

**MAY SESSION
KEWAUNEE ADMINISTRATION CENTER
MAY 19, 2015**

The meeting of the Kewaunee County Board of Supervisors was called to order by the Kewaunee County Chairman, Ron Heuer, on May 19, 2015 at 5:02 PM.

The Pledge of Allegiance was recited, followed by prayer.

Roll Call: Supervisors Benes, Cravillion, Garfinkel, Haske, Heidmann, Heuer, Jahnke, Kirchman, Luft, Mastalir, Paape, Pagel, Paider, Reckelberg, Romdenne, Shillin, Sinkula, Tebon, Wagner and Weidner (20) were present.

Supervisors Paape moved and Pagel seconded to approve the County Board agenda. Motion carried.

PRESENTATION

Joe Treml – Retiree from the Sheriff's Department

APPOINTMENT

Veteran's Service Commission

Honorable Members of the Kewaunee County Board:

Pursuant to Wisconsin Statutes 45.12 I hereby make the following appointment to the Veteran's Service Commission subject to County Board approval.

Term May 19, 2015 to December 31, 2015

Rick Philipps
N667 Norman Road
Kewaunee, WI 54216

Respectfully submitted,
Scott Feldt, Kewaunee County Administrator

APPOINTMENT

Veteran's Service Commission

Honorable Members of the Kewaunee County Board:

Pursuant to Wisconsin Statutes 45.12 I hereby make the following appointment to the Veteran's Service Commission subject to County Board approval.

Term May 19, 2015 to December 31, 2016

Nellie DeBaker
N7197 County Road H
Luxemburg, WI 54217

Respectfully submitted,
Scott Feldt, Kewaunee County Administrator

Supervisors Heimann moved and Shillin seconded for approval of the above appointments. Motion carried.

ANNUAL REPORT

Kewaunee County Child Support – Cindy Kudick

REPORT

Kewaunee County Administrator – Scott Feldt

Corporation Counsel, Jeff Wisnicky advised the County Board on what is required to be in the minutes when taking them for the committee meetings.

Committee Reports:

- Highway/Solid Waste Committee - Supervisor Kirchman
- Personnel, Advisory & Legislative Committee – Supervisor Heuer
- Health, Vets & Child Support Committee – No Meeting
- University Extension & Zoning Committee - Supervisor Romdenne
- Land & Water Conservation Committee – Supervisor Pagel
- Law Enforcement & Emergency Management Committee – Supervisor Weidner
- Finance & Public Property Committee - Supervisor Luft
- Human Services Committee – Supervisor Sinkula
- Promotion & Recreation Committee – Supervisor Heidmann
- Groundwater Task Force – Supervisor Luft
- Bay-Lake Regional Planning – Supervisor Wagner
- Revolving Loan Fund Committee – No Meeting

Citizens Input:

- Monica Jacobson spoke regarding workplace bullying
- Bill Iwen spoke regarding a secret meeting being held

First Reading of Ordinance:

