



March 3, 2011

Board of Supervisors

Walworth County Board of Supervisors

Re: Proposed Amendment to the Multi-jurisdictional Comprehensive Plan for Walworth County Relative to an Expansion of the Lakeland Animal Shelter in the Town of Delavan

Dear Supervisors:

I am requesting your consideration regarding the above-referenced matter.

The Town of Delavan has approved an amendment to the Town of Delavan Comprehensive Land Use Plan Map on 3.14 acres of land located within tax key number F D 2400001. The town plan map category has been changed from Residential to Agricultural. This was done to pave the way for a rezone to the A-4 zoning district and a conditional use permit approval needed to facilitate the expansion of the Lakeland Animal Shelter.

The Town is petitioning Walworth County to amend the County Comprehensive Land Use Plan Map to an appropriate category to allow the required rezoning and conditional use permit. The County Comprehensive Land Use Plan Map currently identifies this area as Urban Density Residential. A change to the Prime Agricultural Plan Map Category would allow the property to be rezoned to the A-4 zoning district.

The Town has found that this plan map amendment involves extraordinary circumstances for reasons affecting the public welfare and is requesting that the County Board concur that the "extraordinary circumstances" standard has been met so that this plan amendment can proceed at this time and not be delayed until the annual Comprehensive Plan amendment review process.

At this time, we request that the County Board concur with the Delavan Town Board that the "extraordinary circumstances" standard has been met. This action requires a two-thirds majority of the County Board as stated on page XVI-2 of the Multi-Jurisdictional Comprehensive Plan for Walworth County.

If the County Board finds that the proposed amendment meets the "extraordinary circumstances" standard, I am requesting that the proposed comprehensive plan map amendment be forwarded to the County Zoning Agency to hold a public hearing to consider the requested comprehensive plan map amendment.

Pursuant to Sec. 2-65 (c) (1) of the Walworth County Code of Ordinances, I will be requesting action on this item at the County Board meeting. I will be requesting a motion that the County Board concur with the Delavan Town Board that the "extraordinary circumstances" standard has been met with respect to parcel FD2400001 and that the proposed comprehensive plan amendment be forwarded to the County Zoning Agency to hold a public hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Russell", with a long horizontal flourish extending to the right.

Nancy Russell
County Board Chair

NR/sh

THE TOWN OF DELAVAN

Walworth County, Wisconsin
5621 Town Hall Road, Delavan, Wisconsin 53115
(262) 728-3471 Fax: (262) 728-3473
Email - admin@townofdelavan.com

DOROTHY BURWELL, Town Chair
RICHARD BONSALL, Supervisor
RYAN SIMONS, Supervisor
HERB SESSNER, Supervisor
BARB MILITELLO, Supervisor

JOHN OLSON, Administrator
DIXIE BERNSTEEN, Clerk
LAURA DUCHEMIN, Treasurer

March 4, 2011

Neal Frauenfelder
Walworth County LURM
P.O. Box 1001
Elkhorn, WI 53121

Neal,

Please accept this letter of application requesting the change in land use to the 2035 Walworth County Comprehensive Plan from Residential to Agricultural for Hold Your Horses, LLC (Lakeland Animal Shelter), 4978 Town Hall Rd. (FD 2400001).

The Town of Delavan has already approved their request early in the annual amendment timeline and considered it an extraordinary circumstance due to the public benefit mission of the organization. Following a Public Hearing before the Plan Commission on March 1, the Plan Commission recommended the change by a 6-1 vote followed by a unanimous Town Board vote of 5-0.

Attached are copies of their application and the Notice of Public Hearing. The Town of Delavan has already collected the appropriate fees and will be responsible for the Walworth County application fees.

If you have any further questions, please don't hesitate to contact me and thanks for your consideration of this request.

Sincerely,



John P. Olson
Administrator

PETITION OF AMENDMENT TO THE LAND USE PLAN MAP OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR WALWORTH COUNTY 2035

OWNER: HOLD YOUR HOUSES LLC

TOWN: DELAVAN TAX PARCEL NO. FD 2400001

The undersigned hereby petitions the Town and County Board to amend the Multi-Jurisdictional Comprehensive Land Use Map.

