must be provided to the Parks Department during normal business hours. The Parks Department has the right to deny use on a particular date or time due to other prior scheduled events at the park.

(c) *Permit Application.* To apply for permit, an individual must complete the permit application obtained from Parks Department and return it to the Parks Department with all of the following:

- Copy of license from State of Wisconsin or Tri-County Environmental Health Consortium for Food Truck Operation
- Copy of Liability Insurance
- Copy of Vehicle Insurance
- \$50.00 Permit Fee

(d) *Permits.* Permits shall be good for one year from the date approved, unless revoked earlier.

(e) *Rules of Operation.* The Food Truck operator and employees shall abide by the following rules when operating in a county park:

- All sales must take place within the Food Truck, no merchandise may be displayed outside the Food Truck.
- No alcohol may be sold.

- All garbage from the operation must be removed from the park when the Food Truck closes.
- All Food Trucks must vacate the county park by normal closing time of the park, no overnight parking.

(f) *Revocation of Permit.* The Parks Department may revoke an operator's permit for any violations of the rules of operation.

IT IS FURTHER ORDAINED that this Ordinance takes effect upon adoption and filing with the County Clerk.

Proposed by Supv. Eckstein, Public Works Committee chair. Motion to approve by Supv. Kapp, seconded by Supv. Eckstein. Motion carried by voice vote.

This ordinance creates a procedure for allowing food trucks within certain portions of the county park system.

APPOINTMENTS

Complete Census Count Committee

The following appointments were made to the Complete Census Count Committee:

Andy Bollant, Miriam Carrizosa, Oren Cox, Rafael Cubilette, Andy Diercks, Greg Erickson, Craig Hayes, Andrew Jennings, Donna Kalata, Bernadette Krentz, Mary Kunasch, Anthony Marinack, Zach Newton, Pam Priewe, Tom Rheinheimer, Heather Schwersenska, Bob Sivick, Zina Soltis, Mary Suchanek, Kate Surprise, Hector Torres

Motion to approve appointments by Supv. Peterman, seconded by Supv. Eckstein; motion carried by voice vote.

Building Renovation Proposal Review Committee

The following appointments were made to the Building Renovation Committee: **Chris Brown, Duane Detjens, Brian Donaldson, John Eilers, Greg Erickson, Linda Freudenthal, Jody Jansen, Dave Johnson, Hillary Hammel, Richard Hansen, Brenda Henke, John Jarvis, Donna Kalata, Megan Kapp, Mark Kerschner, Pat King, Ted Korolewski, Bernadette Krentz, Mary Kunasch, Mike Leikness, Tom Lorensen, Sarah Luchini, Jeff Martz, Paul Miller, Debbie Paavola, David Picard, Cindy Reilly, Tom Rheinheimer, Bill Rosenau, Bob Sivick, Dan Struzynski, Barry West, Melissa Zamzow, Ruth Zouski, Wally Zuehlke**

Motion to approve appointments by Supv. Kerschner, seconded by Supv. Bonfiglio; motion carried by voice vote.

Highway Traffic Safety Commission

Patti Wohlfeil – Waushara County Public Health Officer (*Term: Immediate-April 2020*)

Dave Reilly – Wautoma Schools Director of Transportation (*Term: Immediate-April 2020*)

Amanda Thoma – Waushara County Medical Examiner (*Term: Immediate-April 2020*)

Motion to approve by Supv. Jarvis, seconded by Supv. Peterman; motion carried by voice vote.

Library Services Committee

Hannah Klusmeyer, Wautoma (*Term: Immediate-January 1, 2022*)

Lisa Eisch, Hancock (*Term: Immediate-January 1, 2022*)

Motion to approve by Supv. King, seconded by Supv. Lauer; motion carried by voice vote.

PROCLAMATION

Recognizing August 2019 as Child Support Awareness Month

Motion to approve by Supv. Peterman, seconded by Supv. Jarvis; motion carried by voice vote.

FUTURE AGENDA ITEMS/ANNOUNCEMENTS

Chair Kalata reminded the Board of the last stop on the senior dining center tour on August 27 at the Hancock dining center. August 27 is also the next lunch and learn at the courthouse.

Supv. Bonfiglio requested an item regarding the economic development committee be added to the next County Board meeting agenda.

ADJOURNMENT

There being no further business, Supv. Eckstein moved to adjourn, seconded by Supv. Timm; motion carried. The meeting thus adjourned at 7:49 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 20, 2019. 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