**LAND DIVISIONS, PARCEL COMBINATIONS
AND CERTIFIED SURVEY MAPS**

- 1.01 Authority
 - 1.02 Purpose
 - 1.03 Prior Ordinances
 - 1.04 Abrogation and greater restrictions
 - 1.05 Interpretation
 - 1.06 Severability
 - 1.07 Definitions
 - 1.08 Jurisdiction
 - 1.09 Compliance
 - 1.10 Effective Date
-
- 1.01 Authority. The Kewaunee County Board of Supervisors adopts the provisions of this ordinance pursuant to the authority granted in Sections 16.967, 59.07(6), and 59.88 of the Wisconsin Statutes.
 - 1.02 Purpose. To establish a county-wide policy which will protect the citizens of Kewaunee County by insuring that future land divisions and parcel combinations comply with local ordinances, meet minimum surveying standards, and maintain or enhance the accuracy of Kewaunee County's land information system.
 - 1.03 Prior Ordinances. This ordinance supersedes and repeals all prior land division, parcel combination and parcel map ordinances.
 - 1.04 Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, ordinances, or permits previously adopted or issued pursuant to law, except as set forth in the "Prior Ordinances" paragraph. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.
 - 1.05 Interpretation. The provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of this ordinance and Kewaunee County and shall not be deemed a limitation or repeal of any other power granted by Wisconsin Statutes.
 - 1.06 Severability. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.
 - 1.07 Definitions. Terms used in this ordinance mean as follows:
 - (a) Certified Survey Map, CSM, or CSMs: A map of a division of land prepared in accordance with Chapter 236 of the Wisconsin Statutes.
 - (b) Land Division: The act of creating two or more separately described parcels from a single parcel of land by the owner thereof or his agent.
 - (c) Local Unit of Government: The village, city, town, or county in which zoning laws apply.
 - (d) Lot: A parcel of land having frontage on a public street, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, yard, parking area, and other open space provisions of any applicable zoning code.
 - (e) Parcel: A continuous acreage of land described in a single description in a deed or one of a number of lots or outlets on a plat, separately owned or capable of being separately conveyed.
 - (f) Plat: A map of a division of land for the purpose of sale, lease, or building development.
 - (g) Surveyor: A land surveyor duly registered in the State of Wisconsin.
 - (h) Tract: See Parcel
 - (i) Undeveloped Land: Land in parcels or tracts sufficiently large for future subdivisions which is presently in agriculture, woodland, or other non-intensive use.
 - 1.08 Jurisdiction. Jurisdiction of these regulations shall include all lands and waters within the limits of Kewaunee County. The provisions of this ordinance shall not apply to:
 - (a) Transfers of interest in land by will or pursuant to court order or operation of law.
 - (b) Leases, mortgages, or easements.
 - (c) The sale or exchange of property between adjacent landowners if that property is attached to and incorporated into an existing tax parcel provided that the remnant parcel is not less than 1.5 acres in size. Wis. Stat. §236.45(2)(a)3.
 - (d) Cemetery plats made under Wis. Stat. §157.07.
 - (e) Assessor's plats made under Wis. Stat. §70.27. Assessor's plats shall comply with Wis. Stats. §§236.15(2)(a) to (g) and 236.20(1) and (2)(a) to (e).
 - (f) Parcels that are split or combined as whole lots in a recorded subdivision plat **or parcels that are split or combined as whole quarter/quarter sections in the public land survey system** provided the local zoning authority approves the exemption for the split or combination.
 - 1.09 Compliance. No person shall divide any land located in Kewaunee County so that division results in a subdivision, land division, or replat; no such subdivision, land division, or replat shall be entitled to recording; and no street shall be laid out or improvements made to land without compliance with all requirements of this ordinance and the following:
 - (a) Provisions of Chapter 236 of the Wisconsin Statutes.
 - (b) Rules of the Wisconsin Department of Transportation relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the sub-divider abuts on a state trunk highway or connecting street.
 - (c) Any applicable zoning code and all other applicable local or county ordinances.
 - (d) Combining and Dividing Parcels. In addition to state statutory requirements for certified survey maps, subdivision plats, replats, assessor's plats, condominium plats and other recordable documents, the following additional requirements shall be adhered to for the purposes of this ordinance:

- (1) Parcel Splits: A certified survey map shall be prepared and recorded in the Register of Deeds office for all land divisions that create a new parcel. A CSM will not be required for the sale or exchange of property between adjacent landowners if that property is attached to and incorporated into an existing tax parcel unless it results in a remnant parcel that is less than 1.5 acres in size. Wis. Stat. §236.45(2)(a) 3.
- (2) Parcel Combinations: A certified survey map shall be prepared and recorded in the Register of Deeds office for all parcel combinations unless the combination is required by the local assessor or the Kewaunee County Land Information Office for valuation purposes under Wis. Stat. §70.23(2).
- (3) Present zoning shall remain on a subdivided or combined parcel until a zoning change is applied for by the applicant and granted by the governing body of jurisdiction.

(e) Document Specifications; Certified Survey Maps.

