

**JANUARY 11, 2011
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:03 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Roll call was conducted and the following Supervisors were present: Richard Brandl, Jerry A. Grant, Randy Hawkins, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Joe Schaefer, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell. All Supervisors were present and a quorum was established.

Kathy Ingersoll, Walworth County Board Supervisor, District # 6, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Weber, seconded by Supervisor Stacey, Executive Committee item 1, Ordinance No. 662-01/11 – Amending Article III of the Walworth County Code of Ordinances Relative to Massage was referred back to the Executive Committee.

On motion by Supervisor Schaefer, seconded by Supervisor Kilkenny, the agenda, as amended, was approved by voice vote.

Approval of the Minutes

On motion by Supervisor Brandl, seconded by Supervisor Grant, the minutes of the December 14, 2010 Walworth County Board Meeting were approved by voice vote.

Comment Period by Members of the Public Concerning Items on the Agenda

There were none.

Appointments

1. Lakeshores Library System Board
 - Susan Metzner – Term to begin upon reappointment and end December 31, 2013
(Recommended by the Executive Committee 5-0)
2. Veterans Service Commission
 - John Allen – To fill an unexpired term to begin upon appointment and end on December 31, 2012 (Recommended by the Executive Committee 5-0)
 - Les Allen – Term to begin upon reappointment and end on December 31, 2013
(Recommended for reappointment by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Brandl, Susan Metzner was reappointed to the Lakeshores Library System Board; John Allen was appointed and Les Allen reappointed to the Veterans Service Commission, as recommended by the Executive Committee, by voice vote.

Communications and Matters to Be Referred

Chair Russell announced that unless there was a request for an individual communication to be discussed, the Clerk would dispense with the reading of each title and the Chair would direct that all communications be referred or placed on file as indicated on the agenda.

1. Claims Received After Agenda Mailing – There were none.
2. Claims: a) There were none.
3. Communication from District Attorney Phil Koss – Approving Bonds for Walworth County Elected Officials pursuant to Sec. 19.01(4)(m), Wis. Stats. (To be placed on file)
4. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
5. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing-The following items were placed on Supervisors' desks:
 - Resolution No. 70-01/11 – Initial Resolution Authorizing Not to Exceed \$7,740,000 General Obligation Promissory Notes for Highway Projects – Attachments not included with original mailing
 - Email Communications Received in the Treasurer's Office from Margaret and James Weber, Tamara Weber, and Al and Nancy Mihlbauer in protest of their 2010 property taxes – To be referred to the Finance Committee
 - Jefferson County Ordinance No. 2910-19 – Ordinance Adopting Comprehensive Plan (with Economic Development Emphasis)-Plan is on CD and is on file in the County Clerk's Office – To be placed on file
 - Wisconsin Department of Transportation approval of jurisdictional transfer from Walworth County to the County Trunk Highway System – To be placed on file
 - City of Whitewater Amendments to the City of Whitewater Comprehensive Plan – To be placed on file
 - City of Burlington Ordinance No. 1917(20) – An Ordinance Annexing Territory Located at 34701 Chestnut Street to the City of Burlington, Racine County, Wisconsin – To be placed on file
 - *Walworth County Aging & Disability Resource Center News*, January 2011 – To be placed on file
6. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
 - Delsie J. Everett, Town of Lyons, M-3 to A-1 & C-2
 - Amendment to Walworth County Code of Ordinances Chapter 74-51, 74-61, & 74-131 Zoning; Chapter 74-178, 74-188, & 74-163 Shoreland Zoning.

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency

1. Shane E. Dunham, Town of Sugar Creek, Rezone 1.16 acres of A-1 to A-4 – approved 7 – 0 (12-16-10 public hearing)
2. Frank G. Krueger (Jane K. Manske, App.), Town of Sugar Creek, Rezone 1.01 acres of M-4 to A-5 – approved 7 – 0 (12-16-10 public hearing)

On motion by Supervisor Stacey, seconded by Supervisor Weber, the County Zoning Agency Report of Proposed Zoning Amendments, items 1 and 2, were approved as recommended by the County Zoning Agency.

Executive Committee

1. Ordinance No. 662-01/11 – Amending Article III of the Walworth County Code of Ordinances Relative to Massage-*Vote required: Majority* (Recommended by the Executive Committee 5-0)
2. Ordinance No. 663-01/11 – Amending Chapter 2 of the Walworth County Code of Ordinances Pertaining to Membership of the Health and Human Services Board-*Vote required: Two-thirds* (Recommended by the Health and Human Services Board 6-0 and the Executive Committee 5-0)
3. Resolution No. 71-01/11 – Establishing the Criteria to be Used in Developing a Redistricting Plan, Selecting the Southeastern Wisconsin Regional Planning Commission (SEWRPC) to Prepare the Plan and Providing Guidelines to be Followed in the Redistricting Process-*Vote required: Majority* (Recommended by the Executive Committee 5-0)
4. Resolution No. 72-01/11 – Denying the Claim of AT&T for Damage to a Telephone Pedestal and Buried Cable Located at N4144 County Highway NN in Lake Geneva, Wisconsin-*Vote required: Majority* (Recommended by the Executive Committee 5-0)

Item 1, Ordinance No. 662-0111, was referred back to the Executive Committee earlier in the meeting.

Supervisor Hawkins offered a motion, seconded by Supervisor Weber to approve item 2, Ordinance No. 663-01/11. On motion by Supervisor Grant, seconded by Supervisor Weber, item 2, **Ordinance No. 663-01/11** was approved by **unanimous consent**.

Supervisor Weber offered a motion, seconded by Supervisor Grant, to approve item 3, Resolution No. 71-01/11. On motion by Supervisor Kilkenny, seconded by Supervisor Weber, the Policy and Fiscal Note, page 3 of the resolution and page 48 of packet number two, was amended to change the date from April 2012 to February/April 2012. **Resolution No. 71-01/11** was approved **as amended** by voice vote.

On motion by Supervisor Weber, seconded by Supervisor Brandl, item 4, **Resolution No. 72-01/11** was approved by voice vote.

Finance Committee

1. Resolution No. 69-01/11 - Supporting Changes to Section 74.29 of the Wisconsin Statutes Relative to Special Assessments and Special Charges-*Vote Required: Majority* (Recommended by the Finance Committee 5-0)
2. Resolution No. 70-01/11 - Initial Resolution Authorizing Not to Exceed \$7,740,000 General Obligation Promissory Notes for Highway Projects-*Vote Required: Three-fourths* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Stacey, seconded by Supervisor Grant, item 1, **Resolution No. 69-01/11**, was approved by voice vote.

Chair Russell said that there was a memo and attachments, which were missing from the Policy and Fiscal Note pages for this resolution, and they were placed on Supervisors' desks this evening. The resolution is the same as was included in the packets.

Supervisor Ingersoll offered a motion, seconded by Supervisor Grant, to approve item 2, Resolution No. 70-01/11. A roll call vote was held. Approval required three-fourths vote or 9 ayes to pass. Total vote: 11; Ayes: 11 - Richard Brandl, Jerry A. Grant, Randy Hawkins, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Joe Schaefer, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell; Noes: 0; Absent: 0. **Resolution No. 70-01/11** was approved by roll call vote.

Public Works

1. Resolution No. 73-01/11 – Approving a Lease Agreement between Walworth County and the Children’s Service Society of Wisconsin-*Vote required: Majority* (Recommended by the Public Works Committee 5-0)

On motion by Supervisor Ingersoll, seconded by Supervisor Wardle, **Resolution No. 73-01/11** was approved by voice vote.

Reports of Special Committees

There were none.

Comment Period by Members of the Public Concerning Items Not on the Agenda

There were none.

Nomination for Committee/Board/Commission Appointment

Committee: Aging and Disability Resource Center (ADRC) Board

Nominee: Rich Lorenz

Address: 2330 Partridge Woods Court
Burlington, WI 53105

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? Jo Timms

When did/does the incumbent's current term expire? June 30, 2012

Was this vacancy advertised? no

Comment Mr. Lorenz's term would begin upon County Board appointment and end
on June 30, 2013. Mr. Lorenz's notice of interest is attached.