Present Plan Map Designation R-1

Request Plan Map Designation A-4

LEGAL DESCRIPTION: (Written Metes and Bounds Description of the Land to be Redesignated)

SEE ATTACHED SHEET

(Attach separate sheet if additional space is needed)

Property Owner's Name (print): HOLD YOUR HOUSES, LLC FOW WIESES

X Property Owner's Signature: Kyle G. Wiese Kathryn E. Wiese

Address: 4978 TOWNSHIP ROAD DELAVAN, WI 53115

Telephone No.: 728-1773

Applicant's Name (print): Lakeport Animal Shelter

Applicant's Signature: [Signature]

Address 3551 State Rd 67, Delavan, WI 53115

Telephone No.: 262-723-1000

Statement of proposed use of property, with pertinent facts regarding the size of area involved, extent of development, type of operation, etc.:

CONSTRUCT NEW ANIMAL SHELTER (TOGETHER WITH EXISTING AS ZONED LANDS). SEE ATTACHED PERMITS + CONDITIONAL USE ORD FOR OTHER WITH THE ENCLOSED PLAN OF OPERATIONS.

(over)

Submit a plat of survey or plot plan (if applicable) of the property to be redesignated, drawn to scale, showing:

- Existing Land Use and Surrounding Land Use(s).
- Drainage areas, floodplains, rivers, streams, lakes, forested areas, and any other natural features.
- Soil types and Agricultural Capability Classification.

More information may be requested by the Town or Walworth County Zoning Agency if deemed necessary to properly evaluate your request. THE LACK OF INFORMATION SUBMITTED MAY IN ITSELF BE SUFFICIENT CAUSE TO DENY A PETITION. See attached Project Narrative for Large Development Plan Map Amendment Applications.

IT IS NECESSARY FOR THE APPLICANT OR A REPRESENTATIVE TO BE PRESENT AT THE TOWN AND COUNTY HEARING. FAILURE TO APPEAR MAY RESULT IN THE HEARING BEING POSTPONED AND THE PETITION EITHER BEING POSTPONED OR DENIED. IF DENIED, THE APPLICANT CANNOT REPETITION FOR ONE YEAR FROM THE DATE OF PUBLIC HEARING.

Date this 16 day of December, 2010
[Signature]
 PROPERTY OWNER'S SIGNATURE

ONLY TO BE COMPLETED IF REDESIGNATING LAND OUT OF THE PRIME AGRICULTURAL PLAN MAP DESIGNATION

I understand that if the land being redesignated out of the Prime Agricultural Plan Map category is ultimately rezoned that there is agricultural conversion fee due to the State of Wisconsin.

PROPERTY OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

INFORMATION ON PLAN AMENDMENT PROCEDURES:

This information is provided to assist the petitioner in applying for plan amendments.

APPLICATION REQUIREMENTS:

Petitioner must submit a completed application to the town clerk in which the land is located.

Incomplete applications will not be accepted. All legal descriptions, plans, and supporting information must be submitted with the application. It is important to check the application form and information check list for the type of information that may need to be included with the application. The application must contain the original signatures of the owner. No fax applications nor photocopied signatures will be accepted.

Due to publication requirements complete applications must be received prior to or on the deadline date established by the town and county.

The following generalized schedule is proposed for the annual processing of plan amendments:

- > Each year, towns would process plan amendments during the months of June, July, and August. "Processing" includes all statutory requirements, including holding a public hearing with 30 days notice, adoption of a resolution approving the amendment by the town plan commission, and adoption of an ordinance approving the amendment by the town board.
- > Each year, towns would forward any town-approved amendments to the County Land Use and Resource Management Department at least six weeks prior to the date of the regular October meeting of the County Zoning Agency, which is held on the third Thursday of the month. The Zoning Agency makes a recommendation to the County Board.
- > The County Board would consider adoption of the pending amendments as part of the County comprehensive plan at its regular November meeting.

If you have further questions regarding this procedure, please contact the Town Clerk.

PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24,
TOWN 2 NORTH, RANGE 16 EAST, WALWORTH COUNTY, WISCONSIN, MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE COUNTY MONUMENT WITH BRASS CAP FOUND MARKING THE
NORTHEAST CORNER OF SAID SECTION 24 (T2N, R16E); THENCE S 01DEG 42MIN 50SEC E,
840.34 FEET ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 24; THENCE
S 88DEG 01MIN 03SEC W, 50.12 FEET TO AN IRON REBAR STAKE FOUND ON THE WESTERLY
RIGHT OF WAY OF STATE TRUNK HIGHWAY "67" AND THE POINT OF BEGINNING; THENCE
ALONG SAID RIGHT OF WAY OF STATE TRUNK HIGHWAY "67" S 01DEG 42MIN 21SEC E,
239.57 FEET TO AN IRON REBAR STAKE FOUND; THENCE CONTINUE ALONG SAID RIGHT OF
WAY OF STATE TRUNK HIGHWAY "67", S 02DEG 54MIN 43SEC W, 311.02 FEET TO AN IRON
PIPE STAKE FOUND; THENCE S 88DEG 07MIN 59SEC W, 188.87 FEET; THENCE N 01DEG
42MIN 21SEC W, 549.08 FEET; THENCE N 88DEG 01MIN 03SEC E, 213.91 FEET TO THE
POINT OF BEGINNING. CONTAINING 113,619 SQUARE FEET OF LAND (2.61 ACRES) MORE OR
LESS.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town of Delavan Plan Commission will conduct a public hearing regarding a proposed amendment to the Town of Delavan Comprehensive Plan on Tuesday, March 1, 2011 at 6:00 p.m. at the Delavan Town Hall, 5621 Town Hall Road, Delavan, Wisconsin 53115.