- (1) A CSM being prepared and submitted for recording shall show on its face any adjacent recorded CSMs and their accompanying document, volume and page numbers, previous CSM number which is being replaced in part or whole by a new CSM, and section, town and range.
- (2) Road dedication shall be the minimum width required by each local unit of government, or by state law.
- (3) A CSM shall be accompanied by a certificate of the Surveyor, Local Unit of Government, and the Owner. The owner's certificate shall include the following statement: "All mortgagees associated with this property have been contacted and made aware of these property boundary changes."

(f) Required Reviews.

- (1) CSM Reviews. All certified surveys submitted for recording in the Register of Deeds office shall have undergone a self-review by the surveyor. Evidence of this review will be in the form of a completed, County approved CSM review checklist. The CSM review checklist shall be filed in the Kewaunee County Land Information Office prior to the recording of the certified survey, and the LIO shall stamp the CSM to indicate that the required self-review was completed.
- (2) Condominium Plat Reviews. All condominium plats shall be reviewed by a Registered Land Surveyor designated by Kewaunee County to insure that they meet basic surveying standards.

- (g) Zoning Certification. Each parcel that is split and partially combined with an adjacent parcel that is currently under different ownership, **or will be under different ownership with the contemporaneous recording of a deed or other document of conveyance**, shall be certified by the local zoning administrator and, if applicable, the Kewaunee County shoreland zoning administrator, to verify compliance with the governing zoning ordinance. The zoning certification must be filed in the Kewaunee County Land Information office at or prior to recording any documents of conveyance.

1.10 Effective Date. This ordinance shall be effective upon passage and publication.

Consideration of Bills for May:

Supervisors Heidmann moved and Sinkula seconded for approval of the bills. Motion carried.

Consideration of Resolutions:

RESOLUTION NO. 4-5-15

A RESOLUTION APPROVING THE DISSOLUTION OF THE NORTHEAST WISCONSIN LONG-TERM CARE DISTRICT

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

WHEREAS, Door County, Kewaunee County, Brown County, Shawano County, Menominee County, Oconto County and Marinette County adopted resolutions creating the Northeast Wisconsin Long-Term Care District d/b/a NEW Family Care pursuant to Wis. Stat. §46.2895; and

WHEREAS, NEW Family Care was formed by Door, Kewaunee, Brown, Shawano, Menominee, Oconto and Marinette Counties for the purpose of becoming certified as a care management organization and delivering the family care benefit to the residents within the seven county region; and

WHEREAS, NEW Family Care has not been certified as a care management organization, is not able to deliver the family care benefit and there is no prospect of NEW Family Care commencing operations as contemplated by the counties that formed NEW Family Care; and

WHEREAS, NEW Family Care has no continuing business operations and undertakes no activities related to the purpose for which it was formed; and

WHEREAS, NEW Family Care has no assets or liabilities that would otherwise be subject to disposition; and

WHEREAS, Section 46.2895(13) provides that the following process is required in order to dissolve NEW Family Care:

Subject to the performance of the contractual obligations of a long-term care district and if first approved by the secretary of the department, the long-term care district may be dissolved by the joint action of the long-term care district board and each county or tribe or band that created the long-term care district and has not withdrawn or been removed from the district under sub. (14). If a long-term care district that is created by one county or tribe or band is dissolved, the property of the district shall be transferred to the county or tribe or band that created it. If a long-term care district is created by more than one county or tribe or band, all of the counties or tribes or bands that created the district and that have not withdrawn or been removed from the district under sub. (14) shall agree on the apportioning of the long-term care district's property before the district may be dissolved. If the long-term care district operates a care management organization under s. 46.284, disposition of any remaining funds in the risk reserve under s. 46.284 (5) (e) shall be made under the terms of the district's contract with the department; and

WHEREAS, this Resolution is intended to Act as Kewaunee County's official action authorizing the dissolution of NEW Family Care; and

WHEREAS, the NEW Family Care Board of Directors has authorized dissolution of NEW Family Care by Resolution; and

WHEREAS, the Secretary of the State of Wisconsin Department of Health Services may rely on this Resolution as action on the part of Kewaunee County authorizing dissolution of NEW Family Care.