Names of individuals who have expressed interest in serving in this position:

(none)

For incumbents, committee attendance, if known:

WALWORTH COUNTY
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE

Name: Rich Lorenz Date: 12/20/10
Mailing Address: 2330 Partridge Woods Phone: 763-9390
Burlington, VT CT 847409.3046
53105

I reside in: the Town of Lycor
 the Village of _____
 the City of _____

Please consider me for appointment to: ADRC Governing Board

I am interested in serving as a citizen representative because: I have a
17 year old daughter with autism and
so I have vested interest in the
support available to her and others like her
in the community.

Special skills, experience or qualifications I possess related to this appointment are:

I am a business owner - at one time employed
over 300 people. I have an accounting and
an MBA degree also.

Check one of the following:

I am a resident of Walworth County and reside in the appropriate jurisdiction to serve on the board or commission for which I am applying.

I am not a resident of Walworth County.

I certify that the information I have provided is truthful to the best of my knowledge.

Rich Lorenz 12/20/10
Signature of Applicant Date

Feel free to attach any additional documentation to this form.

Nomination for Committee/Board/Commission Appointment

Committee: Board of Adjustment

Nominee: Gregory Guidry

Address: W6987 Quinney Road

Elkhorn, WI 53121

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? The nominee currently serves as a BOA alternate member.

When did/does the incumbent's current term expire? _____

Was this vacancy advertised? no

Comment Appointment of Mr. Guidry would be to fill the position vacated by Mark

Bromley, with the term ending on June 30, 2013. Mr. Guidry's application is attached.

Names of individuals who have expressed interest in serving in this position:

For incumbents, committee attendance, if known:

WALWORTH COUNTY
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE

Name: Gregory Guidry

Date: 11/11/10

Mailing Address: W6987 Quinney Rd
Elkhorn WI 53121

Phone: 262 9035932

I reside in: the Town of Sugar Creek
 the Village of _____
 the City of _____

Please consider me for appointment to: Board of Adjustment

I am interested in serving as a citizen representative because: I have been the 1st alternate for the past 6 plus months. I have been attending the meeting so I will ready when the opportunity calls.

Special skills, experience or qualifications I possess related to this appointment are:

I have been a building inspector for the past 9 years & in construction for 30 plus years

Check one of the following:

I am a resident of Walworth County and reside in the appropriate jurisdiction to serve on the board or commission for which I am applying.

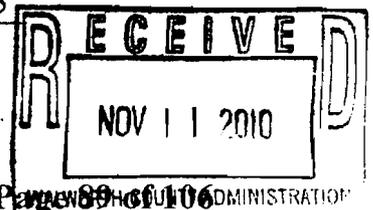
I am not a resident of Walworth County.

I certify that the information I have provided is truthful to the best of my knowledge.

Gregory E Guidry
Signature of Applicant

11/11/10
Date

Feel free to attach any additional documentation to this form.



Nomination for Committee/Board/Commission Appointment

Committee: Ron Henriott

Nominee: 950 South Second Street

Address: Delavan, WI 53115

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? The nominee is the incumbent.

When did/does the incumbent's current term expire? February 28, 2011

Was this vacancy advertised? no

Comment Appointment of Mr. Henriott would be for an additional five-year term, to begin upon County Board appointment and end on February 28, 2016. Attached is Mr. Henriott's application, together with the WalCoMet Commission's letter of recommendation.

Names of individuals who have expressed interest in serving in this position:

For incumbents, committee attendance, if known:

**WALWORTH COUNTY
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE**

Name: Ron Henriott

Date: 12-14-10

Mailing Address: 950 South Second Street, Delavan, WI 53115

Phone: 262-728-5543

- I reside in: the Town of
 The Village of:
 The City of Delavan

Please consider me for appointment to: Walworth County Metropolitan Sewerage District Board of Commissioners

I am interested in serving as a citizen representative because: Please Note Attached Document!

Special skills, experience or qualifications I possess related to this appointment are:

Walworth County Metropolitan Sewerage District Commissioner 2006 - Present
City of Delavan, Water & Sewer Commission Member 1994 - 2002

Check one of the following:

I am a resident of Walworth County and reside in the appropriate jurisdiction to serve on the board or commission for which I am applying.

I am not a resident of Walworth County.

I certify that the information I have provided is truthful to the best of my knowledge.


Signature of Applicant

12/10/2010
Date

Feel free to attach any additional documentation to this form.

I believe that I have the knowledge and experience of working within the Walcomet system. I have been happy to have served as a Walcomet commissioner for the past five years, and feel that those years have given me a great understanding of the operations and maintenance of the system.

I feel that with the completion of the total redesign and construction of the physical plant at the Walcomet facility, there is the strong possibility that some internal changes may be needed. I would like to remain as a member of this board if those changes are to be made.

I would be happy to serve again as a representative to help continue the high level of service to the systems customers.

WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT

975 W. Walworth Ave. • Delavan, WI 53115

December 14, 2010

Ms. Nancy Russell, Chairperson
Walworth County Board of Supervisors
Walworth County Government Center
PO Box 1001
100 W. Walworth
Elkhorn, Wisconsin 53121

Ms. Kimberly S. Bushey, County Clerk
Walworth County Government Center
PO Box 1001
100 W. Walworth
Elkhorn, Wisconsin 53121

RECEIVED
WALWORTH COUNTY CLERK
2010 DEC 17 AM 9:03

Subject: WalCoMet Commissioner Appointment

Dear Ms. Russell and Ms. Bushey:

The term of WalCoMet Commissioner Ron Henriott will expire on February 28, 2011.

At their December 14, 2010 regular meeting the Commissioners of WalCoMet unanimously recommended that Ron Henriott be reappointed as a Commissioner.

Mr. Henriott's experience and leadership have been valuable to the management of WalCoMet and for these reasons we would like him to continue as Commissioner.

We are therefore requesting that Walworth County conduct its appointment process to select a successor. Mr. Henriott has indicated that he is interested in being reappointed to another term on the WalCoMet Commission. Attached please find his application along with a letter providing unanimous support for his reappointment signed by the current members of the WalCoMet Board of Commissioners.

Sincerely,



Karla Rose Eggink, P.E.
Administrator

WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT

975 W. Walworth Ave. • Delavan, WI 53115

December 14, 2010

Ms. Nancy Russell, Chairperson
Walworth County Board of Supervisors
PO Box 1001
100 W. Walworth
Walworth County Courthouse
Elkhorn, WI 53121

Walworth County
Ms. Kim Bushey, County Clerk
PO Box 1001
100 W. Walworth
Walworth County Courthouse
Elkhorn, WI 53121

Re: WalCoMet Commission Appointment

Dear Ms. Russell,

Please be advised that the term of WalCoMet Commissioner Ron Henriott will end on February 28, 2011. The Commissioners of the Walworth County Metropolitan Sewerage District, at their Regular Meeting held on December 14, 2010, unanimously adopted a recommendation that Ron Henriott be re-appointed to another five-year term (March 1, 2011 to February 28, 2016) as a Commissioner of WalCoMet.

Mr. Henriott's experience and leadership have been valuable to the management of WalCoMet and for these reasons we would like him to continue as Commissioner.

Sincerely,


Dean Logterman, President


Thomas Eck, Commissioner Secretary


Brandon Johnson, Commissioner


Harold Shortenhaus, Commissioner

CLAIM FOR DAMAGES

2011 JAN 25 AM 10: 12

TO: Kimberly S. Bushey
Clerk of Walworth County, Wisconsin
100 West Walworth Street
Elkhorn, WI 53121
Clerk of Walworth County on behalf of Walworth County

Shane Crawford
Public Works Director
W4097 County Road NN
Elkhorn, WI 53121
Employee of Walworth County

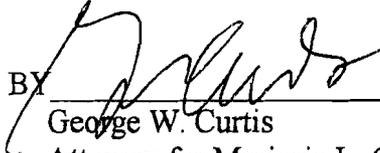
The following claim for damages is made pursuant to Section 893.80(1)(b), Stats.