The proposed amendment is to change the land use classification of the following described parcel from residential to agricultural;

Part of the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 24, Town 2 North, Range 16 East, Walworth County, Wisconsin, more particularly described as follows:

Commencing at a concrete county monument with brass cap found marking the Northeast corner of said Section 24 (T2N, R16E); thence South 01° 42' 50" East 840.34 feet along the East line of the Northeast 1/4 of said Section 24; thence South 88° 01' 03" West, 50.12 feet to an iron rebar stake found on the Westerly right of way of State Trunk Highway "67" and the point of beginning; thence along said right of way of State Trunk Highway "67" South 01° 42' 21" East 239.57 feet to an iron rebar stake found; thence continue along said right of way of State Trunk Highway "67", South 02° 54' 43" West, 311.02 feet to an iron pipe stake found; thence South 88° 07' 59" West, 188.87 feet; thence North 01° 42' 21" West, 549.08 feet; thence North 88° 01' 03" East, 213.91 feet to the point of beginning. Containing 113,619 square feet of land (2.61 acres) more or less.

Tax Parcel No. FD 2400001

Property Owner: Hold Your Horses, LLC

Property Location: STH 67

The purpose of this amendment is for the development of the proposed new Lakeland Animal Shelter. Additional information regarding the proposed plan amendment may be obtained from John Olson, Town Administrator, and the proposed amendment to the Comprehensive Plan may be inspected, or a copy of the proposed amendment may be obtained, during normal business hours at the Delavan Town Hall, 5621 Town Hall Road, Delavan, Wisconsin 53115.

Town of Delavan



March 8, 2011

Board of Supervisors

Walworth County Board Supervisors

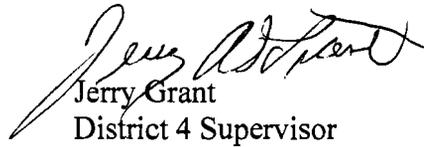
Re: National Volunteer Week

Dear Supervisors:

National Volunteer Week is being celebrated April 10 through April 16 this year, which is the week before our April 19 County Board meeting. During the past few years, we have adopted a resolution proclaiming National Volunteer Week as Volunteer Week in Walworth County. The problem this year is that if we wait to do this at our April meeting, National Volunteer Week will be over.

I would appreciate your consideration of suspending our Board rules at the March 14 meeting to adopt a resolution proclaiming April 10 through 16 as Volunteer Week in Walworth County. At our April 19 Board meeting, we could then hold a special order of business recognizing our County volunteers and adopt a resolution recognizing them.

Very truly,


Jerry Grant
District 4 Supervisor

JG/sh

Policy and Fiscal Note
Resolution No. 82-03/11

I. Title: Approving a Collective Bargaining Agreement Re-Opener By and Between Walworth County and the Walworth County Children with Disabilities Education Board and Lakeland Education Association for the Period of July 1, 2010 to June 30, 2011

II. Purpose and Policy Impact Statement: Adoption of this resolution will establish wage rates with the Walworth County Children with Disabilities Education Board and Lakeland Education Association.

The special agreement component regarding CD/MR Certified Teachers was not a feasible option for the county to agree to, therefore the wages and health insurance constitute a full and final agreement.

The tentative agreement consists of a 1% wage increase added to each cell effective retroactively to August 22, 2010. Health insurance remained status quo.