NOW THEREFORE, BE IT RESOLVED, By the Kewaunee County Board of Supervisors, duly assembled this 19th day of May 2015, that:

1. Kewaunee County hereby authorizes dissolution of NEW Family Care pursuant to Wis. Stat. §46.2895(13) provided, however, that this Resolution and any action authorized by this Resolution shall not be effective until the following events have occurred: 1) all seven of the above-named county boards act to authorize dissolution of NEW Family Care by adopting a resolution substantially similar to this Resolution; 2) the Secretary of DHS authorizes the dissolution of NEW Family Care.
2. No further action on the part of Kewaunee County shall be necessary in order to authorize the dissolution of NEW Family Care.

BE IT FURTHER RESOLVED, the Clerk is directed to forward a copy of this Resolution to the seven counties named-above and to the Secretary of the Department of Health Services.

Respectfully Submitted,
Human Services Committee
HASKE, MASTALIR, SHILLIN, SINKULA, TEBON, WAGNER

Supervisors Wagner moved and Tebon seconded for adoption. Roll call vote: 20 ayes and 0 nays. Motion carried.

RESOLUTION NO. 5-5-15

**TAX DEED SALE
PARCEL NO. 31 201 34.053
1314 Jefferson Street, City of Algoma**

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

WHEREAS, Kewaunee County advertised for bids for the sale of the real property known as Parcel No. 31 201 34.053, located at 1314 Jefferson Street, City of Algoma, which was acquired by tax deed; and

WHEREAS, Angie Aros submitted the highest bid at \$13,000.00; and

WHEREAS, the Finance & Public Property Committee considered and hereby recommends awarding the sale to Angie Aros.

NOW, THEREFORE, BE IT RESOLVED, by the Kewaunee County Board of Supervisors duly assembled this 19th day of May 2015, that the Board hereby awards Angie Aros, the property known as Parcel No. 31 201 34.053, located at 1314 Jefferson Street, City of Algoma for the sum of \$13,000.00; and

BE IT FURTHER RESOLVED, the Corporation Counsel shall draft the necessary documents and make closing arrangements with Angie Aros; and

BE IT FURTHER RESOLVED, the County Clerk shall sign a quit claim deed and any other closing documents necessary to convey the above-mentioned property from Kewaunee County to Angie Aros; and

BE IT FURTHER RESOLVED, the County Treasurer shall disperse the proceeds of the sale as provided by law.

Respectfully Submitted,
Finance and Public Property Committee
HASKE, LUFT, MASTALIR, ROMDENNE, TEBON

FISCAL IMPACT STATEMENT:	
Sale Price:	\$13,000.00
Amount owed:	\$6,551.33
Gross Proceeds:	*\$6,448.67
*The prior owner is entitled to a portion of the proceeds.	

Supervisors Heidman moved and Weidner seconded for adoption. Roll call vote: 20 ayes and 0 nays. Motion carried.

Consideration of Ordinances:

None

Communications:

Resolutions from other counties
Kewaunee County Events – Zoobilee with a 5K run at Bruemmer Park on August 29th
Shanty Days in Algoma on August 14th-16th

Supervisors Benes moved and Paape seconded that the August County Board Meeting will be held on August 18, 2015 at 6:00 PM. Motion carried.
Supervisors Wagner moved and Sinkula seconded to adjourn. Motion carried.

Board adjourned at 6:10 PM.

Ron Heuer, Kewaunee County Board Chairman

Jamie Annoye, Kewaunee County Clerk

CERTIFICATION
STATE OF WISCONSIN:

SS

COUNTY OF KEWAUNEE:

I, Jamie Annoye, County Clerk in and for Kewaunee County, Wisconsin do hereby certify that the following is a true and correct copy of the minutes of the meeting of the Kewaunee County Board of Supervisors held in regular Board Chambers at the Administration Center in Kewaunee on May 19, 2015.

Jamie Annoye, Kewaunee County Clerk