1. Claimant Marjorie L. Geiger is an adult who resides at 6833 West Hobart Avenue, Chicago, Cook County, Illinois 60631.
2. On or about September 14, 2009, Marjorie L. Geiger was traveling westbound on Highway 120 in Walworth County, when she drove into a hole on the highway that was not adequately marked.
3. As a result of this accident, Marjorie L. Geiger sustained injuries to her right ankle, back, right breast, and abdomen, as well as injury to her body as a whole.
4. At all times material, the highway was owned and maintained by Walworth County and work was being performed on the highway by the Public Works Department of Walworth County.
5. On information and belief, Walworth County and the Public Works Department of Walworth County were negligent due to inadequate markings, signage, and warnings of the danger through signs and through signals from agents/employees of Walworth County, resulting in injuries to the Marjorie L. Geiger.
6. The defect and inadequacies existed for sufficient time such that the Public Works Department of Walworth County had adequate notice of the defect prior to September 14, 2009.
7. As a direct and proximate result of the negligence of Walworth County, Marjorie L. Geiger sustained and, on information and belief will sustain in the future, injuries and damages in the form of past and future pain, suffering and disability, past and future medical expenses, wage loss and loss of earning capacity in the amount of \$250,000.

WHEREFORE, Marjorie L. Geiger demands satisfaction in the amount of \$250,000 from Walworth County.

Dated this 18 day of January, 2011.

CURTIS LAW OFFICE

BY 
George W. Curtis
Attorney for Marjorie L. Geiger

491 South Washburn Street, Suite 100
P.O. Box 2845
Oshkosh, WI 5903-2845
(920) 233-1010

State Bar No.: 1008548

DATE 11/25/11 TIME 10:10 AM.
PLACE 100 West Walworth St
Chicago IL
MANNER Personal
UPON Bartholomew Bunting, Walworth County Clerk.
BY [Signature]
GREGG INVESTIGATIONS

JAN 2011

Dear Walworth County Board

RECEIVED
JAN 13 2011
Walworth County Board

Some years ago I left Illinois because as a hobbyist, collector and or builder of vehicles I was constantly harassed because of my endeavors and cheated and extorted by government. so, I relocated to Wisconsin, which has a legal structure for markets which was lacking in Illinois. AFTER ARRIVING IN LINN TOWNSHIP my life became an over-regulated nightmare ruled by Linn Township and neighbors, eventually I

II Landed at N. 2986 North
Road, Darren Wisconsin 53114, in
the county of Walworth, WI,
where my room mate and I
have run afoul of zoning
section. 74-38. Use regulations
paragraph 116? which reads as
follows, Automotive salvage yard: any
premises on which more than one self-
propelled vehicle, not in running condition
and/or operating condition, is not stored
within an enclosed building. Running and
or operating conditions shall be a veh-
icle currently licensed, registered

157
and operating in accordance with
all applicable regulations of the depart-
ment of motor vehicles for the state of
Wisconsin.

Nancy Welstch is your zoning
person, and she has been very patient
with my roommate, Leon Van Acker
and now me, William Vlach but what Wal-
worth County wants presents a hard-
ship to us and is not constitutionally
realistic.

The State of Wisconsin has a solution
to our dilemma ^{15 p} which can be found
in pages 429 + 430, Wisconsin Statutes

IV

PLEASE SEE, SECTION 341.266, NUMBER 4
WHICH READS: A COLLECTOR MAY STORE
UNLICENSED, OPERABLE OR INOPERABLE, VEHICLES
AND PARTS CARS ON THE COLLECTOR'S PROPERTY
PROVIDED THE VEHICLES AND PARTS CARS
AND THE OUTDOOR STORAGE AREA ARE MAINTAIN-
ED IN SUCH A MANNER THAT THEY DO NOT
CONSTITUTE A HEALTH HAZARD, AND ARE
SCREENED FROM ORDINARY PUBLIC VIEW
BY MEANS OF A FENCE, RAPIDLY GROWING
TREES, STRAWBERRY OR OTHER APPROPRIATE
MEANS.

THESE STATUTES GIVE US AND OUR COLLECTOR
FOLKS A CHANCE AT SURVIVAL IN A MORE DECENT
MANNER.

↓

Please amend your laws to
conside with the Wisconsin Statutes

Yours Most Sincerely

William Vlach

Walworth County Resident

N 2886 North Road

Darien Wisconsin 53114

PHONE 262.887.5113

I am a collector, restorer, builder, hobbyist
artist etc. THANK YOU



January 27, 2011

Walworth County Board Supervisors

Board of Supervisors

Re: Wisconsin "Open for Business"

Dear Supervisors:

Governor Scott Walker has boldly stated that Wisconsin is "Open for Business." In the past, County Board discussions concerning business have focused on support for the Walworth County Economic Development Alliance (WCEDA) and zoning issues. My question of the Board is two-fold:

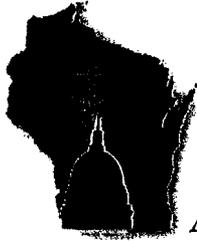
1. Should Walworth County be "open for business"?
2. Are we open for business? If not, what might we do, specifically, to ensure that we are truly open for business?

I request that this letter be referred to both the County Zoning Agency and the Executive committee.

Very truly,

Rick Stacey
District 1 County Board Supervisor

C: Governor Scott Walker



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR

MIKE HUEBSCH
SECRETARY

Division of Executive Budget and Finance
Federal Funds Unit
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 264-9573
Fax (608) 267-0372

January 12, 2011

Kimberly S. Bushey
Walworth County Clerk
100 West Walworth St
PO Box 1001
Elkhorn, WI 53121

RECEIVED
WALWORTH COUNTY CLERK
2011 JAN 18 AM 9:08

Dear Ms. Bushey:

Under the 2009 Wisconsin Act 28, \$76,139,100 of federal stimulus funds authorized under the *American Recovery and Reinvestment Act of 2009 (ARRA)* was allocated to county and municipal aid payments.

Your county's November 2009 payment of \$76,412.86 was paid from the federal ARRA Funds.

The Department of Administration Federal Funds Team requested the county provide documentation to support the fact the ARRA Funds were expended in a manner previously certified by the county and in accordance with the requirements of the 2009 ARRA Act. The DOA Federal Funds Team has completed a desk review of the documentation received.

As a result of the desk review, we find that the county has expended the funds received in accordance with the requirements of the *American Recovery and Reinvestment Act of 2009*.

Thank you for your assistance in gathering the documentation provided. If you have any further question, please contact Art Stauffacher at 608-266-0777.

Sincerely,

Christopher Patton
Director

cc: David Bretl, Admin.
Nicki Andersen, Finance

27.

Motion by:				
Second by:				
Dist.	Supervisor	Y	N	Abs
13	Alber			
18	Bailey			
12	Berndt			
3	Bloomer			
1	Caylor			
17	Eisenman			
19	Fox			
10	Giese			
8	Krueger			
15	Lee			
16	Loka			
14	Lussow			
20	Meyer			
11	Mittelsteadt			
4	Pampuch			
22	Rankin			
7	Rusch			
5	Saal			
21	Simon			
2	Weaver			
6	Woller			
9	Zeitz			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

Title: Support Legislative Changes to Modify Binding Arbitration for Public Employees

WHEREAS, the State Legislature has mandated compulsory binding arbitration for all public employees, including protective service employees; and

WHEREAS, compulsory binding arbitration has severely restricted local elected officials' ability to control wage and benefit increases; and

WHEREAS, the State Legislature has limited how much the counties can increase their property tax.

NOW THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors requests the State Legislature take action to amend the appropriate state statutes to create a process of bargaining that allows local government better control over employees' wages and benefits including use of local private sector comparables.

BE IT FURTHER RESOLVED that the Lincoln County Clerk is directed to forward a copy of this resolution to all Counties, Lincoln County legislative delegation, Governor Scott Walker, and the Wisconsin Counties Association.