III. Budget and Fiscal Impact: Complete details concerning the tentative agreement are set forth in the attachment entitled "MEMORANDUM OF UNDERSTANDING: Early Retirement Health Insurance Incentive and Involuntary Layoff." The wage increase was budgeted for in 2010 and 2011. The cost of this wage increase equates to \$40,504.28

IV. Referred to the following standing committees for consideration and date of referral:

Committee: Human Resources Meeting Date: March 8, 2011

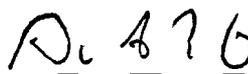
Vote: 4 - 0

Committee: CDEB Meeting Date: March 8, 2011

Vote: 3 - 0

County Board Meeting Date: March 14, 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 Date
County Administrator/Corporation Counsel



Nicole Andersen Date
Deputy County Administrator - Finance

**MEMORANDUM OF UNDERSTANDING
EARLY RETIREMENT HEALTH INSURANCE INCENTIVE AND INVOLUNTARY LAYOFF**

Walworth County ("County") and Lakeland Education Association ("Union") hereby agree to the following:

Background:

The collective bargaining agreement (CBA) currently in place expires on June 30, 2011. The County and the Union have been meeting since October of 2010 in an effort to reach an agreement on the three re-opener issues for the second year of the collective bargaining agreement – wages, health insurance and "bumping" (seniority rights). An agreement was not able to be reached on its own, so a request for mediation was sent to the WERC.

On February 7, 2011 Arbitrator Dan Nielsen met with both parties to attempt to find a resolution. The mediation proved successful in both parties attempting to find a middle ground and potentially settle the reopener issues. The agreement is specifically for Teachers employed in the outlying districts that currently hold a CD or MR Teaching Certification.

In regards to the "bumping" (seniority rights) issue, a tentative agreement was reached. The agreement is outlined below, however, it is important to note that the agreement on this issue hinges on the results of a survey the union will be taking of eligible employees and their acceptance or rejection of the agreement outlined below. The final decision on offering the agreement will be based on the number of interested parties and the County's ability to accommodate the final number of interested parties.

Agreement:

1. Appendix F, Letter of Agreement Re: Early Retirement Insurance Incentive and Involuntary Layoff shall be amended as follows:

2. **INVOLUNTARY LAYOFF**

In the event an employee is ~~involuntarily~~ laid off ~~directly~~ as a result of the Counties' decision to phase out WCCDEB off-campus services, the employee will be eligible for only the following severance benefits (Layoffs-Seniority Rights (Article X (B)(1-2)) of the Collective Bargaining Agreement does not apply):

3. **SPECIAL AGREEMENT (CD/MR District Teachers) effective March 2011**

The following individuals (names will be inserted at time of final agreement) will be guaranteed positions at Lakeland School, subject to the following:

- A. Administration at Lakeland School will transfer these individuals to a vacancy at its discretion; the first vacancy will be filled for the 2011-2012 school year.
- B. If the individual rejects the transfer, that individual waives their right to any future position at Lakeland School and will be granted layoff severance benefits as defined in section 2 (Involuntary Layoff) of this agreement.
- C. These individuals must immediately (beginning no later than the start of the first quarter of the 2011-2012 school year) show a commitment to the service delivery model and instructional needs of the Lakeland School population; this may be

achieved through up to six (6) credits of approved course work or other approved practicum experiences. Individuals with recently completed course work and/or experience may have it approved by Administration immediately to satisfy this requirement.

D. If any of these individuals have not assumed a position at Lakeland School by the end of the 2015-2016 school year, Lakeland School will offer them a position to commence at the beginning of the 2016-2017 school year.

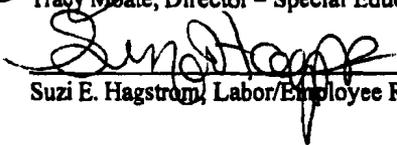
2. The Union agrees to return back to the Director – Special Education the “Acceptance/Rejection of Special Agreement (CD/MR District Teachers)” forms for all nine eligible employees no later than February 28, 2011.
3. Final approval of the revised Letter of Agreement is contingent upon the number of employees who commit to the above agreement.
4. Administration will make their final decision on the Special Agreement (CD/MR District Teachers) agreement no later than March 7, 2011.
5. Should the special agreement work for both parties, the revised Letter of Agreement will be distributed as revised Appendix F upon ratification by all parties; however,
6. Should the special agreement NOT work for all parties, the Letter of Agreement will remain as it currently is written and the balance of the other two reopener items that have been agreed to as follows will constitute a full and final tentative agreement:
 - a. Wages – 1% effective August 22, 2010
 - b. Health Insurance – Status Quo

Dated this 28 day of February, 2011.

Walworth County



Tracy Meate, Director – Special Education



Suzi E. Hagstrom, Labor/Employee Relations Director

Lakeland Education Association



Vicki L. Blakeslee



Sandra L. Mc Laughlin