Dated this 18th day of January, 2011

Introduced by: Administrative & Legislative Committee

Date Passed: January 10, 2011 Passed 6 - 0

Fiscal Impact: Unknown

Drafted by: Randy Scholz, Administrative Coordinator

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

hereby certify that this
 solution/ordinance
 a true and correct copy of a
 solution/ordinance adopted
 / Lincoln County Board of
 Supervisors on:

 Sheila Pudelko, County Clerk

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607

TELEPHONE (262) 547-6721
FAX (262) 547-1103

RECEIVED
WALWORTH COUNTY CLERK
JAN 11 11:26

Serving the Counties of:

KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



January 13, 2011

Chairman and Members of the Board of Supervisors
of the County of Walworth
c/o Ms. Kimberly S. Bushey, County Clerk
Walworth County
100 West Walworth Street
Elkhorn, WI 53121

Dear Chairman and Members of the County Board:

In accordance with Section 66.0309(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission is hereby providing to you a certified copy of SEWRPC Planning Report No. 52, *A Regional Water Supply Plan for Southeastern Wisconsin*. A copy of Commission Resolution No. 2010-18 adopting this plan as a guide for the physical development of the Region is bound in the front of this report. The report documents another important element of the evolving comprehensive plan for the physical development of the Region—a plan for the provision of a long-term, sustainable water supply for the seven-county Southeastern Wisconsin Region.

It is respectfully requested that, upon the recommendation of the Walworth County Zoning Agency, the County Board endorse this important plan element, and direct integration of the findings and recommendations of the plan into ongoing County activities related to water supply and land use development. A model resolution for the requested plan endorsement is also enclosed.

County endorsement of this regional plan element is important to help assure a common understanding among the municipalities within the Region—as well as among the various water utilities, special purpose units of government, and various State and Federal agencies of government involved—concerning the conservation and wise use of the surface and ground water resources of the Region, and the importance of these resources to the continued economic development of the Region and to land use development and redevelopment within the Region.

If the Commission or its staff can be of assistance to the County in its consideration of this plan element, please do not hesitate to call upon us. Such assistance could include Commission staff presentations of the plan and its specific recommendations to appropriate County Board staff and committees.

Sincerely,

David L. Stroik
Chairman

DLS/KRY/KWB/lgh/dad
#154535 v1 - Final PR52 Transmittal-County

Enclosure

cc: Mr. David A. Bretl
Mr. Michael P. Cotter

**MODEL RESOLUTION FOR
ENDORSEMENT OF THE REGIONAL WATER
SUPPLY PLAN FOR SOUTHEASTERN WISCONSIN: 2035**

WHEREAS, the Southeastern Wisconsin Regional Planning Commission, which was duly created by the Governor of the State of Wisconsin in accordance with Section 66.0309(2) of the Wisconsin Statutes on the 8th day of August 1960, upon petition of the Counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha, has the function and duty of making and adopting a master plan for the physical development of the Region; and

WHEREAS, the Southeastern Wisconsin Regional Planning Commission, pursuant to its function and duty as a regional planning agency has prepared and adopted at its meeting held on the 1st day of December 2010, a regional water supply plan as set forth in a report entitled, SEWRPC Planning Report No. 52, *A Regional Water Supply Plan for Southeastern Wisconsin: 2035*, published in December 2010; and

WHEREAS, the Commission has transmitted certified copies of its resolution adopting the regional water supply plan, together with the aforementioned SEWRPC Planning Report No. 52, to the local units of government and water utilities concerned and to the appropriate State and Federal agencies; and

WHEREAS, the (Name of Local Governing Body or Water Utility) has supported, participated in the financing of, and generally concurred in the regional planning programs undertaken by the Southeastern Wisconsin Regional Planning Commission, and believes that the regional water supply plan prepared by the Commission is a sound and valuable guide to the provision of a sustainable water supply not only for the Southeastern Wisconsin Region, but also for the local community, and that the adoption of such plan by the (Name of Local Governing Body or Water Utility) will assure a common understanding by the units and agencies of government concerned and enable these units and agencies of government to program the necessary plan implementation work.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section 66.0309(12) of the Wisconsin Statutes, the (Name of Local Governing Body or Water Utility) on the _____ day of _____, 201____, hereby endorses the regional water supply plan for the Southeastern Wisconsin Region previously adopted by the Commission as set forth in SEWRPC Planning Report No. 52 as a guide for regional and community water supply development.

BE IT FURTHER HEREBY RESOLVED that the _____ clerk transmit a certified copy of this resolution to the Southeastern Wisconsin Regional Planning Commission and to the Secretary of the Wisconsin Department of Natural Resources.

(President, Mayor, or Chairman
of the Local Governing Body or
Administrator or Manager of the
Water Utility)

ATTESTATION:

(Clerk of Local Government Body or
Secretary of Water Utility)



STATE OF WISCONSIN
DEPARTMENT OF MILITARY AFFAIRS
DIVISION OF EMERGENCY MANAGEMENT

Michael Hinman
Administrator

Scott Walker
Governor

Patrick J. O'Connor
WEM Regional Office Supervisor
Southeast Regional Director
21115 E. Moreland Blvd.
Waukesha, WI. 53186-2902

RECEIVED

JAN 13 REC'D

January 14, 2011

Ms. Nancy Russell
County Board Chairperson
P.O. Box 1001
Elkhorn, WI 53121

Walworth County Board

Re: FFY 2010 Second Half Progress Report

Dear Ms. Russell,

The Southeast Region office of Emergency Management has received and reviewed the half-year reports submitted by County Directors of Emergency Management for the second half period of April 01 through September 30, 2010. The following is an excerpt from the Southeast Region report as it relates to your county:

The Director reviewed and updated the County Emergency Operations Basic Plan and supporting Annexes. He also updated county Hazard Analysis, one current and one new EPCRA Off-site plans and submitted one Final plan. The County Director participated in the Regional Long Term Power Outage Table Top Exercise. He maintained a strong connection with his municipalities, serving as a resource when they were impacted by the summer's severe weather, as a mentor when they were updating a local response plan, or as an instructor when they needed a course taught to first responders. Finally, the Director provided keen insight in to the development of the Electronic Tier II program that will be rolled out to the state in the next year. Payment of EMPG and EPCRA grants is recommended for the second reporting period.

If you have any questions regarding your county's emergency management plan of work, or my comments in this report, please feel free to contact me at any time.

Sincerely,

Patrick J. O'Connor, Director
Southeast Region, WEM

Cc: Kevin Williams, Walworth County Emergency Management
Regional File



February 8, 2011 – Walworth County Board Meeting

County Clerk

Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File

Kimberly S. Bushey
County Clerk

- Racine County Resolution No. 2010-111 – Resolution by Intergovernmental Relations Committee Supporting Action by the Wisconsin State Legislature to End Predatory Lending in Wisconsin – Previously referred and will be placed on file

COUNTY OF RACINE)
) SS.
STATE OF WISCONSIN)

I, Wendy M. Christensen, County Clerk of Racine County, do hereby certify that the attached is a true, correct, and exact copy of the original Resolution No. 2010-111 “By Intergovernmental Committee Supporting Action By The Wisconsin State Legislature To End Predatory Lending In Wisconsin” adopted by the RACINE COUNTY BOARD OF SUPERVISORS on January 25, 2011.

Dated at Racine, Wisconsin, this 28th day of January, 2011.



Wendy M. Christensen, County Clerk
RACINE COUNTY, WISCONSIN

Racine County Clerk
730 Wisconsin Avenue
Racine, WI 53403
Phone (262) 636-3482
Fax (262) 636-3491
Email Wendy.Christensen@goracine.org

L:\0cb\Certify WI Counties

2

January 11, 2011

RESOLUTION NO. 2010-111

RESOLUTION BY INTERGOVERNMENTAL RELATIONS COMMITTEE SUPPORTING ACTION BY THE WISCONSIN STATE LEGISLATURE TO END PREDATORY LENDING IN WISCONSIN

To the Honorable Members of the Racine County Board of Supervisors:

WHEREAS, predatory lenders issue small, short term high rate loans to consumers that are to be repaid within a specified timeframe, usually two weeks; and these may be called check cashing, payday loans, cash advance loans, or check advance loans; and

WHEREAS, the predatory loan industry entered Wisconsin in 1995 when state laws that prohibited interest rates above 18% were removed;

- By the end of 1995, there were two licensed payday lenders in Wisconsin, by 2008 this grew to 530;
- According to the Wisconsin Legislative Reference Bureau (LRB), in 2000, the average payday loan applicant made \$24,673 of gross income, so the business model draws in the working poor as well as those relying upon social security or other government payments;
- According to LRB calculations, in 2001 the average APR for a payday loan was an annual interest rate of 542%;
- A national survey by the Center for Responsible Lending (CRL) indicates that "lenders collect 90% of their revenue from borrowers who cannot pay off their loans when due, rather than from one-time users dealing with short-term financial emergencies."
- According to the Wisconsin Department of Financial Institutions (DFI); payday lenders made \$732 million of loans in 2008 with an average loan value of \$428;
- Out-of state investors own most Wisconsin payday lenders, so much of the 'revenue' drains out of Wisconsin;

WHEREAS, former President Bush and the US Congress protected US military personnel against predatory lending practices in the 2007 National Defense Authorization Act by including an amendment to limit interest rates on payday loans made to military personnel at 36%.

NOW, THEREFORE, BE IT RESOLVED that the Racine County Board of Supervisors hereby strongly supports protecting all Wisconsin citizens and families against exploitive lending practices by returning to an interest rate cap to eliminate predatory lending in our state.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the Racine County Clerk is directed to transmit a copy of this Resolution to the Governor of the State of Wisconsin, Racine County's state legislative delegation, all Wisconsin Counties, and the Wisconsin Counties Association.

1 Resolution No. 2010-111

2 Page Two

3
4 Respectfully submitted,

5
6 1st Reading 1-11-11

**INTERGOVERNMENTAL RELATIONS
COMMITTEE**

7
8 2nd Reading 1-25-11

9
10 **BOARD ACTION**

11 Adopted yes

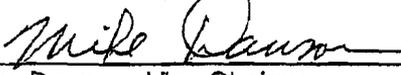
12 For _____

13 Against _____

14 Absent _____



Russell A. Clark, Chairman



Mike Dawson, Vice-Chairman

15
16 VOTE REQUIRED: Majority

Gaynell Dyess, Secretary

17
18 Prepared by:
19 Corporation Counsel

Gilbert Bakke



Mark M. Gleason



Kenneth Hall



Kenneth Lumpkin



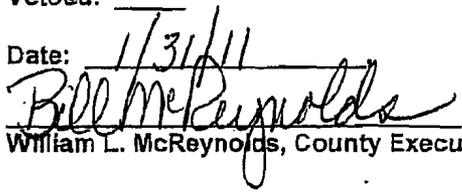
John A. Wisch

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34 The foregoing legislation adopted by the County Board of Supervisors of
35 Racine County, Wisconsin, is hereby:

36 Approved:

37 Vetoed:

38
39 Date: 1/31/11

40 
41 _____
42 William L. McReynolds, County Executive
43
44
45

Hearing Date: February 17, 2011

FORM #2b

REPORT OF PETITIONS REFERRED TO
WALWORTH COUNTY ZONING AGENCY

TO: The County Board of Walworth County

The undersigned County Clerk hereby reports that the following petitions for rezone of lands in Walworth County were referred to the County Zoning Agency for public hearing:

NAME	TOWN	CHANGE REQUESTED	DATE REFERRED
Dwayne Deakins	Lafayette	A-5 to A-1	1-11-11
Kelly and Debra Elliott	Linn	A-1 to A-4	1-11-11
Amendment to Walworth County Code of Ordinances – Sec. 74-264 Floodplain appendix			1-24-11

That copies of said petitions are annexed hereto.

Dated this 25th day of January, 2011.

Shirley A. Busby
County Clerk

ORDINANCE NO. 665 – 02/11

REPEALING ARTICLE III OF CHAPTER 10 OF THE WALWORTH COUNTY
CODE OF ORDINANCES PERTAINING TO MASSAGE

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 **PART I: That Article III of Chapter 10 of the Walworth County Code of Ordinances entitled**
2 **“Massage” is hereby repealed in its entirety.**

3
4
5 **PART II: That this ordinance shall become effective upon passage and publication.**

6
7 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 8th day February
8 2011.

9
10
11
12
13 _____
14 Nancy Russell
15 County Board Chair

13 _____
14 Kimberly S. Bushey
15 Attest: County Clerk

16
17 County Board Meeting Date: February 8, 2011

18 Action Required: Majority Vote _____ Two-thirds Vote X Other _____

Policy and Fiscal Note is attached.

Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

DA Breil 1/28/11
Date
David A. Breil
County Administrator/Corporation Counsel

N. Andersen 1/31/11
Date
Nicole Andersen
Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator.

January 21, 2011
January 21, 2011 - expanded

Please include the following County Zoning Agency items on the February 8, 2011
County Board agenda:

Delsie J. Everett (James Peterson Sons, Inc., App.), Town of Lyons, Rezone 47.3 acres of
M-3 to A-1 & C-2 – approved 6 – 0 (1-20-11 public hearing)

CONFORMANCE WITH COUNTY LAND USE PLAN:

The County 2035 Land Use Plan identifies this area as mostly Prime Agricultural Land in
the proposed A-1 area and a smaller area in the northwestern most corner is identified as
Other Agricultural Rural Residential 5 to 34 acres per dwelling in the proposed C-2 area.
The northeast most corner of the property is in the 100 year floodplain outside the
proposed rezone area.

Thank you.

Resolution No. 74 – 02/11
**Recognizing the Walworth County Visitors Bureau for
Their Involvement in Promoting Walworth County at the Summer 2010 German Fest**

1 Moved/Sponsored by: (Executive)
2

3 **WHEREAS**, Walworth County was designated by the German Fest Board as the festival’s 2010
4 “Honor County”; and,
5

6 **WHEREAS**, Walworth County businesses were featured at the summer 2010 German Fest,
7 providing the opportunity for market exposure in southeastern Wisconsin, thereby promoting
8 economic development in the county; and,
9

10 **WHEREAS**, the Walworth County Visitors Bureau and staff, led by Executive Director Kathy
11 Seeberg and Tammy Dunn, Group Services Manager, worked tirelessly for months preceding the
12 July 2010 festival and during the festival; and,
13

14 **WHEREAS**, the Visitors Bureau contacted Walworth County businesses and arranged for their
15 participation in 2010 German Fest; and,
16

17 **WHEREAS**, through the efforts of the Visitors Bureau, Walworth County was well represented
18 at the festival; and,
19

20 **WHEREAS**, the county wishes to recognize the Walworth County Visitors Bureau for their
21 involvement in the 2010 German Fest.
22

23 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that
24 Walworth County thanks the Visitors Bureau for their efforts in representing the county at the
25 2010 German Fest.
26

27 **BE IT FURTHER RESOLVED** that as an expression of the county’s gratitude, a
28 commemorative plaque presented to the county at the closing ceremonies of 2010 German Fest
29 be and the same is hereby presented to the Walworth County Visitors Bureau.
30
31
32

33 _____
34 Nancy Russell
35 County Board Chair

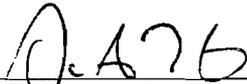
Kimberly S. Bushey
County Clerk

36 County Board Meeting Date: February 8, 2011
37

38 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.

Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

 _____ 1/20/11
Date
David A. Bretl
County Administrator/Corporation Counsel

 _____ 1/20/11
Date
Nicole Andersen
Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator.

ORDINANCE NO. 666 – 02/11

AMENDING SECTION 30-185 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO ESTABLISHMENT OF AGENCY FUNDS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 30-185 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 30-185. Agency fiduciary funds.

Agency funds are used to account for assets where the county is providing custodial services of resources to individuals, private organizations, or other governments. A liability will offset each asset to account for the amount due to the party on whose behalf the assets are held. The county has established the following agency funds:

(b) The county has established the following agency funds which will be reported as All Other Agency Funds:

(10) Student council accounts for proceeds and expenses held on behalf of the Lakeland School student council body.”

BE IT ORDAINED by the Walworth County Board of Supervisors that all previous ordinances and resolutions pertaining to Section 30-185 are hereby superseded.

BE IT FURTHER ORDAINED by the Walworth County Board of Supervisors that this Ordinance shall become effective upon passage and publication.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 8th day of February, 2011.

Nancy Russell
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: February 8, 2011

Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:
David A. Bretl 1/26/11 Date
County Administrator/Corporation Counsel
Nicole Andersen 1/26/11 Date
Deputy County Administrator - Finance
If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 666 - 02/11
Fiscal Note and Policy Impact Statement

- I. **Title:** Amending Section 30-185 of the Walworth County Code of Ordinances Relating to Establishment of Agency Funds
- II. **Purpose and Policy Impact Statement:** This ordinance creates an agency fund for the student council at Lakeland School. These funds were previously recorded as part of the Children with Disabilities Education Board fund but are more appropriately recorded as an agency fund, as the funds may only be used for purposes as designated by the student council.
- III. **Is this a budgeted item and what is its fiscal impact:** This is not a budgeted item as funds were previously recorded in a balance sheet only.
- IV. **Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Finance

Date: January 20, 2011

Vote: 5 - 0

County Board Meeting Date: February 8, 2011

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached ordinance.

DA 36 1/26/11
David A. Bretl Date
County Administrator/Corporation Counsel

N. Andersen 1/26/11
Nicole Andersen Date
Deputy County Administrator - Finance

Resolution No. 75-02/11
**Authorizing Closure of the Financial Systems Upgrade Project and Transferring
Remaining Funds to the General Fund Unassigned Fund Balance**

1 Moved/Sponsored by: Finance Committee

2
3 **WHEREAS**, the budget for the Munis financial systems upgrade was originally \$1,400,600;
4 and,

5
6 **WHEREAS**, the system was implemented as of January 1, 2007 for the general ledger modules
7 and January 1, 2009 for the payroll modules and all outstanding conversion items have been
8 completed as of December 31, 2010 with total expenses of \$794,102; and,

9
10 **WHEREAS**, transfers for the Kronos timekeeping project in the amount of \$6,100 and the
11 document manager project in the amount of \$200,000 have been previously authorized; and,

12
13 **WHEREAS**, remaining budgeted funds for this project are \$400,398 with the funding source of
14 General Fund unassigned fund balance.

15
16 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
17 declares the financial upgrade project complete and approves the transfer of the remaining
18 project funds to the General Fund unassigned fund balance account as of December 31, 2010.

19
20
21
22
23
24 _____
25 Nancy Russell
26 County Board Chair

Kimberly S. Bushey
County Clerk

27
28
29 County Board Meeting Date: February 8, 2011

30
31 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.

Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl 1/27/11
Date
County Administrator/Corporation Counsel

Nicole Andersen 1/28/11
Date
Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 75-02/11

- I. **Title:** Authorizing Closure of the Financial Systems Upgrade Project and Transferring Remaining Funds to the General Fund Unassigned Fund Balance
- II. **Purpose and Policy Impact Statement:** This resolution authorizes closure of the Munis financial systems upgrade project in the multi-year capital projects fund with remaining funds to be transferred to the General Fund unassigned fund balance.
- III. **Budget and Fiscal Impact:** Remaining project funds, in the amount of \$400,398, shall be transferred and available in the General Fund unassigned fund balance for future years' budget allocations. The project came in significantly under budget due to reduced reliance on the vendor during implementation. County staff completed much of the consulting and training in-house compared to the original budgeted timetable and should be commended for their efforts to achieve the resulting cost savings.
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Finance

Meeting Date: January 20, 2011

Vote: 5 – 0

County Board Meeting Date: February 8, 2011

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl 1/27/11
Date
County Administrator/Corporation Counsel

Nicole Andersen 1/28/11
Date
Deputy County Administrator - Finance

ORDINANCE NO. 668 – 02/11

AMENDING CHAPTER 50 OF THE WALWORTH COUNTY CODE OF ORDINANCES
RELATING TO INTERJURISDICTIONAL AGREEMENTS FOR THE PLACEMENT
OF OUT-OF-COUNTY RESIDENTS IN WALWORTH COUNTY

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 PART I: That Section 50-9 of the Walworth County Code of Ordinances is hereby created
2 to read as follows:

3
4 “Sec. 50-9. Interjurisdictional Agreements Required.

5
6 (a) It is the intent of this section to allow appropriate Crisis Intervention services and
7 to prevent the taxpayers of Walworth County from paying the costs associated with residents of
8 other jurisdictions when those residents are placed in certain temporary living situations within
9 Walworth County.

10
11 (b) This ordinance requires certain facilities that accept such placements of out-of-
12 county residents to obtain and maintain current Interjurisdictional Agreements, thus effectively
13 facilitating proper Crisis Intervention services and relieving Walworth County taxpayers of
14 unnecessary expenses.

15
16 (c) For the purposes of this ordinance, an Interjurisdictional Agreement shall consist
17 of a written document containing the following:

- 18
19 (1) The name of the person being placed in Walworth County from another
20 jurisdiction (Subject) and the date placement is to be effected.
21
22 (2) The physical address and telephone number where the subject is to be placed
23 (Placement).
24
25 (3) The type of license or certification held by the placement (e.g., Skilled Nursing
26 Facility, Child Family Foster Home, Adult Family Home, Community-Based
27 Rehabilitation Facility).
28
29 (4) The name and mailing address of the legal entity holding the license or
30 certification identified in item three, above (Licensee).
31
32 (5) The name, mailing address, telephone number, and after-hours contact
33 information for the jurisdiction placing the subject (Home Jurisdiction).
34
35 (6) The legal status of the Subject (e.g., §51.20, §55.12, §48, §938, §54, Voluntary).
36

1 (7) A statement that the subject remains a resident of the Home Jurisdiction, and that
2 the Home Jurisdiction retains financial responsibility for the subject, including
3 costs associated with §51.15 Emergency Detention or §55.13 Emergency
4 Protective Services, while placed in Walworth County.
5

6 (8) Any special instructions deemed necessary by the Home Jurisdiction for after-
7 hours care or hospitalization.
8

9 (9) Signatures of authorized representative of both Licensee and Home Jurisdiction.
10

11 (d) An Interjurisdictional Agreement shall be provided to the Walworth County
12 Department of Health and Human Services at or before the date of placement of the Subject in
13 Walworth County. Current documentation of Subject's legal status shall accompany the
14 Interjurisdictional Agreement.
15

16 (e) The Interjurisdictional Agreement and documentation of legal status shall be
17 updated and provided to the Walworth County Department of Health and Human Services by the
18 Licensee within five (5) calendar days of any changes to the agreement or client's legal status.
19

20 (f) Penalty. Any person, firm, or corporation who fails to comply with the provisions
21 of this ordinance shall, upon conviction thereof, forfeit not less than twenty five dollars (\$25.00)
22 nor more than one hundred dollars (\$100.00) and costs of prosecution for each violation. Each
23 day a violation exists or continues shall constitute a separate offense. Each subject residing at
24 the placement facility shall constitute a separate violation.
25

26 (g) Passive enforcement. The penalty provisions of this ordinance shall be invoked
27 when a Subject receives Crisis Intervention services through Walworth County, including but not
28 limited to §51.15 Emergency Detention or §55.13 Emergency Protective Services. The
29 Walworth County Corporation Counsel's Office shall prosecute each violation utilizing
30 appropriate civil remedies.
31

32 (h) Exemption: An Interjurisdictional Agreement under this ordinance shall not be
33 required for any person placed from a county that is a current signatory to an Intercounty
34 Agreement on Adult Venue to which Walworth County is also a party."
35

36 **PART II: This Ordinance shall become effective upon passage.**
37

38 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 8th day of
39 February 2011.
40

41
42
43 _____
44 Nancy Russell
45 County Board Chair
46

41
42
43 _____
44 Kimberly S. Bushey
45 Attest: County Clerk
46

1 County Board Meeting Date: February 8, 2011

2 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.

Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

DA36 1/28/11
David A. Bretl Date
County Administrator/Corporation Counsel

N. Andersen 1/31/11
Nicole Andersen Date
Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 668 - 02/11
Fiscal Note and Policy Impact Statement

- I. **Title:** Amending Chapter 50 of the Walworth County Code of Ordinances Relating to Interjurisdictional Agreements for the Placement of Out-of-County Residents in Walworth County
- II. **Purpose and Policy Impact Statement:** State law permits various agencies to license or certify nursing homes, foster family homes for adults and children, and other community-based residential facilities. The facilities thus licensed or certified often accept placements of persons who are residents of other jurisdictions. When crisis events occur, the Walworth County Health and Human Services Department is required by statute to provide certain emergency services and to bear the initial cost of these services (which can be considerable) in the absence of an agreement with the placing jurisdiction. Despite attempts to obtain such agreements, they are rarely provided. This situation compromises the ability of the Crisis Intervention Unit to provide clinically appropriate services and results in significant unnecessary cost to the taxpayers of Walworth County. This ordinance requires certain facilities that accept such placements of out-of-county residents to obtain and maintain current Interjurisdictional Agreements, thus effectively facilitating proper Crisis Intervention services and relieving Walworth County taxpayers of unnecessary expenses. The ordinance is passively enforced, meaning that a facility will only be penalized in the event that Crisis Intervention services are required in the absence of a current Interjurisdictional Agreement.
- III. **Is this a budgeted item and what is its fiscal impact:** Passage of this ordinance will not result in any negative fiscal impact on the Walworth County budget and may result in both direct and indirect budget savings.
- IV. **Referred to the following standing committee(s) for consideration and date of referral:**

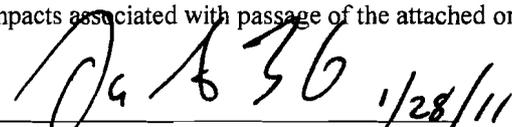
Committee: Health & Human Services

Date: January 19, 2011

Vote: 7 - 0

County Board Meeting Date: February 8, 2011

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached ordinance.



David A. Bretl
County Administrator/Corporation Counsel

Date



Nicole Andersen
Deputy County Administrator - Finance

Date

ORDINANCE NO. 664-02/11

AMENDING SECTION 15-634 OF THE WALWORTH COUNTY CODE
OF ORDINANCES RELATING TO USE OF COUNTY AND PERSONAL VEHICLES

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 PART I: That Section 15-634 of the Walworth County Code of Ordinances is hereby
2 amended to read as follows:

3
4 “Sec. 15-634. Use of county and personal vehicles.

5
6 (a) Except as provided under subsection (b), employees are prohibited from using a
7 county vehicle to commute from home to work or work to home or for any other personal
8 reasons.

9
10 (b) Employees and elected officials holding the following positions shall be assigned
11 a county vehicle and are required to commute in the vehicle for bona fide non-compensatory
12 business reasons: sheriff, under-sheriff, captain, lieutenant, deputy sheriffs assigned to K-9 units,
13 public works superintendents, public works director of operations, and assistant public works
14 superintendent - roads and assistant public works superintendent - shop. At any time the
15 department head may access the vehicle or assign alternative use of a county vehicle. The county
16 may require that the vehicle be stored on county premises. Employees shall be required to
17 maintain a log showing the personal use of the vehicle and submit the log for payroll processing.

18
19 (c) If a county vehicle is provided for bona fide business use, the employee shall not
20 use the vehicle for personal purposes other than for commuting or *de minimis* personal use. In
21 addition, the employee’s spouse or dependents shall not be allowed in the commuter vehicle for
22 any reason.

23
24 (d)(e) No employee shall drive a county-owned vehicle or their own personal vehicle on
25 county business without first possessing a valid driver's license and liability insurance as
26 required by section 30-455(c) of the Code of Ordinances. Employees shall promptly report the
27 loss of their driver's license or liability insurance coverage to their supervisor.

28
29 (e) Absolute sobriety shall be required of any employee or elected official while
30 operating a county-owned vehicle.

31
32 (f)(d) In addition to those employees set forth in (b), the assistant public works
33 superintendent - facilities and the assistant public works superintendent - facilities plant
34 operations may be required to commute in a county-owned vehicle for bona fide non-
35 compensatory business reasons. In the event such action is required, the deputy county
36 administrator - central services will make such designation in writing to the deputy county
37 administrator - finance. Use of county-owned vehicles by the personnel listed herein shall be in
38 accordance with the terms of all applicable ordinances.

1 (g) For the employees set forth in (b) and (f), the county will follow the Commuting
2 Rule as established by the IRS and described in IRS Publication 15-B to properly tax the fringe
3 benefit of the personal use. As part of the Commuting Rule, the employee is required to
4 maintain documentation showing the personal use of the vehicle and submit said documentation
5 for payroll processing of the taxation.
6

7 (h) On an annual basis, employees assigned a county vehicle shall provide a report to
8 the Human Resources Committee detailing the number of call-outs they responded to throughout
9 the year.”
10

11 **PART II: This Ordinance shall become effective upon passage.**

12
13 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 8th day of
14 February, 2011.
15

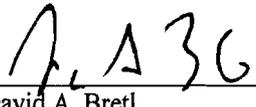
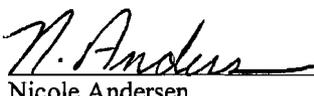
16
17
18
19 _____
20 Nancy Russell
21 County Board Chair

Kimberly S. Bushey
Attest: County Clerk

22
23 County Board Meeting Date: February 8, 2011

Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

	
David A. Bretl	Nicole Andersen
County Administrator/Corporation Counsel	Deputy County Administrator - Finance
<u>1/28/11</u>	<u>1/31/11</u>
Date	Date

If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 664-02/11
Fiscal Note and Policy Impact Statement

I. Title: Amending Section 15-634 of the Walworth County Code of Ordinances Relating to Use of County and Personal Vehicles

II. Purpose and Policy Impact Statement: This ordinance updates the employees and elected officials authorized to be assigned a county vehicle. Guidelines specified by the IRS Commuting Rule shall be followed to ensure that required documentation of personal use of such vehicles is maintained and properly tax the fringe benefit of such personal use.

III. Is this a budgeted item and what is its fiscal impact: There is no fiscal impact related to adoption of this ordinance.

IV. Referred to the following standing committee(s) for consideration and date of referral:

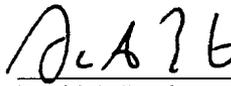
Committee: Human Resources

Date: January 19, 2011

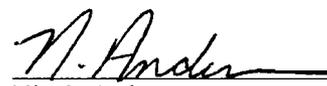
Vote: 5 - 0 with the exception of the portion of the ordinance relating to spousal use, which the committee recommended 4 -1.

County Board Meeting Date: February 8, 2011

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached ordinance.

 1/28/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 1/31/11

Date
Nicole Andersen
Deputy County Administrator - Finance

ORDINANCE NO. 669-02/11

CREATING CHAPTER 51 OF THE WALWORTH COUNTY CODE OF ORDINANCES
RELATING TO THE LAKELAND HEALTH CARE CENTER

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 **PART I: That Chapter 51 of the Walworth County Code of Ordinances entitled**
2 **“Lakeland Health Care Center” is hereby created to read as follows:**

3
4 **“ARTICLE I.**

5
6 **IN GENERAL**

7
8 **Sec. 51-1. Board of Trustees.**

9
10 The supervisor members of the Health and Human Services Board shall serve as the
11 trustees of the Lakeland Health Care Center and perform those duties required by Section 46.18
12 of the Wisconsin Statutes.

13
14 **Sec. 51-2. Mission of Lakeland Health Care Center.**

15
16 The mission of Lakeland Health Care Center is to provide superior care which enhances
17 quality of life and supports the independence of all of our residents. The Lakeland Health Care
18 Center is dedicated to the citizens of Walworth County, offering a comfortable homelike
19 environment in a financially responsible manner. With the support of dedicated staff and
20 volunteers, the Lakeland Health Care Center’s knowledgeable team assists each resident to attain
21 the highest practical physical, mental and psychosocial well-being through a variety of
22 specialized programs.

23 **Secs. 51-3--51-10. Reserved.**

24 **ARTICLE II.**

25 **ADMISSIONS AND RATES**

26
27
28
29 **Sec. 51-11. Admission Requirements for Residency at Lakeland Health Care Center.**

30
31 (a) Procedures for admission shall be governed by the provisions of Wisconsin
32 Administrative Code Chapters HFS 132 and shall comply in all manners with state and federal
33 law.
34

1 (b) Admissions to Lakeland Health Care Center shall require an evaluation of the
2 applicant's needs as determined by Lakeland Health Care Center staff and a determination by the
3 staff as to whether any households at Lakeland Health Care Center are staffed suitable to meet
4 the applicant's needs. Prioritization of applicants for admission shall be made on a household to
5 household basis.

6
7 (c) At the time of admission, resident shall provide Lakeland Health Care Center with
8 appropriate physician orders. Resident shall provide Lakeland Health Care Center with medical
9 records concerning a physical examination performed within fifteen (15) days before admission
10 and proof of an examination by a licensed dentist within six (6) months prior to admission.

11
12 (d) Prior to admission, resident shall provide a negative chest x-ray or skin test for
13 tuberculosis that is no more than ninety (90) days old.

14
15 (e) Lakeland Health Care Center exists to serve all residents, regardless of payor
16 source, in a fiscally responsible manner. The Board of Trustees will, from time to time, review
17 Lakeland Health Care Center's revenues and expenditures and provide recommendations.

18
19 (f) At the time of admission, resident and/or responsible party shall meet with the
20 Business Office Supervisor or designee of Lakeland Health Care Center to provide financial
21 information.

22
23 **Sec. 51-12. Limitations on Admissions.**

24
25 (a) It is the philosophy of Lakeland Health Care Center that all who enter and reside
26 within the facility will feel at no risk being cared for by, or having contact with, any person who
27 is a registered sex offender. Therefore, Lakeland Health Care Center shall deny admission to
28 registered sex offenders. Walworth County shall conduct criminal background checks on each
29 applicant prior to admission.

30
31 (b) Bed capacity – the facility may not house more residents than the maximum bed
32 capacity for which it is licensed.

33
34 (c) Care levels – no person who requires care greater than that which the facility is
35 licensed to provide may be admitted to or retained in the facility.

36
37 (d) Persons who require services that the facility does not provide or make available
38 shall not be admitted or retained.

1 (e) No person suspected of having a disease in a communicable state shall be
2 admitted, unless the facility has the means to manage the condition.

3
4 (f) Residents who are known to be destructive of property, self-destructive, abusive
5 to other residents, or suicidal, shall not be admitted or retained, unless the facility has the
6 capability to use sufficient resources to appropriately manage and care for them.

7
8 (g) The foregoing list of limitations upon admission is not exhaustive. Lakeland
9 Health Care Center may consider other factors as may be deemed appropriate. Admissions will
10 be conducted seven (7) days a week.

11
12 (h) A person who is denied admission to Lakeland Health Care Center may appeal
13 the decision by sending a letter within seven (7) days to Lakeland Health Care Center's nursing
14 home administrator, asking for a review of the decision.

15
16 **Sec. 51-13. Rates.**

17
18 (a) Private Pay

19
20 (1) Resident rates shall be established by the Lakeland Health Care Center Board of
21 Trustees consistent with the cost of care and operation of Lakeland Health Care
22 Center.

23
24 (2) Lakeland Health Care Center will provide thirty (30) days written notice of a
25 change.

26
27 (3) The daily rate is based on an evaluation of nursing care needs.

28
29 (4) Residents shall be responsible for paying any charges for items and services not
30 included in the basic daily rate that are requested by the resident or ordered by the
31 resident's physician.

32
33 (b) Medicare (Title XVIII)

34
35 (1) Per diem rates established by the federal government shall be utilized.

36
37 (2) Resident shall be responsible for paying any charges for items and services not
38 covered by Medicare as required or as allowed by Medicare.

39

1 (3) Medicare law guarantees to a beneficiary the right to choose any qualified entity
2 willing to provide services to him/her. By selecting Lakeland Health Care Center,
3 the beneficiary has in effect exercised this right of choice regarding the entire
4 array of services for which Lakeland Health Care Center is responsible under the
5 consolidated billing requirement and agrees to utilize only those suppliers that the
6 Lakeland Health Care Center selects or approves to provide services.

7 (c) Medicaid (Title XIX)

8
9 (1) Rates are established by the State of Wisconsin.

10
11 (2) Resident shall be responsible for paying any charges for items and services not
12 covered by Medicaid as required or as allowed by Medicaid.

13
14 (3) Resident shall be responsible for paying the cost-of-care contribution (the
15 liability) determined by the Department of Health and Human Services in the
16 County in which the resident has applied.

17 **Secs. 51-14--51-20. Reserved.**

18
19 **ARTICLE III.**

20
21 **POLICIES AND PROCEDURES**

22
23 **Sec. 51-21. Billing.**

24
25 (a) Private pay residents shall receive a monthly statement of charges. Full payment
26 of the statement balance is due on or before the last business day of the month.

27
28 (b) Monthly statements are not sent to Medicaid residents for the cost-of-care
29 contribution. This liability payment is due on or before the last business day of the month.

30
31 (c) It shall be the responsibility of the resident and/or agent to notify Lakeland Health
32 Care Center of changes in insurance coverage and to provide current copies of insurance cards.

33
34 (d) If the resident/responsible party fails to pay the statement of charges balance in
35 full, Lakeland Health Care Center may add a finance charge of 1% per month to an outstanding
36 balance. If a payment arrangement satisfactory to Lakeland Health Care Center is not made
37 within ninety (90) days, Walworth County may, in its sole discretion, commence a legal action
38 for collection of the unpaid balance. A notice of discharge may be sent and discharge
39 proceedings begun.

1 (e) A fee shall be charged for any checks returned due to non-sufficient funds.

2
3 (f) Upon discharge, refunds to an appropriate payor shall be issued within thirty (30)
4 days of an account audit. To the extent permitted by applicable law, Lakeland Health Care
5 Center reserves the right to set-off all sums owing on the indebtedness due and owing to
6 Lakeland Health Care Center against any resident accounts with Lakeland Health Care Center.
7 Upon death, the Wisconsin Department of Health Services may claim remaining balances to
8 recoup certain benefits provided to Medicaid recipients.

9 **Sec. 51-22. Transfers and Discharges.**

10
11 (a) Procedures for transfers and discharges shall be governed by the provisions of
12 Wisconsin Administrative Code Chapters HFS 132.

13
14 (b) Lakeland Health Care Center may discharge a resident for nonpayment of charges
15 after allowing a reasonable opportunity to pay any deficiency.

16
17 (c) Lakeland Health Care Center shall discharge a resident who requires care other
18 than that which Lakeland Health Care Center is licensed to provide.

19
20 (d) Lakeland Health Care Center may discharge a resident, if necessary, during an
21 emergency or disaster.

22
23 (e) Lakeland Health Care Center may discharge a resident if the short-term care
24 period for which resident was admitted has expired.

25
26 (f) If a resident wishes to appeal a discharge decision, the resident shall send a letter
27 to the regional office of the Department of Quality Assurance within seven (7) days of receiving
28 a notice of discharge from the facility, with a copy to Lakeland Health Care Center's nursing
29 home administrator, asking for a review of the decision.

30 **Sec. 51-23. Smoking/Alcohol.**

31
32 (a) In accordance with Wisconsin Statute § 101.123, Lakeland Health Care Center is
33 a non-smoking facility. Residents and visitors are allowed to smoke only in the outdoor
34 designated area.

35
36 (b) The consumption of alcohol is prohibited in public areas. With a written
37 prescription from a physician, residents of Lakeland Health Care Center are allowed to consume
38 alcohol in the privacy of their own room. Visitors are not allowed to consume alcohol.

